

## ATTACHMENT D

### RESOLUTION NO. 2025-\_\_\_\_

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, ORDERING A REPORT PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 9212 REGARDING AN INITIATIVE MEASURE TO AMEND THE LAND USE ELEMENT OF THE CITY'S GENERAL PLAN**

**WHEREAS**, Section 1003 of the Charter of the City of Newport Beach ("City Charter") states that the provisions of the Elections Code of the State of California ("Elections Code"), as the same now exist or hereafter may be amended, which governs initiatives, shall apply to the use thereof in the City of Newport Beach ("City") so far as such provisions of the Elections Code are not in conflict with the provisions of the Charter;

**WHEREAS**, on April 30, 2025, pursuant to Elections Code Section 9202, the City was served with a Notice of Intention to Circulate Petition, a Proponent's Signed Statement, and a copy of a proposed initiative titled the Responsible Housing Initiative ("Initiative");

**WHEREAS**, on May 15, 2025, pursuant to Elections Code Section 9203, the City Attorney prepared a summary of the Initiative with the following ballot title: "Initiative to Provide Affordable Housing for 2,900 Extremely Low-, Very Low-, Low- and Moderate-Income Households";

**WHEREAS**, on November 18, 2025, certification was presented to the City Council that not less than ten percent of the registered voters of the City signed the petition for the Initiative;

**WHEREAS**, pursuant to Elections Code Section 9215, if an initiative petition is signed by not less than ten percent of the registered voters of a city, that city shall either adopt the proposed initiative, submit the proposed initiative to the voters, or order a report pursuant to Elections Code Section 9212;

**WHEREAS**, pursuant to Elections Code Section 9212(a), the legislative body may refer a proposed initiative measure to a city agency or agencies for a report on any or all of the following: (1) its fiscal impact; (2) its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code; (3) its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs; (4) its impact on funding for

infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space, and whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses; (5) its impact on the community's ability to attract and retain business and employment; (6) its impact on the uses of vacant parcels of land; (7) its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization; and (8) any other matters the legislative body requests to be in the report;

**WHEREAS**, pursuant to Elections Code Section 9212(b), the report shall be presented to the legislative body within the time prescribed by the legislative body, but no later than thirty days after the Elections Official certifies to the legislative body the sufficiency of the petition; and

**WHEREAS**, the City Council desires to order a report pursuant to Elections Code Section 9212 regarding the Initiative.

**NOW, THEREFORE**, the City Council of the City of Newport Beach, California, does resolve, declare, determine and order as follows:

**Section 1:** The City Council hereby refers the Initiative to the City Manager for the City of Newport Beach for the preparation of a report ("Report") pursuant to Elections Code Section 9212:

**Section 2:** The Report shall address the following as it pertains to the Initiative: (1) its fiscal impact; (2) its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code; (3) its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs; (4) its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space, and whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses; (5) its impact on the community's ability to attract and retain business and employment; (6) its impact on the uses of vacant parcels of land; (7) its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization; and (8) \_\_\_\_\_.

**Section 3:** The Report shall be presented to the City Council on December 9, 2025.

**Section 4:** The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

**Section 5:** If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 6:** The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

**Section 7:** The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(1) because the preparation of the Report is exempt from CEQA pursuant to Sections 15060(c)(1) (the activity does not involve the exercise of discretionary powers by a public agency), 15060(c)(3) (the activity is not a project as defined in Section 15378), and 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3.

**Section 8:** This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

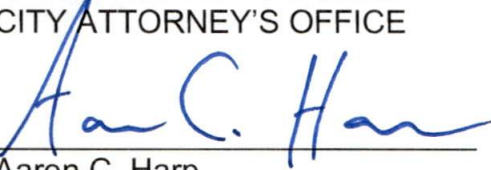
**ADOPTED** this 18th day of November, 2025.

\_\_\_\_\_  
Joe Stapleton  
Mayor

**ATTEST:**

\_\_\_\_\_  
Lena Shumway  
City Clerk

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE

  
\_\_\_\_\_  
Aaron C. Harp  
City Attorney