



CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

September 17, 2020
Agenda Item No. 4

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

PLANNER: Jim Campbell, Deputy Community Development Director
jcampbell@newportbeachca.gov
949-644-3210

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 eight-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), including the Mayor as a non-voting member. 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;
- 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; and
- 3) Consider the appointment, at this meeting or a future meeting, of a Planning Commissioner to work with Outreach Subcommittee of the Housing Element Update Advisory Committee.

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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 opportunity 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.

Staff recommends the appointment of one Planning Commissioner work with the HEUAC Outreach Subcommittee (Debbie Stevens and Susan DeSantis) to create a “bridge” between the Committee and the Commission.

The HEUAC reviewed the attached outreach plan (Attachment PC 1) at their September 2, 2020, meeting. There will be more detail added to the plan as implementation occurs. The Commission will be tasked with discussing and guiding policy changes related to transportation, circulation, and mobility within a public forum, after reviewing the feedback from the community through outreach effort. Kearns & West and City staff will facilitate the community outreach with oversight from the HEUAC. The hope is that we can reach broad segments of the community and solicit meaningful feedback on mobility needs.

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 PC 2). 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 Outreach Plan
- PC 2 Draft Circulation Element Update Issues White Paper
- PC 3 Correspondence

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Attachment PC 1

Draft Outreach Plan

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HOUSING, CIRCULATION, AND LAND USE ELEMENTS

Community Engagement & Outreach
Plan – City of Newport Beach

DRAFT

Working Document last updated on **August 28, 2020**

Prepared by Kearns & West in coordination with Kimley-Horn

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I. INTRODUCTION

Project Overview

The City is initiating a focused amendment the Newport Beach General Plan. The purpose of this amendment is to enable the City to comply with State laws, including the State Housing Law and others relating to transportation and environmental justice. Compliance is mandatory, although how the City complies is left to the City, subject to approval by the State. This Amendment will focus on Housing mandates, amendments to Circulation and Land Use Elements, and the incorporation of Environmental Justice policies.

The Housing Element will provide for policies, programs and actions addressing existing and projected future housing needs in the community for the 2021-2029 planning period. The Land Use Element will need to be updated to be consistent with required changes to the Housing Element to accommodate future housing growth needs as determined by the State.

The Circulation Element will provide policies, programs and actions that consider the implications of future growth on the City's transportation and circulation system. The update will be evaluated and the impacts to Level of Service (LOS) and Vehicle Miles Travelled (VMT) examined within an Environmental Impact Report, including the incorporation of Complete Streets policies.

Environmental Justice, as required by SB 1000, provides related goals, policies, and objectives that identify "disadvantaged communities" within the area covered by the General Plan. The environmental justice goals, policies, and objectives will: (1) Identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity, (2) Identify objectives and policies to promote civil engagement in the public decision-making process, and (3) Identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.

Outreach Objectives

As noted above, the purpose of the outreach is to gain input from the public and other stakeholders as to the best plan to comply with the City's RHNA allocation and input on mobility and circulation in the City. For this project, success relies on involvement of community members and other stakeholders throughout the evaluation of potential changes to the Housing, Circulation, and Land Use Elements, including issue identification, education and policy review. Specific objectives for public engagement are to:

1. Conduct an open and transparent process;
2. Provide an opportunity for a wide range and depth of voices from community members, stakeholders, disadvantaged communities, and those who could provide insight from the development community;
3. Share information on the Housing, Circulation, Land Use Element, including state requirements, state mandates (including Regional Housing Need Allocation [RHNA]), and other related information with Newport Beach community members and stakeholders;
4. Gather meaningful and sustained community input on Housing Element, Circulation Element, and Land Use Element to incorporate into the General Plan amendments;
5. Transparently share project information, meeting conclusions, and incremental decisions with community members and the reasons for such conclusions and recommendations; and
6. Maximize relationships and trust between the City and community members, and among community members themselves;
7. Work collaboratively with stakeholders and the community on an update to the Housing and Circulation Elements that complies with State law.

Considerations for Covid-19

The project team recognizes recent community engagement challenges related to public health guidance. Given the current Covid-19 crisis, many activities that would usually take place in person during a planning process, such as workshops and community events, have been paused, postponed, or transitioned to virtual events. In response to uncertainty about when in-person activities will resume, virtual engagement workshops, webinars, and communication and calls with partners will be utilized where appropriate to meet the engagement goals for the Housing, Circulation, and Land Use Elements and Environmental Justice policies.

Weaving different virtual activities into the **Newport, Together** process will require flexibility as well as thoughtfulness to ensure engagement of a broad segment of Newport Beach community members and stakeholders. Key themes that have been identified for addressing engagement needs related to Covid-19 are described below.

Identifying Goals for Engagement

Identifying where community input is needed and how it will impact outcomes is important in choosing which form of virtual engagement can most effectively be used to engage a broad-base of the community. Virtual engagement may not mean a virtual “meeting.” It may be online surveys, videos or recorded presentations, decision-support tools, and other digital tools used strategically.

Planning for Accessible and Inclusive Engagement

A major goal of the **Newport, Together** process is to engage a wide spectrum of voices of Newport Beach community members and stakeholders. It will be critical to provide materials that are easy to access, easy to understand, and that honor community experience. Multiple informational tools will be used throughout the process, including digital tools, emails and newsletters, information in local news sources, and in-person communication, if possible.

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II. PROCESS CHART

The Housing, Circulation and Land Use Element Update process will proceed through four major steps, with engagement opportunities throughout the process.

- **Phase 1:** Existing Conditions, Education, Visioning and Visualizing RHNA Compliant Alternatives
- **Phase 2:** Policy Development
- **Phase 3:** Draft Plan Development & Environmental Scoping
- **Phase 4:** Draft Plan and Draft EIR Public Review & Comment
- **Phase 5:** Final EIR Certification and Final Plan Adoption

Community engagement activities will take place throughout the planning process, whereby community input will inform the development of goals and policies for the elements being updated. The process chart, shown below, outlines how the community engagement activities will synchronize in each step. Some activities will occur periodically. Others will be conducted at regular intervals throughout the process. **Figure 1** shows how the outreach activities will work together, with the following identified:

- Planning phase
- Anticipated timeline
- Specific community engagement activities to occur during the step
- Deliverables that the project team will be provided to the Housing Element Update Advisory Committee



Figure 1: Process Chart

III. STRATEGIES, TACTICS AND TIMING

Sharing Information

This section identifies activities designed to provide project updates, notify community members, businesses, stakeholders, and other organizations about opportunities for engagement, and encourage everyone to participate.

- **Project Summary Page/ Project Fact Sheets:** A summary of elements that are addressed by this process, and what that entails. These will include an infographic of where input will be incorporated into the update process. Separate fact sheets can be developed to address the process and each element individually.
- **General PowerPoint Presentation:** Slides that provide an introduction on the Housing, Circulation and Land Use elements and the project process.
- **Media:** Articles in Daily Pilot, Newport Beach Independent and Stu News Newport.
- **Direct Mailers:** Hard copy announcements containing project information and announcements, mailed directly to residents.
- **Notification Plan:** Plan for notifying residents about the process, including a timeline for email blasts, flyers, social media, press releases, and ad placement
- **Draft press release:** Suggested language for communicating about workshops and events, designed to be adapted and edited by the City communications team as needed.
- **Assets:** Downloadable and sharable resources that include fact sheets, flyers and social media images.
- **City Council Slide Announcement:** Event information slides developed and presented to City Council meetings before each outreach event.
- **Social Media Announcements:** Language for project updates and announcements about engagement opportunities that can be posted on social media sites, including sites managed by the City (e.g., Facebook, Instagram, Nextdoor). All social media updates will be submitted to the Communications team for use.
- **Stakeholder Engagement:** The consultant will work proactively with stakeholders, employers, business associations, neighborhood homeowners association groups, social and community organizations to optimize the outreach to a broad base of constituents, employees, residents, etc.
- **Email Blasts:** The City will periodically send email updates and announcements to community members and other stakeholders who have requested to be added to the mailing list.

Master Contact Database

The project contact database will serve as a master list, incorporating contacts from the stakeholder database, City email lists, and stakeholder groups. New contact information will be collected and added to the database throughout the Housing, Circulation and Land Use Element Updates.

- **Timing:** Ongoing
- **Project Team Roles:**
 - **City:** Provide updates to the master database and identify stakeholders
 - **Kimley-Horn:** Provide updates
 - **Kearns & West:** Maintain database

Online Platform

Digital engagement and activation will occur in-part through Bang the Table, accessed through www.newporttogether.com. The platform will be updated throughout the project with information, polls, surveys and mapping activities as determined by the HEUAC Committee and project team. The platform will also host a project schedule, documents, and outreach summaries. Online engagement is meant to significantly broaden the base of community engagement through “on-demand” platforms that go beyond typical turn out at City meetings.

- **Timing:** Ongoing
- **Project Team Roles:**
 - **City:** Review content, provide updates, monitor email responses.
 - **Kimley-Horn and LSA:** Provide website content, provide input on outreach activities, incorporate input into planning process.
 - **Kearns & West:** Develop platform framework, integrate content provided by Kimley-Horn and City staff, develop outreach activities, monitor input, deliver consistent summaries of input received to project team, update as necessary.

Stakeholder Collaboration

Engagement with housing and development stakeholders will occur through a series of direct engagement sessions. These sessions are intended to be informal discussions with agencies, entities and individuals who are part of the development community, non-profit organizations, services agencies and other similar entities. This collaboration may be conducted as virtual meetings, group or individual meetings. Stakeholders will be engaged in developing baseline conditions, drafting policy, and drafting the plan.

- **Timing:** Ongoing as needed in the process
- **Project Team Roles:**
 - **City:** Provide input on stakeholder collaboration design and structure.
 - **Kimley-Horn and LSA:** Develop presentation material, co-facilitated session, review summary/ after-action report, incorporate input into plans and policies.
 - **Kearns & West:** Identify and configure virtual tool as necessary, develop logistics and facilitation plans, develop communications tools, develop presentation template, integrate project information from project team, facilitate session, develop summary/ after-action report.

Virtual and In-Person Workshops

Workshops for **Newport, Together** will take place in a virtual format to be available “on-demand” for the remainder of 2020, and may concurrently occur in an in-person format pending state and City guidance on in-person gatherings. The project team will work alongside the Housing Element Update Advisory Committee Outreach Sub Committee to determine dates for the Housing Element workshops. Workshops relating to the Circulation Element will be guided by the Planning Commission, City staff, and the project team

As the input and objectives for the Housing and Circulation Elements are distinct, the workshops for each will take place separately. The project team will incorporate the input received from the community and stakeholders in each workshop and incorporate into each element as appropriate.

While the timing and structure of the workshops may change in response to direction from the Outreach Subcommittee, the general structure is below:

HOUSING ELEMENT WORKSHOPS

Virtual Housing Element Workshop 1: Introduction and Envisioning RHNA Compliant Alternatives

The first virtual workshop will review input from the Listen & Learn outreach, identify the process and framework for the Housing Element, and engage and educate participants in the discussion of RHNA compliant alternatives and the challenges presented by State mandates. The workshop may be hosted on different days and times to allow for broad participation. The presentation will be recorded before the workshop with voiceover walking through the

presentation to be available to community members “on-demand” and used as an engagement tool on the Bang the Table website.

- **Timing:** Early October 2020
- **Project Team Roles:**
 - **City:** Provide input on workshop design and structure.
 - **Kimley-Horn:** Develop presentation material, review outreach materials, co-facilitate workshop, review summary/ after-action report, incorporate input into plans and policies.
 - **Kearns & West:** Identify and configure virtual tool, develop logistics and facilitation plans, develop communications tools, develop presentation template, integrate project information from project team, facilitate workshop, develop summary/ after-action report.

Housing Element Workshop 2 – Policy Considerations and Opportunities

Workshop 2 will build upon the information learned from Workshop 1 and provide draft analysis, policies, and programs for review and discussion. Like Workshop 1, the second workshop can take place at several different days and times for broader participation, and will be made available “on-demand” to the community.

- **Timing:** February - March 2021
- **Project Team Roles:**
 - **City:** Provide input on workshop design and structure.
 - **Kimley-Horn:** Develop presentation material, review outreach materials, co-facilitate workshop, review summary/ after-action report, incorporate input into plans and policies.
 - **Kearns & West:** Identify and configure virtual tool, develop logistics and facilitation plans, develop communications tools, develop presentation template, integrate project information from project team, facilitate workshop, develop summary/ after-action report.

CIRCULATION ELEMENT WORKSHOPS

The timing, frequency and input activities for the circulation element workshops will be guided by the Planning Commission in coordination with the project team, and the HEUAC Outreach Subcommittee.

Circulation Workshops – Phase I

The first phase of engagement for the Circulation Element will include a primer on key topics relating to circulation, including state requirements relating to Level of Service (LOS) and Vehicle Miles Traveled (VMT), Complete Streets, and the vision statement, goals and policies within the existing Housing Element. This will be followed by virtual workshops to gather input on issues, opportunities relating to circulation in Newport Beach.

- **Timing:** Fall – Winter 2020
- **Project Team Roles:**
 - **City:** Provide input on workshop design and structure
 - **Kimley-Horn and LSA:** Develop presentation material, review outreach materials, co-facilitate workshop, review summary/ after-action report, incorporate input into plans and policies.
 - **Kearns & West:** Identify and configure virtual tool, develop logistics and facilitation plans, develop communications tools, develop presentation template, integrate project information from project team, facilitate workshop, develop summary/ after-action report.

Circulation Element Phase II

The second phase of Circulation element workshop will Gather input on goals and policies relating to circulation and will be guided by the project team and Planning Commission.

- **Timing:** TBD
- **Project Team Roles:**
 - **City:** Provide input on workshop design and structure.
 - **Kimley-Horn and LSA:** Develop presentation material, review outreach materials, co-facilitate workshop, review summary/ after-action report, incorporate input into plans and policies.
 - **Kearns & West:** Identify and configure virtual tool, develop logistics and facilitation plans, develop communications tools, develop presentation template, integrate project information from project team, facilitate workshop, develop summary/ after-action report.

CAPSTONE COMMUNITY WORKSHOP

The goal of the Capstone Community Workshop will be to share Draft Housing, Circulation and Land Use Elements with the community. This could take place in conjunction with a Housing Element Update Advisory Committee meeting or Planning Commission Meeting.

- **Timing:** Summer 2021

- **Project Team Roles:**

- **City:** Provide input on workshop design and structure
- **Kimley-Horn and LSA:** Develop presentation material, review outreach materials, co-facilitate workshop, review summary/ after-action report, incorporate input into plans and policies.
- **Kearns & West:** Identify and configure virtual tool, develop logistics and facilitation plans, develop communications tools, develop presentation template, integrate project information from project team, facilitate workshop, develop summary/ after-action report.

Housing Element Update Advisory Committee and Subcommittees

The Housing Element Update Advisory Committee, with input from Subcommittees, will meet regularly to guide the development of the Housing Element and related Land Use Element updates.

- **Timing:** Ongoing

- **Project Team Roles:**

- **City:** Review all materials, provide staff updates.
- **Kimley-Horn:** Attend, Provide updates to the Committee,
- **Kearns & West:** Attend as necessary to provide updates, coordinate with Outreach Sub Committee.

City Council Study Session

The purpose of the City Council Study Session is to share update on Housing, Circulation, and Land Use Elements and incorporate City Council comments.

- **Timing:** January 2021

- **Project Team Roles:**

- **City:** Develop staff report and facilitate study session.
- **Kimley-Horn and LSA:** Develop presentation material, attend, and present.
- **Kearns & West:** None

Planning Commission

The Planning Commission will guide the development of the Circulation Element. The Planning Commission will also review documents and recommendations from the Housing Element Update Advisory Committee and make final recommendations to City Council.

- **Timing:** Ongoing as determined by Planning Commission

- **Project Team Roles:**

- **City:** Develop staff reports and present to Planning Commission.
- **Kimley-Horn and LSA:** Update Planning Commission on Circulation, Housing and Land Use Elements and receive guidance on policy priorities and development.
- **Kearns & West:** TBD

Draft/Final Environmental Impact Report

As part of the draft Environmental Impact Report process, community members will have the opportunity to provide input on the environmental impacts of the proposed General Plan amendments.

SCOPING MEETING

The project team will conduct a public scoping meeting during the Environmental Impact Report process.

- **Timing:** Spring 2021

- **Project Team Roles:**

- **City:** Review materials and oversee structure.
- **Kimley-Horn and LSA:** Lead scoping meeting.
- **Kearns & West:** Develop logistics plan, develop presentation template, work with Kimley-Horn to facilitate workshop, develop summary/ after-action report

RESPONSE TO COMMENTS

Responses to comments submitted during public review will be provided in the Final Environmental Impact Report.

- **Timing:** Fall 2021

- **Project Team Roles**

- **Kimley-Horn:** Develop response to comments.

Hearings and Adopted General Plan

PLANNING COMMISSION HEARINGS

The Final General Plan amendments and Environmental Impact Report will be considered by the Planning Commission during a series of public hearings. As with all public hearings, opportunities for public comment will be provided.

- **Timing:** TBD

CITY COUNCIL HEARINGS

The Final General Plan amendment and Environmental Impact Report will be considered by the City Council during a series of public hearings. As with all public hearings, opportunities for public comment will be provided.

- **Timing:** Fall 2021

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Attachment PC 2

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.

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Attachment PC 3

Correspondence

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From: Hoiyin Ip <hoiyini@hotmail.com>
Sent: Tuesday, August 18, 2020 9:21 PM
To: Planning Commissioners
Cc: Tucker, Larry; Stevens, Debbie; DeSantis, Susan; Selich, Ed; Zdeba, Benjamin
Subject: public comment: circulation element update

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

The white paper is nicely written. Meeting notice and agenda packet were sent out well in advance. It was mentioned in the Indy. The circulation element update is having a good start.

But I'm still concerned about public outreach.

I've looked forward to the circulation element update, and increasingly since COVID is changing the street scene. But I'll join a different meeting on Thu. evening, regrettably. (I was the only member of the public who went to every general plan update meeting/event last year. And I watched every Housing Element Update Advisory Committee's meeting live.) Zoom has created more meetings. In the old days when meetings were in-person, prominent speakers were hard to get as they were always flying to somewhere. Now they zoom. A new kind of competition.

I'd like to say I hope the number of participants for this item would be the sum of those at planning commission and HEUAC combined. But we need more.

I had suggested that the general plan update meetings/events should be announced on every **social media** channel the City had. I'll suggest the same for the circulation and housing element update meetings. This is about "quality of life" - a phrase that is used too often in this town.

We should also know the **number of people watching live** during each meeting (in this case, item #3). This would be a way to measure the success of public outreach and other purposes. (Laguna Beach city council found different ways to use this data.)

Thanks!

Hoiyin

August 20, 2020, Planning Commission Item 3 Comments

These comments on a Newport Beach Planning Commission [agenda](#) item are submitted by:

Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229).

Item No. 3. CIRCULATION ELEMENT UPDATE

If nothing else, this item is procedurally flawed.

Although the people of Newport Beach, through City Charter [Subsection 707\(a\)](#), give the Planning Commission the (exclusive?) power and requirement to hold public hearings to “*recommend to the City Council the adoption, amendment or repeal of a General Plan, or any part thereof, for the physical development of the City,*” the City Council chose (as indicated in the staff report) to appoint a separate [Housing Element Update Advisory Committee](#) to oversee its response to the state’s most recent Housing Element update mandate.

In its enabling resolution, the HEUAC is specifically tasked with guiding City staff in its update of “*the Housing, Land Use, Circulation, and other Elements deemed necessary,*” including public outreach and the selection of consultants to assist in the effort.

The HEUAC, like the Planning Commission and the City Council, is a body that takes action collectively, not as individuals.

From that, and despite the enabling resolution, it is clear the HEUAC could not have been involved in the selection of consultants since the contract with Kimley-Horn ([C-8635-1](#)) – including LSA as a sub-consultant -- was approved on April 14, 2020, and the HEUAC, although [appointed](#) on February 25, did not hold its first [public meeting](#) until July 1.

Now we learn from the staff report that “*the City intends to use the Planning Commission as the deliberative body to guide the Circulation Element update.*” What entity acting as “the City” made that decision is a mystery to me since to the best of my knowledge neither the City Council nor the HEUAC have publicly given the Newport Beach City staff any such direction.

Reading further into the staff report, I understand the more detailed decision that has been made by this unknown decider is that the HEUAC will continue to guide City staff in its Circulation Element public outreach efforts, but staff will look to the Planning Commission for guidance on its policy updates. All this notwithstanding that on July 15, at the second of the two public meetings the HEUAC has held, the consultant presented [a timeline](#) suggesting the PC’s review of the HEUAC’s work product would not come until a year from now, in August 2021.

While I am pleased to see the Planning Commission getting involved in the process at an earlier stage than previously planned, it is unclear to me who has stepped in to override the HEUAC in guiding the update process, and under what authority they did so. And since a general plan is supposed to be an integrated and consistent whole, it is likewise unclear to me how having different parts reviewed by different bodies will assure proper integration of the three elements previously assigned to the HEUAC, let alone integration with the other elements. None of this, as best I can tell, is explained in the staff report or on the City website.

Meanwhile, we learn the HEUAC is preoccupied with locating Housing Opportunity Sites, which seems to be a task *not* assigned to it, at least according to the [HEUAC web page](#).

As to the remainder of the report:

1. The third paragraph under “Circulation Element Overview and Update” (page 4) would be more helpful if it identified the legislative sessions to which the California bill numbers refer to. It is especially unclear what “Complete Streets Act” it is referring to. There seem to be at least two: a [California bill](#) adopted in 2008¹ and [a federal bill](#) still pending before Congress.
2. The White Paper (Attachment No. PC 1) raises interesting issues, but it adds no clarity as to what the Planning Commission’s role in this will be (or when) – nor how any of this will integrate with the development changes that will presumably be recommended on a separate path by the HEUAC.

As a final note, some of the Commissioners may have noticed much of the public comment received in connection with Item 2 on the present agenda has been forwarded for posting with a staff email prominently encouraging recipients to visit the City’s [Newport, Together](#) web pages. Public access to those pages seems recently to have been blocked, which is probably a good thing since they were very out of date and, even when accessible, did not represent the conclusions of the Newport, Together effort.

Yet links to Newport, Together are still featured on the City’s [General Plan Update](#) page, which tells the public nothing about the existence of the HEUAC or a pending update of the Circulation Element. The confusion this creates does not bode well for a staff-driven outreach effort.

¹ From the White Paper, it seems this is the one.