

REBUTTAL TO THE ARGUMENT IN FAVOR OF MEASURE X

Don't be confused that all of San Juan Capistrano's Open Space (OS) will be preserved by using a ballot vote as stated in the Argument for Measure X. The City's 1999 general Plan identifies only 449 acres of Natural Open Space land out of 3,404 Open Space & Recreation acres. All the rest is Parks, Open Space, and Recreation/Commercial with allowed uses and many acres with uses already on them.

- Many of the uses allowed in the Open Space Land Use designation involve some kind of development - without a vote by the people.

The present City Council in placing Measure X on the ballot argued twice in its concern about retaining City owned open space lands. It could have focused on that and perhaps identified other valuable natural land for requiring a vote of the people. It chose not to.

Fiscal analysis regarding potentially locking up present Open Space lands through voter approval of OS land use changes was not done. The General Plan addresses the fiscal benefit and need for financial stability that development provides. The State requires a fiscal analysis regarding passage of Propositions. No Fiscal analysis/impact of Measure X was done.

You would expect equal treatment under the law. Apparently the Open Space Committee and present City Council majority don't think so regarding land use laws in San Juan Capistrano.

In fairness to the smaller long time property owner, for equal treatment under our laws, and if you believe in preserving private property rights, **Vote NO on Measure X.**

s/ Tom Lorch
San Juan Capistrano Property Owner