

Background on for Staff's Annual General Plan Status Report

Background

California state law (Government Code [Section 65400](#)) requires the preparation of annual reports on the status of each city's General Plan, with special reporting rules for the Housing Element.

Newport Beach staff has reported on the status of the [General Plan](#) adopted in 2006 each year since 2008.

[Initially](#), the report compared accomplishments for the preceding calendar year to a list of tasks formulated by a post-adoption [Implementation Committee](#), assigning each task a status of "Completed," "Ongoing" or "Pending."

Starting in [2013](#), the report has used the **Implementation Program** section ([Chapter 13](#)) of the General Plan as its basis, listing the status, as above, of each of the 77 "programs" promised in 2006, with relevant accomplishments (with a similar treatment of programs separately promised in the [Housing Element](#)).

The [draft report for calendar year 2017](#) (which is very similar to [last year's report](#)) has been posted, and will be reviewed by the [Planning Commission](#) as Item 8 on the [March 8th agenda](#), and by the City Council on March 27th (most likely without discussion on the "Consent Calendar").

Although the March 8th PC agenda may seem full, there is actually only one other substantive item, all the others being requests for the noticed items to be either continued or taken off calendar.

The report rarely elicits much interest on the part of the Planning Commission, and any at all by the Council – making it doubly important the public, if it is going to be asked to participate in a [General Plan update](#) process, shows it is watching and wondering whether the constant drip of bad planning decisions (such as 100-unit [Museum House](#) without an automatic [Greenlight](#) vote) arises from a bad plan OR a failure to follow the plan we have.

In recent years, the main issue the Planning Commissioners have shown interest in is the status of the promise in **Implementation Program 10.2** that they, and the public, should be able to see how close areas of the City are to General Plan build out: that is, how close the amount of approved development is to the limits stated in the General Plan (SPON's big question in addition to this, see below, is whether those limits themselves are accurately indicated).

In 2016, some [sample "remaining capacity" tables](#) for selected areas of the City were presented to the Planning Commission and City Council.

[In 2017](#), the Annual Report said "*City staff is developing a user-friendly format that will be posted on the Planning Division website.*"

[This year](#), it says only "*City staff is available to provide data on the GIS to provide site-specific information on each property's development limits.*" In other words, staff claims to know how much capacity is left, and will tell you if you ask, but the answer isn't going on the web.

Staff's hang-up in fulfilling **Implementation Program 10.2** is likely to be the embarrassing fact that in some areas of the City, the amount of development approved since 2006 *already exceeds* that allowed by [Tables LU1](#) and [LU2](#) of the Land Use Element – something that staff is not supposed to allow to happen. For example in [Newport Center](#), the very clear development limits in Table LU2 make it impossible to explain how the 524 unit [Villas Fashion Island](#) apartment complex could exist in Anomaly 48 at the corner of Jamboree and San Joaquin Hills Rd, or a 387,500 square foot (sf) [PIMCO Tower](#) in Anomaly 40, or the 347,552 sf Irvine Company HQ Tower in Anomaly 39 – even though the General Plan is the master planning document to which all other documents, and all approvals, are supposed to be subservient.

The purported explanation is that the 2006 General Plan contains two policies (one, [LU 4.3](#), citywide and one, [LU 6.14.3](#), specifically for Newport Center, but neither presented to or approved by voters) that allow transfers of development allocations. But this again, is like having a budget that allows transfers, and saying you can authorize the transfers without bothering to amend the budget to reflect them.