



K

City of Costa Mesa, Ordinance to Revitalize Commercial and Industrial Areas and Protect Residential Neighborhoods

To provide for future housing needs of workers, middle-class families, and seniors; maintain the character of Costa Mesa’s single-family neighborhoods; protect the environment and open space; attract new businesses; and maintain local control; shall voters authorize the City Council to adopt publicly-reviewed land use plans to revitalize outdated commercial/industrial corridors such as Newport and Harbor Boulevards, and expand affordable housing, while restricting building heights, requiring developer-paid fees, and keeping residential neighborhoods intact?

What your vote means

YES	NO
<p>A “yes” vote on this measure will require the City Council to hold public meetings to seek community input prior to, and then allow changes to be made by the City Council to the City’s General Plan and/or zoning, Specific Plans or Overlay Plans, subject to environmental review, establishment of maximum building heights, with fees to be paid by developers to reduce traffic, expand parks, and protect open space, to properties located in specifically defined industrial/commercial corridors described in the Measure and depicted in the attached map (Exhibit A) only – specifically excluding existing residential property and parks -- in order to provide for the development of affordable housing, mixed use and/or revitalization of these areas.</p>	<p>A “no” vote would leave the existing Zoning Code restrictions in place and prevent the City Council from finally adopting land use plans for affordable housing and commercial revitalization in the specific designated corridors shown on the map.</p>

For and against

FOR	AGAINST
<p>Andrea Marr Costa Mesa Mayor Pro Tem/Mesa Del Mar Resident</p> <p>Charlene M. Ashendorf City of Costa Mesa Parks and Community Services Commissioner/State Streets Resident</p> <p>Ian Stevenson Non Profit Leader/Eastside Resident</p> <p>Kelsey Brewer Affordable Housing Advocate/Mesa Verde Resident</p> <p>Tom Arnold</p>	<p>Don Harper Costa Mesa Council Member and Business Owner</p> <p>Jay Humphrey Former Costa Mesa Council Member and Vice-Mayor</p> <p>Sandra Genis Land Planner and Former Costa Mesa Mayor</p> <p>Mary Spadoni Retired Law Enforcement Officer</p> <p>Cynthia McDonald Assistant Treasurer, Submitted on behalf of Costa Mesa First, FPPC 1332564</p>

 **Ballot Measures-K****Full Text of Measure K
City of Costa Mesa**

The People of Costa Mesa find:

- (a) Past changes in the Costa Mesa Municipal Code had the unintended consequence of severely constricting the production of new housing in Costa Mesa, thereby contributing to a severe shortage of housing affordable to Costa Mesa's working and middle-class families, young adults, seniors, and others.
- (b) The requirement for a city wide vote on land use plans has had the effect of stalling the normal process of renewal, change, and revitalization of the city's commercial and industrial areas, contributing to the decline of local retail centers and increase in vacant storefronts along the city's main commercial corridors and industrial areas.
- (c) Since 2016, the State of California has adopted new laws and regulations requiring every city to plan for substantially increased numbers of housing units at all affordability levels to meet the needs of its residents, including working and middle class families and individuals, and imposing severe consequences for the city's failure to zone sufficient parcels of land to meet the state-designated housing need, including financial penalties and the loss of local control over land use planning.
- (d) The City of Costa Mesa has responded to these new laws and regulations through the development of its Housing Element, which included significant community input, a comprehensive analysis of the issues causing the lack of housing production, and identification of proposed Housing Opportunities Sites to meet the undeniable demand for new housing supply.
- (e) Costa Mesa residents recognize the benefits of allowing a more efficient use of land located near our job centers, and a greater variety of housing types, including mixed-use housing, along certain commercial and industrial corridors of the city and in the entire area north of the 405 freeway, specifically including the South Coast Plaza metro area where multi-story apartments and condominiums coexist with offices, restaurants, retail stores, and arts and cultural spaces, to create a vibrant urban environment.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF COSTA MESA DO ORDAIN AS FOLLOWS:

SECTION 1. Code Amendment.

This ordinance amends the Costa Mesa Municipal Code as follows, and supersedes any provisions that are inconsistent with this ordinance, and shall be known as "An Ordinance to Revitalize Commercial and Industrial Areas and Protect Residential Neighborhoods", and shall be referred to herein as the "Measure."

SECTION 2. Purpose.

The purpose of the Measure is to revise the Costa Mesa Municipal Code to allow the City Council to establish land use plans, including general plan and/or zoning code amendments, through a public hearing and visioning process, including any related amendments to City Ordinances, as needed, for specifically defined areas of the City to encourage development of affordable housing for working and middle class families and boost commercial revitalization, while keeping intact current residential neighborhoods and maintaining local control.

SECTION 3.

Section 13-200.106 of the Costa Mesa Municipal Code is amended to add the following subsection (g):

(g) This article shall not apply to any amendment, change, or replacement of the General Plan, or of Costa Mesa's zoning ordinance (as defined and contained in Title 13 of the Costa Mesa Municipal Code) or any Specific Plan or Overlay Plan, or adoption of a new Specific Plan or Overlay Plan, applicable to property located in the following areas, as depicted in Exhibit A, to provide for the development of housing and/or mixed use and/or revitalization of existing commercial and/or industrial corridors therein:

- (1) Newport Boulevard/Old Newport Boulevard from Mesa Drive to the City limit and Superior from Newport Boulevard to the City limit;
- (2) Harbor Boulevard from Baker Street to West 19th Street;
- (3) Baker Street between SR-73 and SR-55, generally referred to as the SoBECA area;
- (4) South side of Baker Street from Fairview to Mendoza;
- (5) Bristol Street, south of the 405 freeway to the City limit;
- (6) West 17th Street from Newport Boulevard west to Monrovia, West 18th Street from Placentia west to Monrovia, and 19th Street from Harbor Boulevard west to Federal;
- (7) Placentia Avenue from Victoria Street to West 16th Street;
- (8) The site located at 3150 Bear Street; and
- (9) North of the 405 freeway as bordered by the City limits.

All city-sponsored land use plans adopted or amended for any part of the defined areas eligible for this exemption shall include a public community visioning process (e.g., workshops, design charrettes, community surveys) prior to adoption or amendment by the City Council at any required public hearing.

All land use plans approved for the areas described above shall include restrictions on building heights. Development impact fees shall be required to be paid to mitigate impacts of any permitted development, including traffic and parks and open space, and all required environmental and public review shall precede any decisions.

Nothing herein shall be deemed to exempt major changes in allowable land use of any existing residentially developed properties or public parkland from the provisions of this article.



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SECTION 4.

Section 13-200.106(e) of the Costa Mesa Municipal Code is hereby amended to read:

The provisions of this article shall not apply to affordable housing proposals required by state or federal law, or to any housing or mixed used development proposals located in the areas listed in subsection (g) as depicted in Exhibit A that comply with a City Council-adopted affordable housing ordinance(s) or City Council-approved development agreement.

SECTION 5. Inconsistencies.

Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 6. Severability.

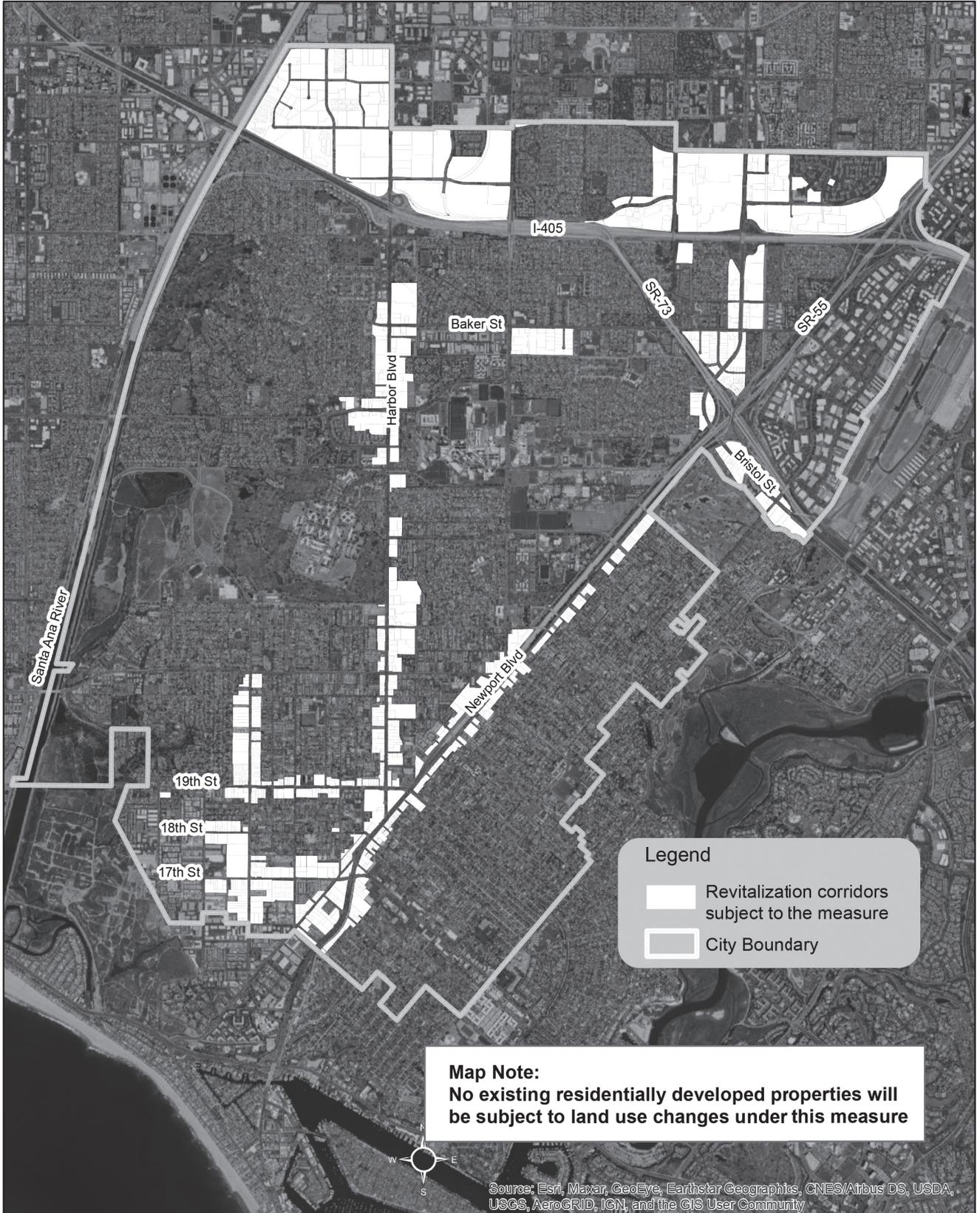
If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The People of the City of Costa Mesa hereby declare that they would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Effective Date.

This ordinance shall take effect according to law ten days after certification of the election at which it is adopted.

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Exhibit A: Ordinance To Revitalize Commercial and Industrial Areas and Protect Residential Neighborhoods



Ballot Measures-KImpartial Analysis
City of Costa Mesa
Measure K

Measure K, known as “An Ordinance to Revitalize Commercial and Industrial Areas and Protect Residential Neighborhoods” (referred to herein as the “Measure”) would amend Section 13-200.106 of Article 22 of Chapter IX, Special Land Use Regulations of Title 13 of the Costa Mesa Municipal Code (“CMMC”) to add a new subsection (g) to authorize the City Council to adopt amendments, changes or replacements of the General Plan, the Zoning Code (Title 13 of the CMMC), and/or amend or adopt any Specific Plan or Overlay Plan, limited to properties located in specifically defined industrial/commercial corridors that are depicted in the Measure and its attached map (Exhibit A), in order to provide for the development of housing, mixed use and/or revitalization of these areas. The specified corridors are:

- (1) Newport Boulevard/Old Newport Boulevard from Mesa Drive to the City limit and Superior from Newport Boulevard to the City limit;
- (2) Harbor Boulevard from Baker Street to West 19th Street;
- (3) Baker Street between SR-73 and SR-55, generally referred to as the SoBECA area;
- (4) South side of Baker Street from Fairview to Mendoza;
- (5) Bristol Street, south of the 405 Freeway to the City limit;
- (6) West 17th Street from Newport Boulevard west to Monrovia, West 18th Street from Placentia west to Monrovia, and 19th Street from Harbor Boulevard west to Federal;
- (7) Placentia Avenue from Victoria Street to West 16th Street;
- (8) The site located at 3150 Bear Street; and
- (9) North of the 405 freeway as bordered by the City limits.

The Measure requires that all city-sponsored land use plans for any part of the specified corridors must include a public community visioning process, which may include workshops, design charrettes, community surveys and other means of seeking community input before any plan can be adopted or amended. In addition, all required environmental and public review must occur prior to such land use plans being adopted.

Land use plans approved for the specified corridors and properties therein must include restrictions on building heights. Development impact fees must be paid by developers to reduce impacts of any development, including traffic, parks and open space. Environmental review may add additional requirements necessary to reduce or eliminate impacts.

The Measure does not allow major changes in land use for any existing residentially developed properties in the City or public parkland.

The Measure also modifies existing subsection (e) to expand the definition of affordable housing exemptions in Section 13-200.106 to include housing or mixed used development proposals located in the specified corridors which comply with a City Council-adopted affordable housing ordinance(s) or City Council-approved development agreement.

A “no” vote would leave the existing Zoning Code restrictions in place and prevent the City Council from finally adopting land use plans for affordable housing and commercial revitalization in the specific designated corridors shown on the map.

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE K. IF YOU WOULD LIKE A COPY OF MEASURE K OR THE PROPOSED ORDINANCE, PLEASE CONTACT THE COSTA MESA CITY CLERK’S OFFICE AT (714) 754-5221 AND A COPY WILL BE MAILED TO YOU AT NO COST, OR IT IS AVAILABLE ONLINE AT WWW.COSTAMESACA.GOV.

Dated: August 10, 2022

s/ Kimberly Hall Barlow
City Attorney



Ballot Measures-K

Argument in Favor of Measure K

VOTE YES ON MEASURE K for a BETTER HOUSING FUTURE IN COSTA MESA

We have a housing crisis in Costa Mesa. Residents face skyrocketing rents, overcrowding, and few housing choices. Rising property values mean home ownership is out of reach for most Costa Mesans.

And with an eviction rate double the county average, young people, individuals, and families are forced to leave our community, or possibly risk being homeless. Many who stay pay housing costs exceeding 50% of their monthly paycheck.

It's getting worse. Only 179 new homes have been approved for construction by the City since 2017. **Zero new homes this year.** Without new home construction, our children won't be able to afford living here.

The status quo just isn't working.

The problem is clear: **Outdated city laws** are making it costly, difficult, and risky for anyone to build new affordable homes and apartments. They restrict the City from routinely updating land use plans—some more than 30 years old—and revitalizing our city streets.

Costa Mesa residents can change this. Measure K amends our Zoning Code to:

- **Encourage housing for all:** Promote more housing opportunities for all income levels, including for families, seniors, and young professionals.
- **Protect residential neighborhoods:** Focus growth along major commercial, industrial, and mixed-use corridors, not existing residential areas.
- **Improve our main commercial boulevards and industrial areas:** Reimagine what Newport Boulevard, Harbor Boulevard, and north of the 405 Freeway can look like when housing is located near our jobs, parks, and transportation.
- **Maintain local control:** Ensure City leaders and our residents, not politicians in Sacramento, control development best suited to Costa Mesa.

Measure K is necessary for Costa Mesa to plan smartly, preserve our quality of life, and secure our community's prosperity.

Join your City leaders, residents, community organizations, and businesses—**vote YES on Measure K!**

s/ Andrea Marr
Costa Mesa Mayor Pro Tem/Mesa Del Mar Resident

s/ Charlene M. Ashendorf
City of Costa Mesa Parks and Community Services Commissioner/State Streets Resident

s/ Ian Stevenson
Non Profit Leader/Eastside Resident

s/ Kelsey Brewer
Affordable Housing Advocate/Mesa Verde Resident

s/ Tom Arnold

Rebuttal to Argument in Favor of Measure K

YOUR VOICE! YOUR VOTE! YOUR CITY!

Don't be fooled by empty promises!

Measure K **takes away your right to vote on the future of Costa Mesa.** Measure K denies your voice in responsible development:

- Does NOT protect you or your residential neighborhood against impacts of development.
- Does NOT provide comprehensive planning. What will we get? Will they be large apartment towers, office buildings or high-impact commercial centers? Is this what you want on Harbor, Newport, Placentia, W. 19th and Baker?
- Puts more strain on infrastructure and services that could raise overall costs to taxpayers.
- Does NOT require bike lanes, walking paths or parks accompany new development.
- **Puts public safety at risk**, targeting Fire Station 6 for redevelopment.
- Would increase cut-through traffic in our neighborhoods and gridlock on major streets.

Measure K will **not** lower housing costs:

- Does NOT provide housing for working families; encourages developers to build luxury housing.
- Does NOT stop evictions or rent hikes.

Measure K brings back influence on elected officials:

- Opens the door to deep-pocket influence on land use decisions.
- Encourages special interests to make campaign contributions.

Measure K does NOT rewrite outdated laws.

Keep your right to vote on Costa Mesa's future. **If politicians cannot say "NO" to developers, you can!**

VOTE NO ON MEASURE K!

See CostaMesa1st.com for more information.

s/ Rick Huffman
Treasurer, on behalf of Costa Mesa First, FPPC 1332564

s/ William Partnoff
Business Owner

s/ Robin Leffler
Concerned Resident

s/ Terri Fuqua
Resident

s/ Mary Spadoni
Retired Law Enforcement Officer



Ballot Measures-K

Argument Against Measure K

Rebuttal to Argument Against Measure K

PROTECT YOUR RIGHT TO VOTE ON COSTA MESA'S FUTURE!

Vote **NO** on deceptive Measure K to stop politicians from:

- Removing residents' right to have the final say on high-density housing and large commercial developments.
- Changing our rules to benefit out-of-town developers and speculators.

Measure K

- Does **NOT** require housing for seniors, veterans, disabled persons, workers, middle-class families, or anyone else.
- Does **NOT** restrict excessive building heights or require any new developer fees. Existing codes already do that.
- **DOES** pave the way for massive developments with significant impacts on traffic and public safety.

In 2016 the voters approved a citizens' initiative giving the people the right to vote on major development impacting our community. Now that right is under attack.

Measure K does not protect residential neighborhoods from traffic, noise or pollution generated by development. Measure K does not protect the environment.

Your **QUALITY OF LIFE** is at stake! **DON'T GIVE AWAY YOUR RIGHT TO VOTE** on major land use changes! You deserve the right to decide whether a major land use change is worth the impacts on your daily life.

VOTE NO ON MEASURE K if you want to keep your right to vote on significant changes in development.

VOTE NO ON MEASURE K if you want residents to control Costa Mesa's future.

VOTE NO ON MEASURE K.

Additional information at costamesa1st.com.

s/ Don Harper
Costa Mesa Council Member and Business Owner

s/ Jay Humphrey
Former Costa Mesa Council Member and Vice-Mayor

s/ Sandra Genis
Land Planner and Former Costa Mesa Mayor

s/ Mary Spadoni
Retired Law Enforcement Officer

s/ Cynthia McDonald
Assistant Treasurer, Submitted on behalf of Costa Mesa First,
FPPC 1332564

VOTE YES ON MEASURE K for a BETTER HOUSING FUTURE IN COSTA MESA

Measure K **PROTECTS** residential neighborhoods, parks, and the environment.

- Our residential neighborhoods with parks and open space—areas in gray on the map—will NOT be affected.
- New development is directed to our commercial boulevards and industrial areas where it makes the most sense, near local jobs and transportation.

Measure K **EMPOWERS** Costa Mesans to shape future plans for our city.

- It gives the community tools to envision, plan, and revitalize our outdated commercial and industrial areas that desperately need revitalization—such as Newport Boulevard, Harbor Boulevard, and north of the 405 Freeway.
- **Building heights** will be restricted in land use plans approved for these areas.
- Developers will **pay fees** to reduce potential impacts to traffic, parks, and open space.

Measure K **PRESERVES** local control.

- This measure is necessary to **prevent the State from taking over** our local land use authority and issuing significant fines.
- Without action by the City now, we could face costly and unnecessary lawsuits.

Since 2016, Costa Mesans have NOT voted on a single development proposal. As a result, we have had few homes built. **Zero homes approved this year!**

WE HAVE A HOUSING CRISIS! Without more housing options for our teachers, police, firefighters, nurses, and future generations, we are losing those who keep Costa Mesa vibrant and thriving.

Vote YES for a better future for families, seniors, young adults, and all residents.

Vote YES on MEASURE K!

s/ Jeffrey Harlan
Costa Mesa City Councilmember

s/ Elizabeth "Liz" Dorn Parker
Governing Board Member, Coast Community College District

s/ Ivan R. Calderon
Taco Mesa & Taco Rosa Founder

s/ Byron de Arakal
Chair, Costa Mesa Planning Commission

s/ Elena Perez
West Side Resident