



SAVE OUR SEAL BEACH

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Seal Beach City Council just passed a “downzoning” ordinance in Old Town in order to evade Prop 90 homeowner protections. Their reduction of height limits on the back half of larger lots will be confirmed as an unlawful regulatory “taking” under Prop 90, as this city ordinance deprives owners of property use and value without compensation. Zone Text Amendment 06-1, ordinance 1553 “reduces the allowable height from 35 feet to 25 feet on the rear half of lots 37.5 feet wide or wider for RMD and RHD Zones in Planning District 1, Old Town, Seal Beach.” **PROTECT YOUR RIGHT TO HOME IMPROVEMENTS ON YOUR OWN PRIVATE PROPERTY! SIGN THE PETITION!**
Let the People Vote! Support the Seal Beach Referendum!

TEXT OF PROP 90 (Relevant Passages)

SEC. 19. (a)(1) Private property may be taken or damaged *only for a stated public use...*

(b) *For purposes of applying this section:*

(8) *Except when taken to protect public health and safety, “damage” to private property includes government actions that result in substantial economic loss to private property. Examples of substantial economic loss include, but are not limited to, the downzoning of private property, the elimination of any access to private property, and limitations on the use of private air space. “Government action” shall mean any statute, charter provision, ordinance, resolution, law, rule or regulation.*

DEFINITIONS BY LEGISLATIVE ANALYST

Limitations on the Use of Private Air Space. This term generally refers to actions by government that limit the height of a building. For example, a government rule limiting how tall a building may be to preserve views or maintain historical character often is called a limitation of “air space.”

Proposition 90 enjoys big lead in independent statewide poll

SACRAMENTO – Proposition 90, known as the Protect Our Homes Initiative, is getting 61.3 percent of the vote in an independent statewide survey released in mid-September.

The poll, conducted by Datamar Inc., shows 61.3 percent of likely California voters support Proposition 90, 24.0 percent oppose and 14.7 percent are still undecided.

“It is very encouraging to have independent polling that confirms the campaign’s own internal polls,” said Mimi Walters, Honorary Chair of the YES on 90 campaign. “The Supreme Court’s Kelo decision, and the abuse of eminent domain and regulatory takings, are a major concern to all voters - Democrats, Republicans and Independents alike - and Prop. 90 is leading by a very healthy margin.”

Proposition 90 addresses the US Supreme Court’s 2005 ruling in the case of *Kelo v. New London*, that greatly expanded the ability of governments to seize homes, small businesses and farms for economic gain. Under Proposition 90, private property will be protected from unfair seizure by governments looking to turn the land over to private developers or injuring private owners. It also prevents regulatory “takings” in unfair “downzoning” ordinances and zoning changes which deprive property owners of property use and value without just compensation.

To learn more: Proposition 90, www.90YES.com. The Referendum, please visit www.SaveOurSealBeach.com