

Laguna Residents First



TOP 10 REASONS TO VOTE “YES” ON MEASURE Q

1 Measure Q gives voters a voice on projects that exceed reasonable standards. Most projects will never go to a vote.

The coffee shop project 500 Broadway is across from the largest parking lot in the city. The fire station would not go to a vote; a lot line adjustment is all that's needed. Small businesses will continue to thrive and new ones will open just as they have in neighboring Newport Beach and Dana Point, which passed similar initiatives in 2000 and 2016 respectively.

2 Laguna has been low growth. Let's keep it that way.

This city council gutted the parking requirements in the Downtown Specific Plan. Historic buildings were reduced from 65 to 27; many downtown buildings can now add a second story. In some areas, go up to three. Laguna's low growth attitude changed in 2018 with pro-development PAC's massive spending in our city council election. Measure Q protects Laguna's small-town livability by restoring downtown height and parking requirements.

3 This city council's actions underscore the need for Measure Q.

This council majority agreed aspects of Measure Q should be addressed then didn't solve core issues. Under Ordinance 1675, an unlimited number of daily car trips are permitted, cumulative effects aren't dealt with, and buildings can exceed 125' frontage provided they employ a variety of roof forms, different paint colors and various façades. It means buildings of unlimited size can be built. Is that what you want?

4 Measure Q was written by land-use experts.

Over 220 residents provided input over a two-year period. Participants included those behind the successful Greenlight initiative in Newport Beach. It has been thoroughly vetted. A prestigious land use law firm, Strumwasser and Woocher, oversaw every detail.

5 Measure Q will not hurt local businesses.

Measure Q will protect existing small businesses by correctly requiring landlords to provide adequate parking rather than burden neighborhoods and taxpayers. New businesses that meet guidelines will obtain faster, easier approvals; flexibility means many projects can be approved by the Director of Community Development.

6 Measure Q won't be costly and won't compromise safety.

A made-to-order real estate consultant's report included hypotheticals. Why? Because there's no actual evidence any of his projected claims would occur! Surrounding cities haven't experienced any of these scenarios.

7 Measure Q encourages the preservation of historic buildings.

Reuse of historic buildings is encouraged under Measure Q. It specifically exempts remodel, repair or reconstruction of any existing building, whether historic or not.

8 Measure Q won't trigger lawsuits.

Ballot measures are legal and developers will comply as they have elsewhere. Taxpayers will be the beneficiaries because it will require developers to mitigate the impacts of their projects. It will moderate what the council gives away—a free lunch that ultimately ends up being paid for by residents.

9 The Coastal Commission has no say over a ballot measure.

Laguna welcomes 6.5 million visitors annually and will continue to do so under Measure Q. Nothing in the measure prohibits tourism.

10 Don't fall for the fearmongering.

Opponents of Measure Q don't want residents to have the right to vote on projects in their own town. They just want to monetize it for their own benefit.

TEN MORE BONUS REASONS TO VOTE "YES" ON MEASURE Q

11 Affordable housing can be built.

Measure Q complies with all State-mandated laws regarding affordable housing. It also specifically exempts single family homes, Laguna-sized apartment buildings (residential projects of 9 or less units) and exclusively 100% affordable residential units.

12 Outdoor dining is here to stay.

Neither city law nor Measure Q would prevent outdoor dining or adding additional tables. Floor space is a legal term that excludes parking, utility, and outdoor amenities.

13 St. Catherine's proposed pool: dive in.

New community uses like an outdoor pool would NOT go to a vote for the same reason.

14 The best projects for a sustainable future.

If a project is truly beneficial, nothing precludes the public from voting for it just like the Montage. Laguna will continue to attract business interests just like surrounding cities that have also passed these initiatives years ago.

15 Encourages moderation.

Measure Q creates incentives for upgraded developments to be resident friendly. That includes not worsening traffic. Even so, up to 200 additional Average Daily Trips beyond what the existing business use currently generates is included in Measure Q. Fewer cars, less congestion, faster trips mean a better Quality of life with Measure Q.

16 Built-in flexibility.

The ballot measure gives some discretion to the Director of Community Development when a project is trying to qualify as a minor modification of a major development project.

17 The word "electorate" isn't an issue.

Yes, elections are decided by the Electorate, but the word Electorate is used in two contexts. In a broad sense, it means all voters. In the

outcome of an election, it means the subset of voters who actually voted. People who don't vote don't have a say in the election. That is how all elections work. Falsely claiming that "Electorate" means something else in this context is distorting reality.

18 A win for taxpayers.

Similar ballot measures have saved taxpayers from having to spend on the unmitigated effects of overdevelopment. Every year, projects are approved by the 3-council majority. This commonsense measure puts the needs of taxpayers on an equal footing with those of developers and commercial landlords.

19 Measure Q's opponents aren't grassroots.

More than \$172,000.00 has been amassed to defeat Measure Q. This is a hostile takeover attempt from a pro-growth coalition. The resident-backed Measure Q is being vastly outspent with the majority raised in just the last 8 weeks. **36.3% from outside of Laguna** and **18.37% from outside California** money donated as this went to press from publicly available documents*. Don't give away your right to vote to developers.

20 Measure Q Supports Growth.

This measure doesn't stifle economic growth. It fosters positive change by setting clear standards for projects. Passage would change what gets proposed in the first place, cutting through today's red tape. The City's recently passed ordinance offers no protections since 3 votes could override all existing statutes. It perpetuates the current broken system of overblown projects, resident pushbacks and eventual giveaways with no accountability. There's no place like Laguna. Protect what you love.



Learn More about Laguna Residents First

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www.LagunaResidentsFirst.org

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A Rebuttal To Mayor Kempf's False Accusations

About Measure Q

In recent candidate forums, Mayor Sue Kempf has repeatedly misled the public with false accusations about Measure Q, the ballot measure that allows residents to vote and approve or deny commercial projects which would make a major impact on Laguna Beach.

The following from Laguna Residents First, the founders of Measure Q, sets things straight.

Mayor Kempf: *Additional outdoor dining at Zinc adds additional tables. So, if the owner wants to keep this area, improve it to make it look beautiful, he will have to go to the ballot.*

Why? Adding more tables requires more parking. He would have to pay ~\$1.5M in parking fees, according to Measure Q. It would cost about \$130k to \$150k to put this project on the ballot. What will happen? He'll just forget it.

Measure Q: Zinc Café gets to keep what it has. Both the City's current parking requirements and Measure Q's parking requirements work off of sq. ft. of "floor space", excludes parking, utility, and outdoor amenities.

Mayor Kempf: *Most outdoor dining where tables have been added: go to the ballot.*

Measure Q: Not True. See above.

Mayor Kempf: *Five new projects approved this year (e, g, South Swell Ice Cream, Play Coffee, Wigs Sandwich shop, Taco Stand) would all be required to go to the ballot had we been confined by Measure Q.*

Measure Q: *Take the coffee shop proposal on Broadway at Forest. The largest parking lot downtown is immediately across the street, and there are no neighborhoods close by, so approval can be based on data that the city already has.*

For the proposed sandwich shop near Pearl and Coast Highway, the building's historic preservation parking credits were authorized to make up for the additional parking required. None of these would have been obstructed by Measure Q.

Mayor Kempf: We do not need an acceleration in vacancies

Measure Q: *We agree but making it easier to create even more retail space downtown is an odd solution to addressing vacancies.*

Mayor Kempf: *St. Catherine's School: The City has purchased this property from the Diocese for civic uses. Because we will have new community uses (e.g., pool, recreation center), it will need to go to the voters at a cost of \$130-150k.*

Measure Q: *There are already meeting rooms, classrooms, bathrooms, and gyms at that site. Pools would be an outdoor amenity and would not come under Measure Q's jurisdiction*

Furthermore, Mayor Kempf, please stop the false narrative that an election for a Measure Q exception would cost \$130-150k. A typical ballot initiative, such as the one for utility undergrounding in 2018 only cost \$7370.

Mayor Kempf: Measure Q supposedly targets "big development" but it really hits small business owners, just the kind of business offerings we value in this town.

Measure Q: Actually, Measure Q protects small Downtown businesses. Drastically reducing the parking requirements creates a financial incentive to convert retail to restaurants. We already have 65 restaurants in the Downtown.

Mayor Kempf: The drafters of Measure Q like to point to the Old Pottery Place (Sapphire) as a project that is "good development". We agree but it would have required voter approval. Why? Change of use from the old pottery shack to retail and restaurant use. They didn't think about this either.

Measure Q: The Old Pottery Place has two distinct pieces, with the alley running horizontally between the two. There is dining and retail facing Coast Highway and offices facing Glenneyre. Each of these separate pieces would easily fit within all of Measure Q's standards. No vote would be needed.

Mayor Kempf: *City owned facilities: New fire station in S. Laguna. The new fire station will have to go to the ballot. Why? Because we are purchasing 3 lots and combining them to build the fire station.*

Measure Q: A simple lot line adjustment is all that is needed. The well-respected legal firm Strumwasser and Woocher looked at the zoning and determined this was the case.

Mayor Kempf: Measure Q was fashioned after Costa Mesa's Measure Y, which was passed in 2016. What has happened since? They are in violation of state housing laws and are ineligible for any state housing grants.

Measure Q: The only section of Costa Mesa's Measure Y that is similar to Laguna's Measure Q is parts of Section 5. This section is the "Legal Boilerplate" that has things such as severability, State Law prevails, and what happens if more than one measure is voted in, etc.

The rest of Measure Q bears no resemblance to the Costa Mesa initiative.

Mayor Kempf: *Cumulative effect: This is a complicated concept, but, in a nutshell: the ballot measure adds up all the proposed (but never developed) and approved projects over the last 8 years. If the total square footage of all proposed and approved projects is over 88,000 square feet in an area half a mile in either direction, then any new project adding one more square foot would have to go to the ballot. If Measure Q passes, we will be in the cumulative effect Day 1.*

Measure Q: It is **not true** that we would be “In cumulative effect Day 1.” There are two massive hotel proposals (Museum Hotel and Cleo Hotel) that have received a preliminary planning review but have not submitted the full project development application. The preliminary planning process makes it very clear that the City has no obligations or commitments as part of the preliminary review.

Mayor Kempf: *Big Development: This is the scare tactic that they like to use. Big, monolithic buildings, skyscrapers. No. We already have a height limit. 36 feet; that is, it. We also have a mass and scale ordinance. Any development over 15,000 square feet cannot have a long frontage ... no more than 125 feet, required to have open space between buildings, different materials, architectural styles, etc. Keeps the pedestrian scale the way we all like it. So, all the rules are in place to prevent "big development".*

Measure Q: Less than a year ago that City Council approved an elevator to bring customers up to enjoy a nice night on the town where guest's feet were above 36'. Laguna's height limit is only being given lip service when an elevator takes customers above 36'.

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