



NEWPORT BEACH

City Council Staff Report

November 14, 2017
Agenda Item No. 18

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: General Plan Update Process (PA2017-141)

ABSTRACT:

The City is about to embark on a comprehensive update to its General Plan (GP). In the last decade, extensive development has occurred throughout the City in conformance to the 2006 General Plan. Given the amount of development, it is important to review the GP and possibly update it to reflect the community's vision of the future. A very important part of the update process is to gain input from the residents, property owners, and the many stakeholders throughout the City. Outlined in this staff report is a collaborative process of updating the GP by the use resident based committees, a work plan that includes the use of outside consultants, and an overall project schedule.

RECOMMENDATION:

- a) Determine the recommended action exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 because the recommended action has no potential to have a significant effect on the environment;
- b) Initiate the General Plan update process;
- c) Adopt Resolution No. 2017-73, *A Resolution of the City Council of the City of Newport Beach, California, Establishing the General Plan Steering Committee (Steering Committee) and General Plan Advisory Committee (GPAC) to Assist in a Comprehensive Review and Update of the General Plan;*
- d) Authorize the Mayor to appoint the following members to the Steering Committee: City Council Members William O'Neill and Jeff Herdman, and former Mayor Nancy Gardner, and appoint a chairperson; and
- e) Authorize the City Clerk to begin accepting applications for the GPAC, and forward the applications for review by the Steering Committee.

FUNDING REQUIREMENTS:

The adopted budget includes \$1,000,000 for the current fiscal year ending June 30, 2018. Expenses would be charged to the Capital Improvement Program, General Plan Update, account 01201928-980000. Staff anticipates requesting an additional \$1,000,000 during future budget adoption processes.

DISCUSSION:*What is a general plan?*

A general plan is the framework for decision-making regarding the management and growth of a city. It is a blueprint for our City providing goals and policies to guide the City to achieve the community's future vision. State law mandates that every California city and county adopt "a comprehensive, long-term general plan." The Newport Beach General Plan includes ten elements consisting of the following:

- Land Use
- Housing
- Historical Resources
- Safety
- Harbor and Bay
- Circulation
- Recreation
- Natural Resources
- Noise
- Arts & Culture

Background

In July 2006, the City replaced its then 28-year old General Plan establishing a policy blueprint with a planning horizon until year 2025. In November 2006, consistent with Charter Section 423, the electorate voted to amend the Land Use Element of the new General Plan increasing residential dwelling units, and decreasing both non-residential square footage and peak hour traffic.

State law encourages cities and counties to periodically review the various elements of their general plans to ensure they are both current and reflect the community's vision and goals. Changes in state law also require updates to the Circulation and Safety Elements and the City must now include policies related to environmental justice. Most recently, the City went through the process of updating the Land Use Element in 2014; however, the electorate did not approve the resulting increases in density, intensity, and peak hour traffic. The outcomes of several recent development projects suggest the community's vision might need to be re-examined and possibly refreshed. These factors, as well as the progress over the past eleven years, supported the City Council's decision to budget \$1,000,000 this fiscal year to start the process.

General Plan Steering Committee

Staff recommends the formation of a three-person Steering Committee to help guide the process. The Steering Committee would be subject to the Brown Act. The Steering Committee will be comprised of two City Council members and one at-large member who is not a City Council member. The Mayor will make member appointments; name a chairperson and the City Council would review and approve them. The Steering Committee will have the following responsibilities:

1. Receive direction from the City Council;
2. Provide direction to the GPAC regarding the General Plan update;
3. Present progress updates to the City Council;
4. Make recommendations to the City Council for membership changes to the GPAC;
5. Review membership applications for the GPAC and make a recommendation to the City Council on GPAC membership composition;
6. Assist staff by performing duties, which include, but are not limited to the following:
 - a. Provide guidance and recommendations to City staff;
 - b. Review Requests for Proposals and responsive proposals for consultant services related to the General Plan;
 - c. Establish time schedules for the General Plan update; and
 - d. Review invoices and budgets related to the General Plan update.

Additional details of the Steering Committee are provided in the attached draft Resolution (Attachment A).

General Plan Advisory Committee (GPAC)

The update process cannot be accomplished without active community input and oversight. Staff recommends the establishment of a General Plan Advisory Committee that would be subject to the Brown Act. The GPAC would meet regularly and provide a public forum to review, discuss, and guide updates to policies. The GPAC would take direction and report to the Steering Committee. The composition and operation of the GPAC is intended to ensure the process is open and transparent.

GPAC members would be limited to City residents or organizations that operate in the City. GPAC shall consist of a minimum of 15 members but no more than 29 members. Membership may be composed of the following categories and no member may represent more than one (1) category:

- a. Up to three (3) residents from each City Council District;
- b. One (1) member from the Planning Commission;
- c. One (1) member from the Finance Committee;
- d. One (1) member from the Harbor Commission;
- e. One (1) member from the Parks, Beaches and Recreation Commission;
- f. Member(s) from local community organizations.

All prospective members would be required to submit a complete application for appointive positions to the City Clerk's Office. The City Clerk would forward qualifying applications to the Steering Committee for review and then the committee would make recommendations to the City Council for appointments. Additional details about the GPAC are in the attached draft Resolution (Attachment A).

Initial Work Plan

The initial work plan is a draft that may be modified by the Steering Committee and GPAC with community involvement. A summary of tasks are:

1. Community Engagement and Outreach

The single most important part of the GP update is civic engagement. Community feedback and input is necessary as it brings out a vision for the City.

Community engagement takes place by both inviting community members to participate and staff proactively reaching out to the community for input. This is accomplished by setting up community meetings at different locations throughout the City and inviting community members to attend and provide their input. Additionally, it is important for staff to reach out and attend regular community meetings, HOA meetings, and business association groups.

The City, with consultant assistance, will create and implement a community engagement and outreach plan to accomplish the overall update goals in an open and transparent process.

2. Consultant Selection

A consultant will need to be hired to help with the following: technical analysis, draft documents, community engagement draft amendments and the Environmental Impact Report (EIR) to the GP. A market and fiscal analysis will be conducted to provide foundational information for land use and circulation discussions. A consultant will also help understand economic changes of various land use alternatives.

The consultant will be selected through a Request for Proposal (RFP) process. The RFP will be drafted by staff and reviewed by the Steering Committee.

3. Review and Create Draft Update

All elements of the GP will be reviewed by the consultant and GPAC. Some of the elements may be rewritten in their entirety, while others may be amended or left unchanged.

4. Environmental Review

The update requires a thorough analysis of its potential environmental impacts. The results of the community visioning process, the market and fiscal analysis, and the GPAC process will lead to the creation of a preferred draft GP update. The land use plan and several viable alternatives will need to be evaluated in the environmental impact report (EIR) to inform the community and decision-makers.

How the work program changes is dependent on inputs received during the process including information from the consultants, staff, technical studies and analysis, stakeholder discussions, public outreach efforts and direction from the Steering Committee, the GPAC, and commissions and boards.

Project Schedule

The GP update would begin immediately with the initiation, appointment of the Steering Committee, and the establishment of the GPAC. The overall timeline is:

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| Establish Steering Committee & GPAC | Nov. 14, 2017 |
| Advertise and Accept GPAC Membership Applications | Nov. 18, 2017 |
| Publish Request for Proposals (RFP) for consulting services | December 2017 |
| Appoint GPAC Members | Feb. 13, 2018 |
| Select consultant team | Feb. 27, 2018 |
| Public outreach, stakeholder meetings, GPAC meetings | March 2018 to March 2019 |
| Preparation of draft update, alternatives and EIR | April 2019 to Oct. 2019 |
| Public hearings and update adoption | Nov. 2019 and May 2020 |
| Vote (unless deemed unnecessary) | November 2020 |

ENVIRONMENTAL REVIEW:

The City Council’s creation of advisory bodies and the initiation of amendments to the General Plan, Coastal Land Use Plan and Zoning Code/Map are exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the recommended actions have no potential to have a significant effect on the environment. No final action on the proposed update will be taken and the initiation of the amendments does not have any legally binding effect upon future consideration of the update themselves. An Environmental Impact Report (EIR) will be prepared in accordance with CEQA prior to the approval of any amendments.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item). Additionally, staff posted information about this meeting on the City’s website and sent an email alert to those individuals requesting email notifications. The City also used social media to alert the community.

ATTACHMENTS:

Attachment A – Resolution No. 2017-73

Attachment B – Correspondence