



## **CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT**

August 20, 2020  
Agenda Item No. 3

**SUBJECT:** Planning Commission Involvement with the Circulation Element Update (PA2017-141)

**PLANNER:** Jim Campbell, Deputy Community Development Director  
[jcampbell@newportbeachca.gov](mailto:jcampbell@newportbeachca.gov)  
949-644-3210

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### **SUMMARY**

The City is currently processing an update to its General Plan. Initially it was to be a comprehensive update with the entire General Plan being evaluated and updated as necessary. However, due to an October 2021 deadline for adoption of the Housing Element for the next 8-year planning cycle (2021-2029), the effort shifted focus to the Housing, Land Use, and Circulation Elements. Incorporating Environmental Justice policies is also a priority due to newer requirements of State General Plan law. The remainder of the elements would be taken up on a delayed and parallel track or they would be completed after the Housing Element.

In order to provide a public forum for this effort, the City Council created a ten-member Housing Element Update Advisory Committee (HEUAC). Given the centralized focus of the HEUAC on the Housing Element, the City intends to use the Planning Commission as the deliberative body to guide the Circulation Element update. When placed on an agenda, the meetings will serve as one of several ways the public can participate in the discussion of community transportation and circulation issues.

### **RECOMMENDATION**

- 1) Review and provide input to staff; and
- 2) Determine this activity is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, Title 14, Division 6, Chapter 3 because this action will not result in a physical change to the environment, directly or indirectly.

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## **DISCUSSION**

In early 2019, the City Council initiated a comprehensive General Plan update. The City also created a General Plan Update Steering Committee (GPUSC) to guide the effort. Kearns & West was the consultant selected to assist the City in conducting meaningful outreach to the community. The City conducted a community launch event in the fall of 2019, and then followed up with seven community workshops, one in each Council district. During the process, the City received its draft Regional Housing Needs Assessment (RHNA) allocation from the Southern California Association of Governments (SCAG). The high draft RHNA of 4,832 units immediately changed the focus of the outreach effort toward housing. The City supports legislative changes to ease the process and is preparing an appeal of the allocation. Despite these efforts, the City must move ahead and plan for the RHNA allocation.

In recognition of the mandate to plan for the RHNA allocation through the Housing by the October 2021 deadline, the City Council reduced the scope of the comprehensive update to focus on housing, land use, circulation and environment justice policies. To that end, the City Council appointed a Housing Element Update Advisory Committee (HEUAC) to carry on the effort started by the GPUSC. Upon formation of the HEUAC, the GPUSC was dissolved.

The HEUAC's responsibility is to ensure sufficient public outreach, guide the selection of necessary consultants and provide guidance on goals and policies related to the update of the Housing, Land Use, Circulation Elements, and any other Elements deemed necessary by the Committee or City Council. While the Circulation Element is within HEUAC's responsibility, the Committee was formed with members of the community who have specialized and extensive knowledge of housing. In addition, given the expedited timeline for compliance with the State's mandated October 2021 deadline, the focus of the HEUAC needs to be narrowed to housing issues.

### ***Current Status***

At this time, the HEUAC is focusing on identifying an adequate number of qualified sites for the required Housing Opportunity Sites Inventory. This inventory is of utmost importance, as it demonstrates compliance with planning for the requisite RHNA allocation. Four subcommittees have been formed to help identify sites, to help shape the outreach program, and to discuss the intricacies and feasibility of affordable housing development.

In order to facilitate an efficient parallel track for the Circulation Element update, the City intends to use the Planning Commission (Commission) to assist and guide the update effort. The HEUAC will create a unified approach for outreach and public engagement. When the HEUAC approves the outreach plan, Staff will transmit it to the Commission for review. The Commission will be tasked with discussing and guiding policy changes related to transportation and circulation within a public forum, after reviewing the feedback

from the community through outreach effort. Kearns & West will facilitate the community outreach with staff with oversight from the HEUAC. The hope is that we can reach broad segments of the community and solicit meaningful feedback.

### *Circulation Element Overview and Update*

As put best by the Governor's Office of Planning and Research (OPR), "the circulation element is not simply a transportation plan, but rather a strategy addressing infrastructure needs for the circulation of people, goods, energy, water, sewage, storm drainage, and communications." State law requires the circulation element to correlate with the land use element hence the Planning Commission is an appropriate body to guide the update.

The City's Circulation Element was last updated in 2006. Much has changed since then not only with state law, but with mobility in general. By way of example, there is an emerging use of alternative transportation solutions such as carshare, rideshare, and bikeshare services, as well as increasing planning for future autonomous vehicles.

On the legislative front, the City must prepare updates to comply with the Complete Streets Act, which helps to ensure circulation systems are all-inclusive and thoughtfully planned for all modes of transit. Other considerations for the update include the Global Warming Solutions Act (AB 32), SB 32, and the Sustainable Community and Climate Protection Act (SB 375) with completion of Sustainable Communities Strategies, CEQA streamlining for infill projects (SB 226), and the shift in CEQA transportation metric away from level-of-service (LOS) to vehicle-miles-traveled (VMT) (SB 743). As part of the Circulation Element, the City Master Plan of Streets and Highways will be reviewed for consistency with the County Master Plan of Arterial Highways.

As the City moves towards the update, the Commission will help guide the discussion and deliberate with the community on what goals and policies should or should not be included. The work of the HEUAC will help to shape the outreach plan that supplements the work at future Planning Commission meetings.

The City has retained a consultant team consisting of Kimley-Horn & Associates, LSA, and Urban Crossroads to prepare the Circulation Element update. They will also be involved in the traffic and transportation analysis prepared for an environmental impact report (EIR) for the entire update. Anthony Petros, a Principal and transportation planner with LSA and Tony Brine, City Traffic Engineer, will be the Circulation Element project managers but will remain in close coordination with Community Development staff. Mr. Petros has prepared a draft "white paper" that provides an outline of possible topics and issues for inclusion in an updated Circulation Element (Attachment No. PC 1). The document is a draft and it does not limit the issues that might be examined within the update. The City intends to hold a series of virtual workshops and surveys over the next few months to collect information to guide the update.

### Environmental Review

No action is required by the Planning Commission regarding this agenda item and as a result, it is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

The City has contracted with Kimley-Horn to prepare an EIR in accordance with the CEQA for the focused update of the Housing, Land Use, Circulation Elements including environmental justice policies.

### Public Notice

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the Planning Commission considers the item). Additionally, staff sent an email alert to those individuals who have signed up for the service.

Prepared and Submitted by:



Jim Campbell  
Deputy Community Development Director

### **ATTACHMENTS**

PC 1 Draft Circulation Element Update Issues White Paper

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# **Attachment No. PC 1**

Draft Circulation Element Update  
Issues White Paper

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# CITY OF NEWPORT BEACH CIRCULATION ELEMENT UPDATE

## ISSUES WHITE PAPER

### Introduction

The City of Newport Beach (City) is embarking on an update to the 2006 General Plan Circulation Element. This General Plan Element expresses the vision of personal mobility and the movement of goods and services within and through Newport Beach. The Circulation Element is a statutory requirement (Government Code §65302(b)) that consists of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the Land Use Element of the plan. In addition, commencing January 1, 2011, upon any substantive revision of the Circulation Element, the legislative body shall modify the Circulation Element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the General Plan.

Other legislative, regulatory, and societal demands have been placed on the purpose and content of a Circulation Element. Whether it be climate change, sustainability/resiliency, or emerging technology, the City must consider more than traditional vehicular travel in the community. This white paper surfaces issues related to mobility in Newport Beach in an attempt to guide the development of a Circulation Element that is consistent with the vision of the community, considers all elements of mobility, and anticipates a rapidly changing future for the movement of persons, goods, and services.

### General

The 2006 General Plan Circulation Element (the Element) includes a setting, followed by goals, policies, and objectives. Maps are included to show the general location of highways and trails. Figures are also provided that illustrate the facility rights-of-way and lane utilization as well as intersection lane geometrics. The primary focus of the Element is on vehicular mobility. This has been expressed by the public as the primary mode of travel, and data shows that the vast majority of travel in and through Newport Beach is by passenger car vehicles.

While vehicular mobility will continue to be a significant discussion of the Element, other issues should be considered as the City embarks on the update. These include the following:

1. According to the Office of Planning and Research *Update to the General Plan Guidelines: Complete Streets and the Circulation Element* (December 2010), multimodal transportation networks are a primary consideration of Circulation Elements. Both Senate Bill (SB) 375 and SB 473 support this assertion. What other modes should be included in the Element? How should these modes be presented and prioritized?
2. The City prepared a Bicycle Master Plan in 2014. How should that document be incorporated into the Element? Should other trails (hiking trails) be included?

3. The City Council is considering a Charter Amendment to include the Harbor Commission in the City Charter. How should the harbor and bay be reflected in the Element?
4. The City has an Aviation Committee. While having little or no authority over the operations of John Wayne Airport, the City has been aggressive in participating in planning for both commercial and private aviation. Should the Element include recognition of the City's position on the airport?
5. The 2006 Circulation Element is a text-heavy guidance document. It serves its purpose very well. However, it might be more accessible and widely read if it was more contemporary and colorful. The format could be updated to include a more colorful layout, increased use of graphics and charts, less text, and shorter paragraphs. These changes could be considered without compromising the integrity and importance of the Element.

### Legal and Regulatory Mandates

Federal, State, and regional planning has added mandates to the Element, affecting the local discretion and authority over mobility planning and community vision. These include federal regulation regarding bicycles, pedestrians, accessibility, connectivity, and transit. State laws mandate integration of land use and transportation planning and shift the focus away from congestion to climate change in transportation planning and engineering. Regional agencies, such as the Southern California Association of Governments (SCAG), interpret these State mandates and influence the land use and transportation planning through housing allocations and funding support.

The Element should be prepared to address these mandates directly. For example, the intent and purpose of SB 743 as provided for in the law is to develop criteria that "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks and a diversity of land uses." The criteria have been established by the City as part of its California Environmental Quality Act (CEQA) Guidelines and City Council Policy K-3. However, the Element should also demonstrate from a policy perspective how the goals, policies, and objectives, as well as the implementation measures, achieve these outcomes. LSA recommends a set of charts that list each of the items above in an array of the three purposes of SB 743. In so doing, the City will demonstrate that it is committed to use of a set of CEQA criteria **and** policy and practices that promote this new regulatory scheme. This same strategy is proposed for other legal and regulatory mandates. This will provide a firm expression and legal evidence of the City's regulatory compliance through its vision document.

Complete streets is a significant topic for this Element update. AB 1358 states the following:

- (A) Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

- (B) For the purposes of this paragraph, “users of streets, roads, and highways” means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.  
[G.C. Section 65302(b)(2)(A) and (B)]

In 2016, the Orange County Council of Governments (OCCOG) Board of Directors approved the release of the *Complete Streets Initiative Design Handbook* and *Complete Streets Initiative Funding Toolkit* to help Orange County agencies understand and comply with Assembly Bill (AB) 1358. That 2008 State legislation mandated that all General Plan Circulation Element updates include complete streets. The City may wish to use these resources in the planning of complete streets. Or, the City may wish to explore other strategies such as layered networks or multiuse facilities to fulfill the compliance mandate.

These mandates should be demonstrated through the Element’s policies with consideration of feasibility. While policies are utilized as a course of action, the Element should be prepared to identify strategies for achieving these policies. Fiscal responsibility, including funding for capital, operations, and maintenance that may result from the generation of the Element’s policies, should be considered.

### Emerging Technology

At the time of the adoption of the 2006 General Plan, the Motorola razr was the premier cell phone. It could send and receive phone calls, take pictures, hold 50 songs on iTunes, and send and receive text messages. A mere 14 years later, smart phones are ubiquitous and have almost infinite uses and applications. At the time of the 2006 General Plan adoption, ride hailing was accomplished by calling for taxi service. Now, Uber is a 14-billion-dollar global ride-hailing service. *The Jetsons* offered a comical vision of flying cars, but today Quantum Air is hosting air taxi services in the metropolitan Los Angeles region. Emerging technology is happening faster than we can imagine it, and trends change suddenly. Before jurisdictions could address the concept of car sharing, it was replaced by on-demand ride hailing. Electric scooters could disappear from our sidewalks as quickly as they appeared.

The Element should consider both the benefits and impacts of emerging technology in the vision of mobility in the City. Issues to consider include the following:

1. **Ride Hailing Services:** Benefits to parking demand and potential impacts to congestion.
2. **Mapping and Directional Internet Services:** Benefits to arterial congestion and trip planning and impacts to neighborhood streets.
3. **Intelligent Transportation Systems:** How traffic signal systems and telemetry will change, and how the City should budget for these changes.
4. **Autonomous Vehicles:** Municipal infrastructure to support private industry initiatives (e.g., 5G networks).
5. **Transit:** Defining the future of transit—rubber tire, steel wheel and track, and new technology.

6. **Terminals:** Integrated transportation and first-last mile considerations, especially around the Transit Center.
7. **Air Travel:** The future of quieter jet engines and the changes to take off and arrival flight patterns.
8. **Design Guidelines:** Planning for public streets and private parking lots that are supportive of emerging technology (such as ride-hailing loading zones) and supportive of all travel modes.
9. **Uncertain Future:** Emerging technology is developing at a faster pace than public policy can address. Therefore, it is important to create policy that allows for innovation and consideration of the unknown.

### Goals, Policies and Objectives

Currently, the 2006 Element includes eight goals. The majority are specific to vehicular mobility and roadway design. Going forward, the goals of the Element should be driven by the vision of the citizens and the City Council while considering a more comprehensive idea of mobility. This vision can be cultivated through a robust engagement/ascertainment and public outreach program. The priority of the outreach should be to surface and identify goals for mobility for the future of Newport Beach.

Acknowledging the primacy of the local vision, the Element must still respond to other influences such as multimodal mandates, complete streets treatments, and climate change affecting transportation planning. How the City wishes to acknowledge these outside influences is a fundamental decision. The City can simply acknowledge and offer little action and incentive as part of objectives and implementation, or the City through the Element can specify discrete actions and performance goals to achieve desired outcomes. How the City responds can be determined through the engagement with the community.

Given the menu of issues to address, it is clear the Goals, Policies, and Objectives will become more robust in the Element update. While the Element is being developed, regular evaluations should be scheduled to ensure that the Element reflects a universe of goals that will achieve the vision articulated in the General Plan with the level of effort and resources the City is willing to invest.

### Outreach and Public Input

A General Plan and its Elements are expressions of the desired future for a community. They articulate and illustrate how the resident and corporate citizens wish to array land use, accommodate housing, and move through and within their community. Every General Plan is as different as the variety of cities in California. This is because of the local focus of the process.

It is important to have a full and robust community outreach to ascertain the vision of mobility in the future Newport Beach. Many opportunities should be provided in a variety of venues to seek out the input of the citizens and businesses. And, an assortment of methods should be employed to ensure that all questions are answered and all perspectives are collected.

However, the Circulation Element should not be a reflection of the status quo. A vision of the future cannot be the activities of the past or present. As mentioned, regulations and legislation have affected the future of mobility. Technology is changing rapidly and will dramatically impact infrastructure, land use, and quality of life over the term of the General Plan. Therefore, the outreach must acknowledge the good planning that led to the present circumstance and encourage the community to use that good planning to invent a future with the same or better outcomes.

Draft