

Attachment No. 1

Draft Minutes of June 4, 2025

**CITY OF NEWPORT BEACH
GENERAL PLAN ADVISORY COMMITTEE AGENDA
CIVIC CENTER COMMUNITY ROOM – 100 CIVIC CENTER DRIVE**

**June 4, 2025
REGULAR MEETING – 5 P.M.**

I. CALL THE MEETING TO ORDER

General Plan Advisory Committee (GPAC) Co-Chair Greer called the meeting to order at 5:00 p.m.

II. WELCOME AND ROLL CALL

Co-Chair Greer conducted roll call:

Present: Virginia Anders-Ellmore, Dennis Baker, Annie Clougherty, Susan DeSantis, Chuck Ebner, Arlene Greer, David Gruder, Ruth Kobayaski, Scott Laidlaw, Anthony Maniscalchi, Thomas Meng, Jim Mosher, Amber Snider, Debbie Stevens, and Paul Watkins

Staff: Planning Manager Ben Zdeba

Excused Absent: Curtis Black, James Carlson, Jeremy Evans, Rita Goldberg, Lynn Hackman, Katie Love, Christy Walker

Absent: Nicholas Acevedo, Laird Hayes

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

(This item includes written correspondence received that is not related to items on the agenda.)

Planning Manager Zdeba reported the GPAC Recreation and Natural Resources Subcommittee met in May with GPAC Member Baker appointed Chair.

IV. CURRENT BUSINESS

a. Meeting Minutes of April 2, 2025 (Attachment 1 – Draft Minutes)

GPAC Member Jim Mosher reported submitting written comments on the minutes.

In response to Co-Chair Greer's inquiry, the GPAC members agreed to accept GPAC Member Mosher's written comments.

Motion made by GPAC Member Mosher and seconded by GPAC Member Dennis Baker to approve the meeting minutes of April 2, 2025, with GPAC Member Mosher's requested amendments.

The motion carried unanimously.

b. Draft Arts and Cultural Element and Historic Resources Elements (Attachments 2 and 3 – Draft Elements)

The GPAC Arts and Cultural/Historic Resources Subcommittee met on April 24, 2025, to review the draft Elements. Subcommittee Chair Greer will provide an overview of the

Subcommittee's discussions. At the conclusion of the Subcommittee's meeting, those in attendance agreed to allow City staff to make some small revisions and to share the Elements with the full GPAC for consideration. Attachments 2 and 3 are the draft Elements as reviewed and revised by the Subcommittee.

Recommended Actions:

- (1) Receive an overview from the GPAC Arts and Cultural/Historic Resources Subcommittee;
- (2) Provide any feedback on the Subcommittee's efforts; and
- (3) Conduct a vote to support moving the draft Elements forward for the GPUSC's review, and for public review, thereafter, including any related City Boards, Commissions, and Committees.

Co-Chair Greer, the Arts and Cultural/Historical Resources Subcommittee's Chair reported the Draft Arts and Cultural Element focuses on enriching the community by bolstering art and culture through facilities, educational programming and activities, and events and festivals that support art and culture.

Consultant Asha Bleier (Dudek) reported on the focus areas of the Element and its subsequent policy proposals.

GPAC Member Paul Watkins requested page numbers be included on Draft Elements such as these and Consultant Bleier agreed.

GPAC Member Watkins echoed comments from GPAC Member Mosher on the inconsistency used in the document between "Arts and Cultural Element" and titles such as "Cultural Arts Element," among others. He also noted the Historical Resources Element should more consistently use this title instead of variations such as "Historic."

GPAC Member Watkins lauded the inclusion of libraries, noting their importance in Newport Beach. He called for the inclusion of Witte Hall alongside other arts centers in the community, noting it will be dedicated on December 9, 2025. He expressed concerns about the inclusion of handcuffing mandates for either City staff or the City Council, citing Policy HR-2.4's requirement of a qualified paleontologist or archaeologist as an example along with others he cited in Policies HR-3.3, HR-3.4, HR-5.1, and HR-5.2. He recommended these concepts be reclassified as things to be considered by staff and the Council in making decisions as opposed to mandates for them to adhere to.

GPAC Member Watkins restated his concerns from the April 24 Subcommittee meeting about the potential for legal action and suggested requesting the City Attorney draft an overarching statement of the City's intention to use good faith in these guidelines as an alternative to potentially crippling mandates. He added there should also be an inclusion of wording acknowledging how future State or federal law could override General Plan policies.

GPUSC Chair Nancy Gardner agreed the General Plan should not tie the Council's hands too tightly but added the GPAC should not be guided by fear of legal action either. She clarified, that while the library is important, there is a difference between the physical buildings and the opportunities its programming provides the community.

In response to GPAC Member Baker's inquiry, GPUSC Chair Gardner clarified she suggests having a general overview approved by the City Attorney of how the policies should be interpreted within reason as they apply to Newport Beach.

GPAC Member Baker pondered aloud about the best way to group public arts facilities such as Witte Hall with privately-owned arts facilities like the Lido Theater and whether privately-owned facilities can even be included in the General Plan. He agreed with GPAC Member Watkins' concerns about triggering legal action through mandates written into the policy while also expressing concerns about the City Council doing things exclusively as it saw fit simultaneously disregarding the General Plan. He called for not making the language too flexible to allow the City to avoid the GPAC's intentions.

GPAC Member Virginia Anders-Ellmore expressed concerns about reducing mandates to guidelines and recommended at least emphasizing what is a strong goal of the GPAC.

Motion made by GPAC Member Baker and seconded by GPAC Member Watkins to forward the Draft Arts and Cultural Element and the Draft Historical Resources Element to the General Plan Update Steering Committee for review, and for public review thereafter, including any related City Boards, Commissions, and Committees, with the amendments suggested at the meeting.

The motion carried unanimously.

Co-Chair Greer noted the Newport Beach Art Exhibition is on June 28, 2025, and added the event attended annually by thousands is an excellent venue to share information with the art community.

c. Draft Harbor, Bay, and Beaches Element (Attachment 4 – Draft Element)

The GPAC Harbor, Bay, and Beaches Subcommittee met on April 30, 2025, to review the draft Element. As Subcommittee Chair Black is unable to attend the GPAC meeting, Subcommittee members will be invited to provide an overview of the Subcommittee's discussions. At the conclusion of the Subcommittee's meeting, those in attendance agreed to allow City staff to make some small revisions and to consider sharing the Elements with the full GPAC for consideration. Attachment 4 is the draft Elements as reviewed and revised by the Subcommittee. Additional Subcommittee member comments are included behind the draft Element for full GPAC consideration, including a statement of support submitted by Subcommittee Chair Black.

Recommended Actions:

- (1) Receive an overview from the GPAC Harbor, Bay, and Beaches Subcommittee;
- (2) Provide any feedback on the Subcommittee's efforts; and
- (3) Conduct a vote to support moving the draft Element forward for the GPUSC's review, and for public review, thereafter, including any related City Boards, Commissions, and Committees.

Planning Manager Zdeba reported the Harbor, Bay, and Beaches Subcommittee met but its Chair, GPAC Member Black, could not attend this meeting. He added that GPAC Member Black submitted his support for the Draft Element in writing. He added the Element will advance to both the Harbor Commission and Water Quality/Coastal Tidelands Committee after passing the GPUSC. He noted, to Mr. Fancher's previous

comments, that the name of this Element was changed from the current General Plan to include the City's beaches.

Consultant Bleier noted the Element has been expanded to include some upcoming State laws including California Senate Bill 272's deadline of 2034 for municipalities to draft a sea level rise plan. She added the Element has intentionally been left broad and flexible but with good intentions. She reported the Subcommittee added depth to each policy, including issues to be considered for guidance.

GPUSC Chair Gardner clarified the policy depth came to be per the Subcommittee's wishes for the City to know exactly what it should be preserving.

Planning Manager Zdeba added the Subcommittee decided not to include the phrase "managed retreat" out of concerns about the potential for California Coastal Commission (CCC) intervention. He clarified that "preservation of private property rights" is the City's way of saying it values private property rights over potential managed retreat.

Consultant Bleier presented policies within the Element focusing on its approach to coastal hazards based on best practices learned from natural disasters nationwide.

GPUSC Chair Gardner stated Policy HBB-2.3 should be reworded so the City has the option to work with any combination of non-profits, educational institutions, and other informed sources the situation fits best to collect data about risks such as tide and flood monitoring.

Consultant Bleier agreed Policy HBB-2.3 could be expanded to state the City is also not limited to these options.

Charles Fancher, member of the public, stated the City's Public Works Department and Newport Beach City Utilities should specifically be mentioned in Policy HBB-2.3.

Consultant Bleier stated, while presenting the approach to beach access in Policies HBB-10.3-4, there has been a strong public sentiment toward maintaining and enhancing infrastructure in a manner harkening back to the discussion in the previous item about balancing the level of tourism and residential wishes.

GPAC Member Watkins commended adding beaches to the Element. He noted the beaches can be accessed by either the boardwalk or vertical access points running perpendicular to the shoreline with an ongoing debate about boardwalk expansion. He encouraged including vertical access points but not a boardwalk extension to help preserve a more peaceful family-oriented experience between 36th Street and the Jetty. He added this issue has been raging for years and impacts Policy HBB-10.1 and Policies HBB-10.3-4.

GPAC Member Baker noted the report states Newport Harbor is the largest recreational harbor on the West Coast yet there are no criteria to base this statement upon. He expressed his suspicion the statement only appears in internet search engines because Visit Newport has frequently boasted it. He added the statement is invalid and should be modified, cautioning that similarly researched unverifiable claims may appear in other sections of the work.

GPAC Member Baker noted on Policy HBB-12.2 that there are countless organizations involved in managing and enforcing Upper Newport Bay making the regulatory situation too complex to articulate in the policies. He added all the involved organizations, including multiple non-profits, could best be referenced in something like a glossary. He added a glossary would be an easy place to make simplistic future edits.

GPAC Member Scott Laidlaw stated trash is a major problem on the beaches and inquired if trash management could be included in the Element. He reported the City's approach to rising waters has been asking property owners to retrofit their properties when issues arise, adding this is not an effective long-term plan. He added the goal is pointless without a better long-term implementation plan.

GPAC Member Baker noted Policy HBB-12.4 could be expanded to include solid pollutants. He commended the work of the Water Quality/Coastal Tidelands Committee with solid waste and noted how the City works with numerous entities on pollution-related projects to help combat trash flows down the Santa Ana River to the beaches. He noted the City has recently opened a trash intercepting water wheel and is making efforts to help keep the beach clear of solid waste. He added projects like the trash interceptor can be mentioned in the Element as an example of what the City should be doing to combat pollution.

GPAC Member Laidlaw clarified his concern was about trash left on the beach after busy weekends which connects to tourism goals and public use of the beaches.

GPAC Member Mosher noted this Element overlaps with concepts in the Safety Element, Natural Resources Element, and others. He reported the total number of policies in this Element is reduced from the current General Plan, citing as an example a large water quality section was deleted for repeating policies in the Natural Resources Element.

In response to GPAC Member Mosher's inquiry, Consultant Bleier agreed the Local Coastal Program (LCP) overrides the General Plan and is a focus of the CCC. She stated there is no desire to include things in the General Plan requiring the City to reopen its LCP so anything also covered in the LCP was removed. She added this can be changed based on the City's wishes. She stated the online platform that will eventually house the General Plan will help with cross-element organization and seeing how one policy can fit under multiple goals. She added Dudek has been trying to remove duplicate policies where possible and house them only within their most relevant Element.

GPAC Member Mosher noted the document will live as a single printed file until adopted and recommended a cross-reference guide for convenience as it relates to something like a single pollution combatting policy impacting both the Natural Resources Element and the Harbor, Bay, and Beaches Element.

Mr. Fancher stated the section discussing the economic value of Newport Harbor should include tourism's impact on the entire City and not just the harbor. He stated the City should consider creating an entity like the Harbor Commission to focus on the beaches and coastal land with a mission of managing refurbishment, nourishment, and protecting the beach as an economic driver.

Planning Manager Zdeba noted Mr. Fancher serves on the Water Quality/Coastal Tidelands Committee and cited his comment for the GPAC Members as an example of

the style of comments the Draft General Plan may engender when being presented to applicable Commissions. He added minutes from those meetings can be shared with the GPAC for additional consideration of the Commission's insights.

Co-Chair Greer noted Subcommittee Chair Curtis Black has in writing endorsed forwarding the report to the GPUSC.

GPAC Member Mosher noted multiple GPAC Members have since left the meeting and they no longer have a quorum.

GPUSC Chair Gardner stated her understanding is if the meeting starts with a quorum, then they may still conduct a vote.

Motion made by GPAC Member David Guder and seconded by GPAC Member Susan DeSantis to forward the Harbor, Bay, and Beaches Element to the General Plan Update Steering Committee for review, and for public review, thereafter, including any related City Boards, Commissions, and Committees, with the amendments suggested at the meeting.

The motion carried unanimously.

d. Updates and Overview of Upcoming Deliverables, Objectives, and Schedule

City staff and the consultant team will provide updates since the GPAC last convened on April 2, 2025, and what to expect from here in terms of deliverables and timing.

Recommended Actions:

- (1) Receive a presentation from City staff and the consultant team; and
- (2) Provide any feedback on the efforts.

Planning Manager Zdeba reported his aspirational goal for weekly May Subcommittee meetings did not happen due to the challenges of coordinating and facilitating the meetings. He added, that in June, he is hoping to host meetings of the safety, noise, land use, and outreach subcommittees along with a GPUSC meeting with a goal of having three more Elements for the GPAC to review in July. He shared a draft promotional video intended for the City's YouTube channel the Outreach Subcommittee will be discussing at its upcoming meeting, adding it is still a work in progress but received the approval of prospective Subcommittee Chair Clougherty.

The GPAC members applauded the video at its conclusion.

V. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

GPUSC Chair Gardner stated they need to discuss language and an overall statement about the General Plan. She offered to coordinate ideas submitted by the GPAC members to be passed along to Planning Manager Zdeba for discussion at the next meeting.

Planning Manager Zdeba reported the next meeting is tentatively scheduled for July 2nd but Co-Chair Evans had suggested moving it to July 16th.

By a show of hands, a roughly equal number of GPAC members stated they were able to attend a meeting on either date.

In response to Planning Manager Zdeba, Co-Chair Greer agreed to allow him to conduct an email poll respecting how many GPAC members were currently absent.

GPAC Member Anders-Ellmore noted they will have to go through a larger number of elements at the next meeting along with discussing the General Plan's preface.

In response to GPAC Member Anders-Ellmore's inquiry, Planning Manager Zdeba agreed they may have to meet on both dates due to the volume of work. He expressed hopes this meeting provided the GPAC members an example of the structure for their discussions and may help streamline the process. He stated it may be a good idea for this reason to meet on July 2 and then also be able to meet on July 16, if necessary. He stated he would add the concept of whether covering everything in one meeting is feasible when he sends his email poll about the date.

VI. ADJOURNMENT

With no further business, Co-Chair Greer adjourned the meeting at 7:05 p.m.

Next Meeting: To be determined