

General Plan Overview

What is a General Plan?

The centerpiece of local government planning is the General Plan. Each city and county must adopt a General Plan “for the physical development of the county or city.” Simply put, a General Plan is the long-term “blueprint” of what, where, and how the jurisdiction envisions the community will grow. It must address needed capacity for roads, sewers, water lines, park acreage, and residential density, among other factors. Each plan expresses the community’s land use, circulation, environmental, economic, and social goals, policies, objectives, and actions. Courts have called the General Plan the “constitution for future development.”

How do General Plans work?

General plans outline “goals” and “objectives” for the planning area that are then backed up with specific policies and implementation actions or programs. Though sometimes these terms are used interchangeably, goals are broad and unquantifiable, while objectives are specific and quantifiable. Once the goals and objectives are set, policies are created, and implementation measures are developed. Policies help decision makers guide the development in the jurisdiction and are executed through the implementation actions or programs.

How do I know if a policy is mandatory?

Strong policies with explicit direction use words like “shall” and “require,” while other policies with more flexibility use words like “should,” “encourage,” and “may.” Using the flexible policy language implies interest in the policy, but no real commitment to it or its enforcement. Flexible policy language does not carry the force of law. According to the General Plan Guidelines developed by the comprehensive state planning agency, the Office of Planning and Research (OPR), “It is better to adopt no policy than to adopt a policy with no backbone.”

What is the purpose of a General Plan?

General Plans serve as the basis upon which decision makers plan for and ultimately approve or disapprove development proposals. It is important to maintain internal consistency among diagrams and policies within the General Plan. It is important to ensure that all the General Plan’s policies are consistent with one another. Because Newport Beach is a Charter City, its zoning ordinances are not required to be consistent with general plan unless the city has adopted a consistency requirement. Newport Beach has adopted consistency requirements in its General Plan Implementation section.

What are the required elements in a General Plan?

There are seven required elements covered in General Plans. These include land use, open space, conservation, housing, circulation, noise, and safety. Depending on the circumstances of the jurisdiction, other elements, which are optional, can be included in the General Plan. Typical optional elements can include: growth management, water, and community design. Newport Beach has a number of optional elements, which must be consistent with the other required elements of the General Plan. More

recently, elements responding to new legislation and expanded awareness of environmental conditions have been incorporated including: Climate Action Plans, sustainability, energy, and air quality elements.

When does a General Plan become outdated?

A General Plan must be regularly updated to account for changing circumstances in the community, reflect changes in state laws, and in some cases to reflect changing priorities and visions of the community. Some legislation requires specific updates. For example, SB 375 increases the period for the Housing Element update from five years to eight years and requires that the local government actually zone the land needed for housing. Once a General Plan has been in place for 8-10 years, the Governor's Office of Planning and Research and the Attorney General typically notify cities and counties their general plans are technically out of date and may be in need of a comprehensive update.

How often can a General Plan be changed?

By law, the legislative body of the county or city can amend any element of the General Plan up to four times a year, however multiple amendments may be bundled each time. Even though an amendment can be initiated by a council member, member of the public, or organization, requests for amendments are most often requested by private development interests and the costs of the amendment are passed on to the developer. Both the General Plan itself and any amendment(s) are subject to referendums and initiatives.

What is the Land Use Hierarchy?

The land use hierarchy is a triangle of documents that inform one another. The General Plan is at the top of the triangle. Below the General Plan is the zoning ordinance, intended to implement the General Plan land use designations. In addition, the hierarchy may include specific plans, which are considered a tool for implementing the General Plan, but are not a part of the General Plan. Instead, Specific Plans are a mixture of policy statements and development regulations adopted to address a single development or development area. The base of the triangle includes the various applications and permits such as: variances, use permits, subdivision maps, coastal permits, building permits, and habitat plans. All of these so called subordinate documents must be consistent with and supportive of the general plans policies and land uses as called for in the Newport Beach General Plan Implementation Section.

What are Form-based Codes?

As an alternative to traditional zoning, a newer form of land use control has been created. These codes, which consist of texts with inherent three dimensional graphics, tie everything together, from building scales to types of streets and blocks; from community areas to the front of buildings. This new form of land use control helps create community character and achieve a community vision.