

## Current Ad Listings

**NOTICE OF INTENTION TO CIRCULATE PETITION NOTICE IS**

## NOTICE OF INTENTION 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 Irvine for the purpose of qualifying for the ballot an initiative.

Karen Jaffe  
Arthur Strauss

INITIATIVE MEASURE TITLE AND SUMMARY  
PREPARED BY CITY ATTORNEY  
PURSUANT TO ELECTIONS CODE SECTION 9203

Title:  
An Initiative Measure to Impose Project Review, Voter Approval, and Mitigation Implementation Requirements on Certain Development Proposals.

Summary:  
If approved by a majority of the voters in Irvine voting on the measure, the initiative would amend the Irvine Municipal Code to impose project review, voter approval, and mitigation implementation requirements on development proposals that meet both of the following criteria:

1. The proposal would modify the Irvine General Plan or zoning ordinance; or would adopt or modify any specific plan or overlay plan; and
2. The proposal would:
  - A. When compared to "As-Built Conditions" (as defined): Generate more than 200 additional average daily vehicle trips; increase traffic congestion metrics by specified amounts; increase development by 40 or more dwelling units, or by 10,000 or more square feet of nonresidential uses; or, when combined with other projects within 8 years and a half-mile of each other, meet any of the other criteria set forth in this sentence;
  - B. Change a public use to a private use; or
  - C. Involve land: designated as utility right-of-way; donated, bequeathed or otherwise granted to Irvine; used or designated for Irvine school property; or owned, controlled or managed by Irvine.

If both of the above criteria are met, the following procedures would apply to the subject proposal ("Subject Proposal"):

1. Materials reviewed by the city must include, but not be limited to: a site plan; specified project characteristics; the text proposed; a discussion of inconsistencies with existing and planned conditions; an analysis of traffic, density, land use, zoning and intensity impacts (pursuant to mandated standards); a map; and a description of certain mitigation measures;
2. If, after completion of any required environmental review process, the proposal is approved by the City Council, it must be submitted to the Irvine electorate at the next regular municipal election (unless the proponent and city agree to a proponent-funded special election), with specified information to be included in the sample ballot and on the city's website;
3. Any discretionary permits implementing a Subject Proposal would not take effect until voter approval of the Subject Proposal is obtained; and
4. No certificate of occupancy for a Subject Proposal may be issued until all traffic mitigation measures are completed and operational, all "current trip fees" are paid, and enforceable agreements for all other mitigation measures are in place.

The initiative purports to retroactively apply to Subject Proposals approved after publication of the notice of intent to circulate the initiative petition. It also requires voter approval prior to completion of site-specific development that depends on a Subject Proposal approved prior the effective date of the initiative ordinance if the development was (1) "based on only a differential Environmental Assessment," (2) "started more than 12 months after the EIR (Full or Partial) was completed," or (3) required a modification to "the Irvine Master Plan."

Exceptions to the ordinance's requirements include development of public schools, hospitals, residential conversions from of non-conforming to conforming uses, or affordable housing projects required by state or federal law.

Dated: September 5, 2017

Jeffrey T. Melching, City Attorney

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