

# A BUBBLING CAULDRON

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MONDAY, JULY 20, 2015

## Activists To Circulate Development Control Petition

### SIGNATURES TO BE GATHERED



The activist organization, *Costa Mesa First*, issued a press release dated today in which it announced plans to circulate a petition within the City of Costa Mesa to gather

sufficient signatures to allow an initiative giving a greater voice to the voters on future development within The City to be placed on the November, 2016 General Election ballot. The text of that press release follows. Click on the image to enlarge it.



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**COSTA MESA**  
**FIRST**  
  
 Working for a Livable City

**COSTA MESA FIRST ANNOUNCES PUBLICATION OF AN INITIATIVE TO REQUIRE VOTER APPROVAL ON CERTAIN DEVELOPMENT PROJECTS**

FOR IMMEDIATE RELEASE

Contacts:

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(Costa Mesa, California) – July 20, 2015 – Costa Mesa First's initiative for an ordinance to give the people of Costa Mesa control of their future was published in *The Daily Pilot* on July 17, 2015. The next step will be qualifying the initiative for the ballot in 2016 by collecting signatures on petitions that will begin to be circulated this week.

The initiative was given the title "An Initiative to Require Voter Approval on Certain Development Projects", by the City Attorney, who also prepared a summary of the initiative.

"Our members are getting ready to gather signatures," stated Rick Huffman of Costa Mesa First. "We are pleased that so many want to participate in the democratic process."

Volunteers will begin collecting signatures next week by canvassing in various public places throughout the City and going door-to-door in their neighborhoods. Many residents have already contacted Costa Mesa First about circulating the petition.

"The response to the articles in the newspapers and blogs has been fabulous," said Jay Humphrey, "and we believe we will get the signatures we need to get the initiative on the ballot. Any support would be appreciated and any resident interested in helping in any way can contact us by email or by our website: [CostaMesa1st.com](http://CostaMesa1st.com)."

*Costa Mesa First (FPPC 1332564) is a group of concerned Costa Mesa residents and encourages the adoption and implementation of smart growth policies. Please contact Costa Mesa First at P.O. Box 2282, Costa Mesa, CA 92628 (714) 549-5884, [costamesa1st@gmail.com](mailto:costamesa1st@gmail.com). Follow us on Facebook and Twitter and at [CostaMesa1st.com](http://CostaMesa1st.com).*



## A VERY IMPORTANT DATE

In that press release is the announcement of the publication of the public notice of the Intent to Circulate Petition on **July 17, 2015**. This is very important because that noticing date starts the clock on future developments should this initiative end up on the ballot and be passed by a majority of the voters.



## COMPLETE TEXT OF PUBLISHED NOTICE



To help you understand what's at stake here I have reproduced the entire public announcement from Friday's *Daily Pilot*, which includes the name of the measure provided by the Costa Mesa City Attorney - ***An Initiative To Require Voter Approval On Certain Development Projects***. The text of the published notice follows:

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### Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of

their intention to circulate the petition within the City of Costa Mesa for the purpose of amending Title 13 of the Municipal Code of the City of Costa Mesa. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

(a) Environmental quality in Costa Mesa, which directly affects the quality of life of its residents, workers and visitors, is significantly and adversely impacted by excessive development, which causes severe traffic congestion and gridlock, degradation of Costa Mesa's infrastructure, as well as air, noise and water pollution.

(b) Costa Mesa's traffic circulation system is already oversaturated. Several intersections are operating at or near failure during peak traffic hours and are inadequate to support existing development.

(c) Furthermore, these existing traffic and traffic circulation system conditions result in adverse effects on public safety, public health and our quality of life.

(d) Increased population density and overall population have stressed Costa Mesa's parks and other public facilities and services resulting in adverse effects on public well-being.

(e) The City of Costa Mesa's existing land use and development review and approval procedures do not carefully or accurately consider, nor adequately weigh, the adverse impacts to the local environment and quality of life caused by increased density and congestion resulting from major changes in allowable land use.

(f) The standards by which the City of Costa Mesa evaluates major changes in allowable land use are ill-defined and inadequate to avoid or effectively mitigate the adverse effects of these changes, and

(g) The People of Costa Mesa, whose quality of life and property rights are at stake, should have the power to decide whether a proposed Major Change in Allowable Land Use, is worth the added congestion and density it will cause, after careful, independent evaluation by the City of Costa Mesa of the adverse environmental effects of Major Changes in Allowable Land Use, based on clear and consistently applied standards.

We, the undersigned Proponents of the proposed Initiative and registered voters of the City of Costa Mesa, do hereby submit the above Notice of Intent to Circulate petition:

John V. Humphrey

Mary Spadoni  
Richard Huffman

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY  
TO THE VOTERS**

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

**AN INITIATIVE TO REQUIRE VOTER APPROVAL ON CERTAIN  
DEVELOPMENT PROJECTS**

The initiative would amend the City of Costa Mesa Municipal Code to require voter approval on certain development projects that meet the following criteria:

1. The proposed project would require adoption, amendment, change or replacement of the Costa Mesa General Plan ("General Plan"), municipal code, specific plan, or overlay plans, AND
2. The proposed project meets a minimum of one of the following:
  - A. Would involve any one of the following changes:
    - i. Generate more than 200 additional Average Daily Trips,
    - ii. Increase the volume/capacity of an intersection based on a specified formula,
    - iii. Change the Intersection Capacity Utilization or level of service based on a specified formula,
    - iv. Add 40 or more dwelling units,
    - v. Add 10,000 square feet of retail, office or other nonresidential, or
    - vi. The proposed project, combined with other projects, within 8 years and a half-mile of each other, meets this criteria;
  - B. Change a public use to a private use under specified circumstances;
  - C. Involves land designated as utility right-of-way under specified circumstances;
  - D. Involves land donated, bequeathed or otherwise granted to Costa Mesa;
  - E. Involves land used or designated for Costa Mesa school property; or
  - F. Involves land owned, controlled or managed by Costa Mesa.

According to the initiative, an application submitted by a proponent of a development project that is subject to voter approval must provide a site plan with the location, size and main features of the project; the text proposed for the General Plan, municipal code, specific plan or overlay plan; comparisons of traffic, density and intensity; potential inconsistencies between the development project and the surrounding uses in the neighborhood, General Plan, municipal code, and

applicable specific plan or overlay plan; and traffic, circulation and traffic safety impacts.

Any development project subject to the initiative and adopted by the City Council would not take effect until approved by a majority of the Costa Mesa electorate at the first regular municipal election. However, the development project may be submitted to voters at a special municipal election if, by mutual agreement with the City Council, the proponent agrees to pay the cost of the special municipal election. The initiative requires specific information within the sample ballot including the information provided in the application. the initiative would allow the City to conditionally approve discretionary permits related to the development project prior to receiving voter approval.

Voter approval would not be required on development projects for a public school or hospital; projects approved before the initiative's effective date; affordable housing projects; occupied legal non-conforming residential units under certain circumstances; where voter approval would result in an unconstitutional taking of private property; or where voter approval violates state or federal law. The initiative would supersede any inconsistent provisions of the Costa Mesa Municipal Code and apply to all development projects initiated on or after the date of publication of the Notice of Intent to Circulate Petition.

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### **THE CLOCK IS TICKING**

So, the clock starts now. Within the next few days folks will begin circulating the petitions throughout the city. It will be very interesting to see if sufficient signatures can be gathered to qualify this item for the ballot.



### **A STAMPEDE?**



Of equal interest will be the reaction from the development community to this action. Since it's likely that, if approved, this item would have an effective date of January 1, 2017, one might anticipate a stampede of development

projects descending on City Hall over the next few weeks.

**COUNCIL REACTION**

And, of course, it will be **VERY** interesting to watch the reaction to the developer-oriented City Council majority to this initiative. Mayor Pro Tem **Jim Righimer**, every developer's best friend, has already pronounced it the death knell to Costa Mesa's future. It will be interesting to see what kind of plans he has to quash this initiative.



Labels: Costa Mesa First, Jay Humphrey, Mary Spadoni, Richard Huffman, Voter Approval On Development

POSTED BY THE POT STIRRER AT 7/20/2015 01:51:00 AM 

**7 COMMENTS:**

 Where's My Coffee? said...

Can't wait to see the anti initiative, pro development crap coming from The Rigbots. Apparently, and according to them, the world will come to an end if the voters get to decide on the larger intrusive developments such as Azulon or those on 17th, across from Trader Joe's. It won't change the day to day development, or even change the high density, unless its over 40 units, which will trigger a vote. It will not stop any development, it will merely allow a vote of the residents. Now, watch the anti money flow in, and the predictions of the death of Costa Mesa. Don't believe it, residents. Take your future in your own hands, to the limited degree that we can with this bunch.

7/20/2015 08:04:00 AM

 Papa Smurf said...

Great idea - cannot wait to sign it! I wonder if we can do the same thing to require all public officials to have to disclose any relationship, donations or any other type of compensations to include sponsored vacations/trips from any vendor bidding for a contract, requesting variances, etc....

7/20/2015 10:54:00 AM

 kwahlf said...

This is a great idea!  
If proposed development follows  
the Costa Mesa General Plan it will

not be affected by this initiative.  
If it doesn't, the voters in CM decide  
the future of the proposed development.

The people/residents/voters in our city  
will finally have a voice in deciding the  
future of Costa Mesa!

7/20/2015 01:39:00 PM

 CMTaxpayer said...

'Bout time.

7/20/2015 10:20:00 PM

 Robin Leffler said...

I think this will get a lot of support from all sides. People are pretty fed  
up, and afraid of the consequences of runaway development on our City.  
It's another example of the Council majority's philosophy; "Fire,  
Ready...why even bother to "Aim". There is no overall, long-term vision.  
That's where this initiative comes in.

I was talking with a friend who supported Righeimer and Mensinger in  
their last elections. She was grilling me about the initiative and I told  
her what I knew, about the 40 units, 10,000 square feet or 200 trips  
triggers. I was expecting opposition. Instead, she said emphatically "In  
my opinion, it doesn't go far enough!" Other people who used to support  
them have criticized their disregard for neighbor's homes and said to  
me "What are they doing to us? Where is all the traffic going to go? It  
will be gridlock!" and "This is what happens when you have developers  
on the Council."

7/21/2015 12:01:00 AM

 Mike McNiff said...

Wonder what the mayor's new house is going to look like. Fence  
around it would appear to indicate he's tearing it down and rebuilding.

What's his day job again, because that can't be cheap.

7/21/2015 06:10:00 AM

 The Pot Stirrer said...

Maybe we should see what kind of variances he's getting on that  
project?

7/21/2015 11:05:00 AM

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