CITY OF NEWPORT BEACH
GENERAL PLAN UPDATE STEERING COMMITTEE MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE

OCTOBER 27, 2022
REGULAR MEETING – 6 P.M.

I.   <u>**CALL MEETING TO ORDER**</u> – 6:00 p.m.

II.   <u>**WELCOME AND ROLL CALL**</u>

    Present: Chair Nancy Gardner and Committee Members Kimberly Carter and Phillip Brown

    Absent: None

    Staff: Community Development Director Seimone Jurjis and Principal Planner Ben Zdeba

III.   <u>**PUBLIC COMMENTS ON NON-AGENDA ITEMS**</u>

Jim Mosher noted that the City Council will be appointing the General Plan Advisory Committee (GPAC) on November 15, 2022, identified outdated areas of the Newport, Together page on the City website and suggested staff look at it, and relayed one public comment was included in the Circulation Element and thought the City has a process and public engagement problem.

In response to Chair Gardner's question, Principal Planner Zdeba indicated that the names recommended for GPAC and submitted to staff by the Committee have been notified, relayed a City Council agenda item on November 15 for Council's consideration with the caveat that the entire list will be provided to the Council, and noted areas of the website that need the updated version of the General Plan and the website being temporarily down.

IV.   <u>**CURRENT BUSINESS**</u>

    a.   **Minutes of September 28, 2022**

    Motion made by Committee Member Carter and seconded by Committee Member Brown to approve the minutes of September 28, 2022, with Mr. Mosher's edits.

    The motion carried unanimously 3-0.

    b.   **Minutes of October 13, 2022**

    Motion made by Committee Member Carter and seconded by Committee Member Brown to approve the minutes of October 13, 2022, with Mr. Mosher's edits.

    The motion carried unanimously 3-0.

c.   **Airport Area Community Plan Presentation**

Jennifer Hernandez, representing the Picerne Group, used a presentation to review the Newport Beach Airport Area Community Plan to help maintain community character and quality while being mindful of the housing laws. She described a potential public-private partnership that would focus on a community planning effort for the Airport Area. She relayed that the Airport Village Community Plan Group consists of three members who represent about 37 percent of the landowners in the airport subarea and noted concern for a bigger community in the airport subarea without a broader land use plan. The presentation reviewed the problems created by the housing laws, danger of State Law bypassing local land use control, risk, a comprehensive Community Plan, airport area residential projects, benefits to adopting a Community Plan for the airport area now, Community Plan support, and next steps.

In response to Committee Member Carter's question, Ms. Hernandez explained why this approach is a Community Plan versus a specific or master plan.

In response to Committee Member Brown's question, Ms. Hernandez relayed that Picerne group's motivation is to preserve and enhance the quality of the experience for their existing product. Community Development Director Jurjis indicated that the City will hold true to Greenlight Charter 423, legal arguments are possible, and next steps are unknown if the March 2024 Land Use Element Greenlight vote fails. Ms. Hernandez added that the City of Newport Beach is not at risk of the City of Santa Monica builder's remedy deluge because of the Housing Element certification, but the City is fully exposed to having current commercial sites picked up and made into multifamily units under SB 6, SB 35, and AB 2011. Community Development Director Jurjis relayed the City's obligation to comply with the Permit Streamlining Act.

In response to Committee Member Carter's question, Community Development Director Jurjis stated that there are no permit applications for Housing Element units because the Land Use Element is not complete, but there are permit applications under the old General Plan that staff is still implementing, and Ms. Hernandez noted that the applicants for the pending applications are part of the Airport Village Community Plan Group.

Committee Member Brown noted concern for creating green space with multiple small parcels, and in response to his question, Ken Picerne, CEO of the Picerne Group, noted six projects in the 2006 General Plan that will develop over the next two to three years and result in just over 3000 units in the airport subarea. He relayed an area of integrity and collaboration, a variety of site types and sizes, a concern for losing control of the integrity, and a fee structure approach to purchase and establish park sites. Ms. Hernandez shared the common practice of creating green space with available land and noted addressing the ratio of people to green space in the Community Planning process, and multifamily amenities and park needs. Mr. Picerne clarified he is asking for a planning process and expecting to work with community stakeholders, activists, General Plan Update Steering Committee (GPUSC) members, and staff with an objective that makes most people happy, an openminded approach, opportunities for gentrification, housing commitments, and an alignment with the City.

In response to Committee Member Carter's question, Ms. Hernandez relayed an eight-to-ten-month time period and that the completion date is dependent on the start date. Community Development Director Jurjis indicated that the goal is to have this effort dove tail with the City's process and plan.

Committee Member Brown recapped the public-private partnership process, Ms. Hernandez clarified that the process consists of a proposed General Plan component, and Community Development Director Jurjis stated that it will be a part of the General Plan process and noted the steps for review.

Chair Gardner relayed the desire to speed up the process to create a neighborhood and not simply a group of apartments and Ms. Hernandez concurred.

In response to Debbie Stevens' inquiry, Ms. Hernandez noted that accommodating change in an area that's not already occupied and has less voters is less likely to generate litigation and controversy which reduces the time factor. Mr. Picerne noted the challenges in the General Plan Amendment process and thought that a fragmented group can pull together something cool, with integrity, and more quickly.

David Tanner, resident, thanked Ms. Hernandez for the presentation, expressed concern for timing and piecemealing, supported the concept of a community plan, questioned the level of detail, participants, payers, and Circulation Element, noted the benefits to the City, and suggested land acquisitioning to be able to control a master plan, tying the Community Plan process to the General Plan update, and a specific plan.

Ms. Hernandez noted the important coordination efforts to ensure no piecemealing and relayed confidence that the Picerne group will comply with California Environmental Quality Act (CEQA). Furthermore, she noted the details included the plan and the process. Chair Gardner liked the built-in protection from the review process.

In response to Committee Member Brown's question, Ms. Hernandez relayed a collaborative approach with staff and noted the process details.

In response to Committee Member Brown's concern for staff time, Community Development Director Jurjis expressed excitement for this opportunity, noted time management and outside consultant resources, and suggested a recommendation to the City Council.

Nancy Scarbrough, resident, thought public outreach is huge for the Greenlight vote and suggested sharing examples of successful projects or programs with the public, noted involving the public from the start is critical, believed the airport area is the perfect place to try this approach, and asked if the plan addresses the school district and eliminates the need for a Greenlight vote. In response, Ms. Hernandez noted that details related to schools, Greenlight, community outreach, and early engagement have not been worked out yet.

Jim Mosher, resident, noted the word "gentrification" was used by Mr. Picerne in the plan goals and expressed that it is the opposite of affordable housing. Chair Gardner suggested the term be rethought. Furthermore, Mr. Mosher expressed a lack of understanding of how the plan did not prevent the City's risk of exposure to commercial sites being used for residential development in the airport area, and, if it does, questioned why the City would not pursue other areas of the City from the same risk. Mr. Mosher believed the Community Plan is not totally different from the current General Plan because it identifies neighborhoods with different policies in the Land Use Element. He noted the Integrated Conceptual Development Plan from 2006 has parks built-in and questioned if a motivation to pursue this is to have the City pay for the CEQA process and Environmental Impact Report (EIR) for the benefit of the developers.

Mr. Picerne clarified his intention of using the word gentrification to be a village concept composed of mixed incomes that includes affordable housing and seniors. Ms. Hernandez indicated that funding for the CEQA process would be addressed in the Memorandum of Understanding (MOU) but anticipated it to be fully funded like everything else. She noted a land rush for commercial properties, speculation in the market, and less inclined speculators once a General Plan is established for open space and Regional Housing Needs Assessment (RHNA) numbers have been accommodated leading to an enforceable General Plan in the Community Plan area through objective standards that can only take effect with approval.

In response to Chair Gardner's example, Ms. Hernandez stated that commercial property owners in the Community Plan area would have to comply with the objective standards approved by the City.

In response to Committee Member Carter's question, the Community Plan is an approval of its own that follows the same steps as a General Plan and will get plugged into the General Plan once approved.

Dennis Baker, resident, noted the contentious issue of Newport Crossings and expressed concern for green space and, in response to his inquiry, Ms. Hernandez named the two other entities in the group included in the proposal.

Charles Klobe, resident, indicated that the financing mechanism from the Newport Beach Land Trust will be used to fund 100 percent affordable housing potentially in the Community Plan.

David Tanner reviewed the General Plan process, noted the airport area is in a high noise area making it different than other areas in the City, thought the CEQA document and project will be inconsistent with the municipal code, questioned how the City Council will approve the Community Plan ahead of the Land Use Element update, and believed environmental justice will not allow low density in a high noise area. In response, Ms. Hernandez noted a CEQA process, noise zone boundaries and housing considerations, and a separate, expedited, and consistent Community Plan with the General Plan.

Jim Mosher suggested the developer group fund a subgroup of the GPAC to collect community input at the beginning of the plan development.

In response to Committee Member Brown's question, Ms. Hernandez clarified that the approach would include development and open space components found in a neighborhood included in the General Plan and collaboration with staff and the community and Committee Member Brown liked seeing new ideas.

Committee Member Carter liked new ideas and an opportunity to include part of the GPAC in the process.

The Committee was in favor of moving the proposal forward and expressed no concern for the private-public aspect.

There was no public comment received.

Committee Member Carter made a motion and Committee Member Brown seconded to approve the MOU and recommend the proposal go to the City Council.

The motion carried unanimously 3-0.

Chair Gardner directed staff to focus on following up on outreach efforts and provide an update at the next GPUSC meeting.

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

None

VI. ADJOURNMENT

The next meeting will be determined after the City Council Meeting on November 15, 2022.