



Measure Y Facts or Fantasies?

The current General Plan (together with Greenlight) is working to restrain commercial development, and less development will occur under it than under the proposed plan.

In their [sample ballot arguments](#), on their [website](#) and in their other literature, the Measure Y Supporters claim that we (Newport Votes NO) are spreading false information and that anyone aware of what Measure Y Supporters call "THE FACTS" would vote "yes." Please judge for yourself as to who has "THE FACTS" on their side.

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Measure Y Supporters Direct Argument in Favor of Measure Y and Newport Votes NO responses

Measure Y Supporters claim: *"For decades, we've worked to preserve the quality and uniqueness of Newport Beach neighborhoods."*

Newport Votes NO response: Who is "we"? Are they referring to grassroots organizations which have worked "for decades" to prevent exactly what proposition Y is attempting to slip through:

- Freeway Fighters
- Newport Residents United
- Friends of Newport Bay
- Greenlight
- Friends of Irvine Coast (later Newport Coast)
- SPON (Stop Polluting Our Newport)

Measure Y Supporters claim: *"Reducing traffic, limiting future growth, improving water quality, increasing property values, which requires continuous refinement of the city's priorities."*

Newport Votes NO response: All of the above do not require voter approval and involve actions the Council is empowered to do and in many cases has done.

Measure Y Supporters claim: *"Measure Y, the General Plan Land Use Element Update, continues our efforts and is a commitment to the future. It reduces traffic and future development, and funds community improvements."*

Newport Votes NO response: A citizen vote is unnecessary for any of this.

- There is no language in Measure Y to fund community improvements.

Measure Y Supporters claim: *"A nine-person citizen's committee, with a goal of traffic neutrality, held 12 public meetings, including over 30 hours of open hearings. With recommendations from over 3,000 residents and additional citizen input, the City Council reduced future traffic."*

Newport Votes NO response:

- The nine-person "citizen's" committee was hand-picked by the City Council:
 - 2 Council members
 - 2 Planning Commissioners
 - 5 "citizens at large" chosen for their pro-developer leanings.
- Total meeting time less than 17 hours
- The proposed transfer of development allocations from The Irvine Company's Newport Coast properties to their Newport Center/Fashion Island properties was barely discussed.



Measure Y Supporters claim: “Yes on Y reduces traffic congestion and limits development”

Newport Votes NO response:

- This refers to the potential for future development and misleadingly refers to the potential for future traffic congestion if everything in the plan could be built.
- **The City’s own Charter Section 423 analysis concluded that City-wide, build-out of the proposed plan would not reduce, but ADD 1,076 a.m. and 1,561 p.m. peak hour trips compared to build-out of the 2006 existing general plan.**

Measure Y Supporters claim: “Reduces traffic citywide by 2,922 daily trips, in addition to the 28,000 daily trip reduction approved in 2006.”

Newport Votes NO response:

- What happened to the reduction promised in 2006?
- Why do the City’s PowerPoint slides now show build-out of the current plan is only 11,000 ADT – instead of 28,000 -- below the 1988 plan?
- This has not been explained, since the slides were shown only at the end of the process.

Measure Y Supporters claim: Removes 1,001 hotel rooms that can be built in Newport Coast under the current plan - reducing traffic on PCH while protecting coastal views.

Newport Votes NO response:

- Refers to rooms that **could** be built under the current plan - reducing **possible future** traffic.
- It is not true that if *allotted* rooms are removed they can’t be replaced.
- Everything currently at Newport Coast is allowed to stay under the amended plan.
- A “yes” vote on Measure Y removes no development that currently exists anywhere in the City.
- It is unclear the City has any power over what happens in Newport Coast, since planning matters there are handled by the County of Orange and the California Coastal Commission.

Measure Y Supporters claim: “Helps fight future vehicle traffic at John Wayne Airport by reducing current daily trips.”

Newport Votes NO response:

- No place in Measure Y is there a specific commitment to reduce current trips.
- It removes no existing development, and approves allocations for substantial new development that would not otherwise be allowed.



Measure Y Supporters claim: *“Yes on Y will provide increased annual revenue which, combined with Development Agreements, will provide funding for the city to deliver on its commitments”*

Newport Votes NO response:

- A Yes vote on Y provides no guarantee that the new land use projects it allows *will* generate public revenue exceeding their cost to taxpayers.
 - The City’s own best estimate is that building the new projects being added will provide a net yearly *loss* of between \$5,545,474 and \$6,682,442 compared to building the old projects being removed such as the Newport Coast Hotel.
 - The Measure Y Supporters fail to explain why empowering new development, even if it was profitable to taxpayers, is a wise source of revenue to seek considering the new problems it may create such as impacts on emergency services.
 - The supposed financial benefits of the proposed amendment are being stated as fact by the Planning Division, but apparently have not been reviewed by the City’s Finance Department.

Measure Y Supporters claim: *“Analyzing a traffic bypass system, which will free up congested lanes on PCH through Corona del Mar.”*

Newport Votes NO response:

- “Analyzing” or “considering” does not equate to “doing” or “implementing.”
- To free up congestion in one area, this proposes to increase congestion elsewhere.
- This is **not** a traffic reduction proposal, only one to move the increased traffic.
- This belongs in the Circulation Element.

Measure Y Supporters claim: *“Investing in water quality improvements in the Back Bay and Lower Bay.”*

- “Water quality” does not appear in any of the documents that are part of Measure Y, other than in some of the existing definitions in the General Plan Glossary.
- Measure Y does not command any action on water quality.

Measure Y Supporters claim: *“Reducing traffic and promoting safety through improved bicycle lanes and pedestrian facilities.”*

Newport Votes NO response:

- There is nothing in Measure Y regarding bicycle lanes and pedestrian facilities which involves land use.

Measure Y Supporters claim: *“Requiring future development contributions to environmental and open space investment.”*

Newport Votes NO response:

- There is no reference in Measure Y regarding future developments in regards to environmental open space investment.



Measure Y Supporters claim: *“A West Newport Community Center near Hoag Hospital that includes amenities for senior citizens.”*

Newport Votes NO response:

- This is not part of Measure Y
- The City Council has already rejected this proposed community center site.

Measure Y Supporters claim: *“Providing for environmentally sustainable development that meets or exceeds all standards.”*

Newport Votes NO response:

- The Land Use Element Amendment Advisory Committee (LUEAAC) crafted language, now adopted by the City Council, which completely misunderstands and misstates the state’s goals for greenhouse grass emission.
 - It could permit any new construction that conforms to the environmental standards in effect in Newport Beach in 1990.

Measure Y Supporters claim: *“Updating the General Plan by a vote of the people continues the tradition set by voters in 2000 to ensure residents remain in charge of the city's future.”*

Newport Votes NO response:

- The tradition set by voters in 2000 was the Greenlight initiative, requiring a separate and distinct vote of the residents before the General Plan could be amended to add major new development to any of the City’s statistical areas.
- Measure Y flies in the face of that tradition, as did the 2006 General Plan Update, by hiding from voters the items needing their approval. The merits of the specific items needing voter approval are not even mentioned in the Argument in Favor of Measure Y.



From Measure Y Supporters REBUTTAL TO ARGUMENT AGAINST MEASURE Y

Measure Y Supporters claim: *“Opponents falsely claim that you don’t need to vote.”*

Newport Votes NO response:

- Newport Votes NO makes no such claim.
- Newport Votes NO says that without voter approval, the City Council:
 - could enact most of the requested General Plan changes
 - could implement the unrelated programs the Measure Y Supporters describe
- Newport Votes NO made clear they want you to vote. They want you to vote NO.

Measure Y Supporters claim: *“It’s your right to vote on the General Plan. Newport Beach residents fought for and earned the right to vote. It’s what separates Newport Beach from neighboring cities.”*

Newport Votes NO response:

- Many California cities require a vote of the people for changes to certain specified classes of land use. Newport Beach is not unique in that respect.
- Newport Votes NO is made up by and large of the people who in 2000 fought to give Newport Beach voters their present “Greenlight” authority.
- Measure Y Supporters were among those who fought against giving the public that right.
 - Newport Votes NO is **not** opposed to voting on General Plan amendments. They welcome an honest vote. They are opposed to a dishonest vote
 - A measure that will significantly **increase** development and/or traffic in two neighborhoods is being deceptively presented as one in which your “yes” vote is needed to reduce development and traffic.

Measure Y Supporters claim: *“Measure Y is the result of a citizen-driven review of the city’s priorities with the goal of protecting neighborhoods, reducing traffic, and strengthening our quality of life. The process involved 12 public meetings, 30 hours of hearings, and recommendations from over 3,000 residents — resulting in the further reductions of traffic and development.”*

Newport Votes NO response:

- The impetus to review the city's priorities was citizen-driven only to the extent that we regard as citizens a handful of influential developers wanting the right to add development beyond the limits currently allowed.
- Over 2,000 of the residents referred to were signers of petitions asking the Council **not** to rush forward with this amendment.



Measure Y Supporters claim: *“The opponent’s argue that vehicle trip reduction and city revenue projections are deceptive. That is false! HERE ARE THE FACTS. YOUR “YES” VOTE ON MEASURE Y WILL:”*

Measure Y Supporters claim: *“**Reduce traffic citywide.** The comprehensive analysis by Urban Crossroads shows an overall reduction of 2,922 daily vehicle trips (GPU Attachment CC4), including:”*

Newport Votes NO response:

- The 2,922 trip “reduction” - one hypothetical build-out of the Measure Y amended GP versus build-out of the existing GP and includes a 2,371 trip credit for future homes at Newport Ridge that are not actually being removed by Measure Y.
- 7,588 trip credit for unbuilt Newport Coast hotel rooms that the City may have to make provision for elsewhere in its Coastal Zone.

Measure Y Supporters claim: *“Reduce future commercial development by 375,782 square feet and remove 2,878 daily vehicle trips.”*

Newport Votes NO response:

- We are unable to guess what this sentence refers to. The 375,782 square foot reduction of non-residential development claimed in the ballot question includes the hotel rooms mentioned in the next item.
- The **Measure Y Supporters** math simply doesn’t add up. This is *not* an additional “reduction” and since the 2,922 used in the ballot measure is the claimed net of the commercial decreases subtracted from the residential increases, why this commercial traffic number is 44 daily trips **less** than the net number is unfathomable to us. If the 138 new residences cited in the ballot measure added something like 920 new daily trips, then wouldn’t the 375,782 square foot reduction of non-residential (“commercial”) development have to “remove” something like 3,842 daily trips to yield the net reduction of 2,922 claimed on the ballot?



Measure Y Supporters claim: *“Remove 1,001 Coastal Commission approved hotel rooms from Newport Coast — three new hotel towers of 1,001,000 square feet and remove 7,588 daily vehicle trips.”*

Newport Votes NO response:

- An unused allocation for hotel rooms in the area where The Irvine Company built its Pelican Hills Resort exists in the County of Orange’s Coastal Commission approved Local Coastal Program for Newport Coast.
 - Removing the excess allotment from the Coastal Plan would require much more than passage of Measure Y. The California Coastal Commission could insist that the 1,001 rooms be placed elsewhere in the City’s Coastal Zone, leading to no net reduction in potential future development or traffic.

Measure Y Supporters claim: *“Remove 53,389 square feet of development from Newport Coast and Westcliff Plaza retail centers and remove 2,041 daily vehicle trips.”*

Newport Votes NO response:

- Removes much more modest unused development allocations in the existing General Plan at neighborhood shopping centers.
 - Removing the potential for walkable neighborhood shopping
 - Consolidating those opportunities at Newport Center is contrary to the idea of “sustainable communities”.
 - Since people will have to travel farther to engage in necessary activities, the number of vehicle miles driven on congested streets will increase.

Measure Y Supporters claim: *“Remove 356 Coastal Commission approved residential units in Newport Ridge and remove 2,371 daily vehicle trips.”*

Newport Votes NO response:

- This claim is false on two levels.
 - Newport Ridge is not in the Coastal Zone.
 - Nothing in the General Plan amendments approved by the City Council or in the maps or Anomaly Table makes any changes to residential development at Newport Ridge.

Measure Y Supporters claim: *“Increase annual city revenue by over \$15 million upon build-out according to the city’s fiscal impact consultant — enhancing city services.”*

Newport Votes NO response:

- This is the most deliberately misleading claim.
- A fiscal impact analysis conducted in connection with the 2006 General Plan update estimated that build-out of that plan would yield the City government \$21 million per year in net new revenue (over new costs) compared to the then-existing Plan.
- The same consultant’s analysis of the changes being considered in Measure Y revises the potential revenue downward from \$21 million per year to \$15 million per year.
 - Building the Measure Y amended plan would be less profitable to the City than the existing plan.



- The \$15 million per year is not a windfall. It is a loss of \$6 million per year compared to the original 2006 GP without Measure Y.

Measure Y Supporters claim: "For more FACTS about Measure Y read the City Attorney's Impartial Analysis: www.newportbeachca.gov."

Newport Votes NO response:

- The City Attorney is not a representative of the people.
- He is hired by the City Council to defend and justify the actions taken by the City Council.
- This fact makes it very difficult for him to provide an "impartial" analysis.
- His careful selection of information to include and exclude from both the ballot question and his analysis are both highly partial and strongly tilted towards the "yes" side.

Impartial Analysis by City Attorney - Measure Y with Newport Votes NO responses.

"The City of Newport Beach's General Plan is the main planning document for the City of Newport Beach and contains the goals, policies, and land use limitations for the development of the entire City. All zoning ordinances, coastal plans, specific plans, and development applications are evaluated for compliance with the General Plan. The General Plan currently contains the following elements: Land Use, Harbor and Bay, Housing, Historical Resources, Circulation, Recreation, Arts and Cultural, Natural Resources, Safety, and Noise."

Newport Votes NO response:

- Fails to mention a statement in the California Environmental Quality Act (CEQA) findings that the Coastal Land Use Plan takes precedence over the City's General Plan.
- Coastal Plan is under the jurisdiction of the California Coastal Commission, and outside the control of the City
- Questionable effectiveness of voter "approved" changes to portions of the General Plan affecting the Coastal Zone
- Changes to Newport Coast, partially under the continuing jurisdiction of the County of Orange and protected by Development Agreements.

"On July 22, 2014, the City Council adopted an amendment to the Land Use Element of the General Plan. The City Council also determined that this amendment to the General Plan's Land Use Maps and Land Use Anomaly Table constitutes a "major amendment," which requires voter approval to take effect under Section 423 of the City Charter, also known as the Greenlight Initiative. As required by City Charter Section 423, the City Council placed Measure Y on the ballot."

Newport Votes NO response:

- Both the ballot question and the analysis fail to disclose what Charter Section 423 (Greenlight) thresholds have been exceeded because of proposed massive new development at Newport Center and in the Airport Area.



"A 'yes' vote would approve the amendment of the Maps and Anomaly Table of the Land Use Element section of the General Plan. The Maps and Anomaly Table contain specific development limits and designated land uses allowed by the General Plan. If approved, Measure Y would decrease non-residential development, citywide, by 375,782 square feet from what is currently allowed under the existing General Plan and would allow, on a citywide basis, 138 more residential dwelling units than the existing General Plan."

Newport Votes NO response:

- The housing figure is incorrect. The Maps and Anomaly Table being presented to voters add 494 residential units above those allowed under the existing General Plan.
- Ratification of the Anomaly Table as presented may give voter approval to a long series of General Plan amendments which did not trigger Greenlight that the City Council has adopted since 2006.
- This may reset the Greenlight development thresholds in those neighborhoods. For example, it may give voter approval to the oversized retail building being constructed at the corner of Dover and PCH, resetting the thresholds for allowable new development along Mariners' Mile.

"If approved, the amended Land Use Element is projected to result in less traffic overall at build-out conditions than the projected traffic at build-out conditions for the existing General Plan. Specifically, the traffic analysis conducted for the amendment shows an estimated 2,922 fewer average daily vehicle trips citywide"

Newport Votes NO response:

- This figure is incorrect.
 - It erroneously includes a 2,371 trip credit for the homes at Newport Ridge that are *not* removed by Measure Y.
 - It also includes a 7,588 trip credit for 1,001 theoretically possible hotel rooms at Newport Coast which may ultimately have to be translated into 1,001 theoretically possible hotel rooms somewhere else in the City's Coastal Zone.
 - The City Attorney is purposely suppressing the result of the more official traffic analysis required to be conducted by City Council Policy A-18, which says it is the only one to be used in submitting Greenlight questions to the voters.
 - That analysis, including the hypothetical reductions at Newport Ridge and Newport Coast, predicts a citywide **increase** in trip generation by 1,076 A.M. and 1,561 P.M. new peak hour trips which translates into an increase in the daily average trips (over 24 hours) of something like 13,000 new trips.
 - Choosing to inform voters of the traffic analysis that predicts a decrease while failing to mention the existence of the more official (and legally required) analysis showing an increase is misleading and dishonest.



"In summary, if Measure Y is approved, the Land Use Element will be amended to reduce non-residential development, such as office, retail, and visitor accommodations, currently authorized under the existing General Plan, but allow for more residential development. Also, average daily vehicle trips are expected to be reduced."

Newport Votes NO response:

- This summary is no more accurate than what preceded it, which we believe to be inaccurate and biased.

"A "no" vote would reject the amendment to the Maps and Anomaly Table of the Land Use Element section of the General Plan. If Measure Y is defeated, the Maps and Anomaly Table will remain unchanged and no residential dwelling units will be added to the existing General Plan. Furthermore, there will be no reduction in the amount of non-residential development, such as office, retail, and visitor accommodations, currently authorized under the existing General Plan. The projected reduction in average daily vehicle trips at build-out conditions will also not occur."

Newport Votes NO response:

- This statement fails to inform voters that:
 - The City Council voluntarily made its adoption of a host of policy and other changes to the General Plan contingent upon voter approval of Measure Y.
 - A "no" vote will cause those changes to not go into effect.
 - The City Council is free to make those same changes that don't trigger Greenlight.
 - The City Council is free to enact any of the proposed *reductions* in development.
- The conclusion that if voters vote "no" the reductions will not occur is not a factual statement, but speculation on the part of the City Attorney regarding possible future City Council actions.
 - There will be no reductions as a result of either vote.
 - Development and traffic are expected to increase greatly on build-out of either the new or the existing plan.
 - The numbers being quoted are comparisons of the two build-outs.
- Contrary to what the City Attorney implies, the current General Plan (together with Greenlight) is working to restrain commercial development, and less development will occur under it than under the proposed plan.