

5. Environmental Analysis

5.1 AESTHETICS

This section of the Draft Supplemental Environmental Impact Report (SEIR) evaluates potential impacts to visual character and quality in areas proposed for land use changes under the Newport Beach General Plan LUE Amendment. The evaluation addresses the potential for project implementation to degrade or alter visual character or to affect protected scenic views. Consistency of the proposed project with established relevant policies regarding visual character and resources is also summarized.

5.1.1 Environmental Setting

Regulatory Setting

Local laws, regulations, plans, or guidelines that are potentially applicable to the proposed project are summarized below.

City of Newport Beach General Plan

Visual resources are addressed in the Natural Resources Element of the City's General Plan. The General Plan acknowledges the unique physical setting of the City, which offers views of the rolling green hills; Crystal Cove State Park; spectacular ocean views to the southwest, including ocean and bay open waters; sandy beaches; rocky shore; wetlands; canyons; and coastal bluffs. The City has historically been sensitive to the need to protect and provide access to these scenic resources and has developed a system of public parks, piers, trails, and viewing areas. The City's development standards, including bulk and height limits, have helped preserve scenic views and regulate the visual and physical mass of structures consistent with the visual scale and unique character of the City.

Specific General Plan policies support the following visual resources goals:

- NR20 – Preservation of significant visual resources.
 - Pursuant to this goal, General Plan policies NR 20.1 through NR 20.5 are designed to support protection of the public view points and coastal view roads as designated on General Plan Figure NR3, reproduced as Figure 5.1-1, *Coastal Views*, of this Draft SEIR.
- NR21 – Minimized visual impacts of signs and utilities.
- NR22 – Maintain the intensity of development around Newport Bay to be consistent with the unique character and visual scale of Newport Beach.
- NR23 – Development respect natural landforms such as coastal bluffs.

Numerous goals and policies are also included in the General Plan Land Use Element that directly and indirectly govern visual resources in the City. Community Character goals and policies are included by district type (residential, commercial, mixed-use, etc.), and specific goals and policies are outlined for specific

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Neighborhoods, Districts, and Corridors. Specific goals and policies; including urban form, development scale, and architectural policies are outlined for the following planning subareas (“districts”) in which land use changes are proposed under the General Plan Land Use Element Amendment (see Planning Area Sub-Areas boundaries in Figure 3-3, *Proposed Areas of Change*):

- Newport Center/Fashion Island
- Airport Area
- Lido Village, Cannery Village, McFadden Square, and Balboa Village

City of Newport Beach Zoning Code

The City’s Zoning Code (Title 20 of the Municipal Code) identifies land use categories, development standards, and other general provisions that ensure consistency between the City’s General Plan and proposed development projects. Property development standards, including height limits, are established in Chapter 20.30 of the Zoning Code.

- **Chapter 20.30 (Property Development Standards), Section 20.30.060 (Height Limits and Exceptions).** This section establishes regulations for determining compliance with the maximum allowable height limits established for each zoning district.

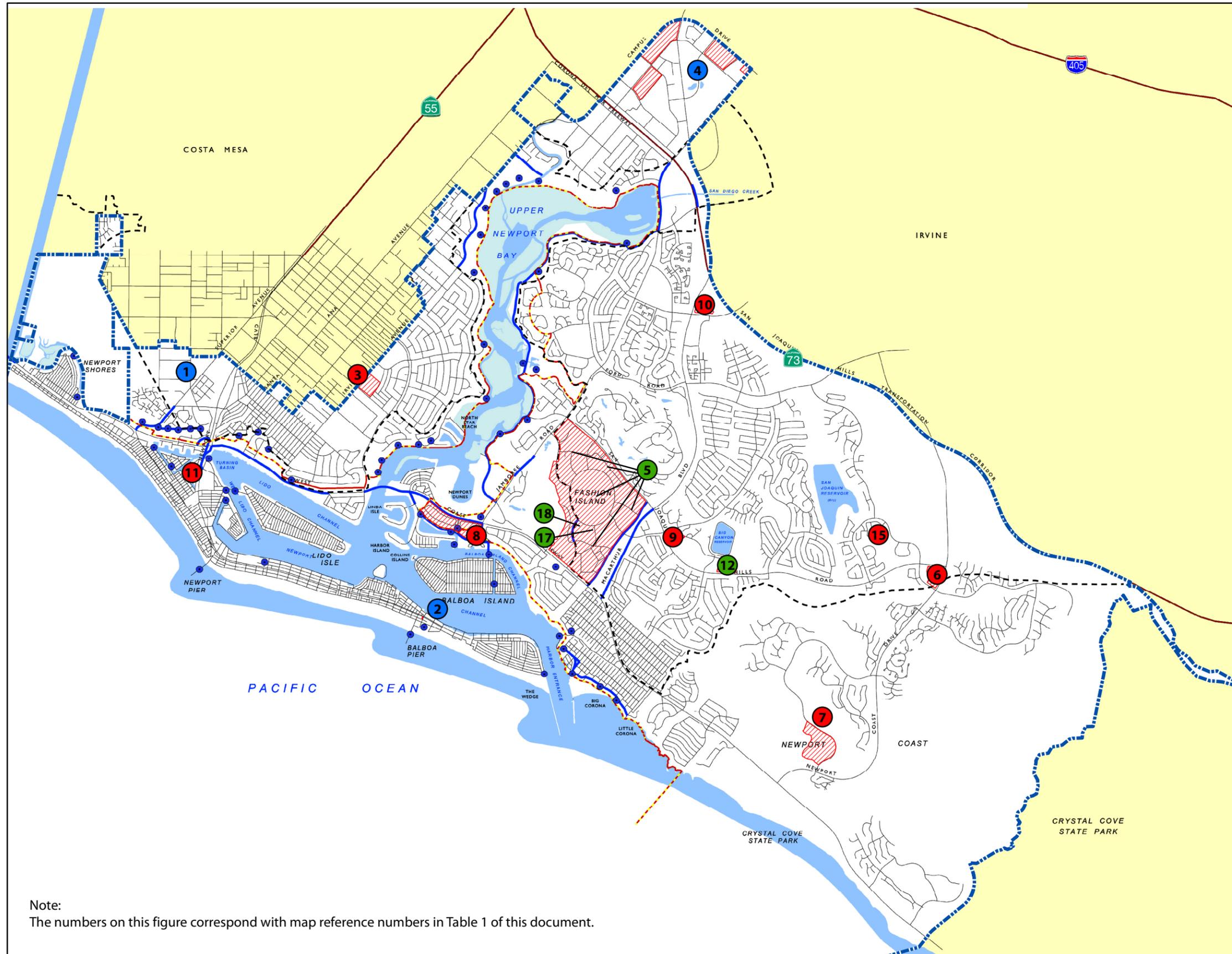
In addition to building height limits by zoning district, specific standards and boundaries are established in Section 20.30.060 for the Shoreline Height Limitation Zone and High Rise Height Zone.

Concern over the intensity of development around Lower Newport Bay led to the adoption of a series of ordinances in the early 1970s that established more restrictive height and bulk development standards around the bay. The intent was to regulate the visual and physical mass of structures consistent with the character and visual scale of Newport Beach. New development within the Shoreline Height Limitation Zone (see Figure 5.1-1, *Coastal Views*) is limited to a height of 35 feet. Residential development is limited to a height of 24 to 28 feet and nonresidential development is limited to a height of 26 to 35 feet. The High Rise Height Zone includes Hoag Hospital, portions of Newport Center, and the entire Airport Area. In this height limit area, the maximum height limit is 300 feet, and no further increase to the maximum allowed height is available. This height limit is applicable to all nonresidential zoning districts within its boundaries (see Chapter 20.80.03, Map H-1). Proposed projects within this height limit area shall comply with the requirements of the Airport Environs Land Use Plan for John Wayne Airport (see also Figure 5.5-2, *Height Restrictions per Federal Air Regulations 77*).

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Figure 5.1-1

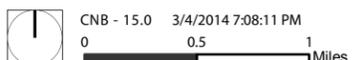
Coastal Views



- Areas of Increased Development Capacity
- Areas of Reduced Development Capacity
- Areas with Change of Land Use Designation and Increased Development Capacity
- City Boundary
- Coastal Zone Boundary
- Change Areas
- Public View Point
- Coastal View Road
- Shoreline Height Limitation Zone

Note:
The numbers on this figure correspond with map reference numbers in Table 1 of this document.


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Source: Figure NR3 Coastal Views, City of Newport Beach General Plan Update, 2006

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Planned Communities

Per Chapter 20.56 (Planned Community District Procedures) of the City's municipal code, planned communities (PC) provide classification and development of land as comprehensive large-scale community plans. These development plans allow for a diversification of uses as they relate to each other in each respective physical and environmental arrangement. Consistent with the 2006 General Plan, these PCs each have unique development standards and allowable land use types. There are a total of 58 PCs in Newport Beach. Section 5.7, *Land Use and Planning*, Table 5.7-3 lists the proposed changes under the General Plan LUE Amendment that fall within these planned communities. The majority of the PCs in Table 5.7-3 are for development plans in the Newport Center/Fashion Island and Airport Area planning subareas (see Figures 5.1-2 and 5.1-3).

Local Coastal Program

Chapter 4.4 of the City of Newport Beach Local Coastal Program Coastal Land Use Plan (CLUP) includes scenic and visual resources policies, including coastal view protection, bulk and height limitations, natural landform protection, and sign and utility regulations. Where feasible, the scenic and visual qualities of the coastal zone are to be protected, including public views to and along the ocean, bay, and harbor. Coastal views from designated roadway segments are to be protected pursuant to Policy 4.4.1-6. Relative to the proposed project site, public coastal views are to be protected from Back Bay Drive. Segments of Jamboree Road are also specified in this policy, but do not include the segment fronted by the project site (between Back Bay Drive and Newport Center Drive).

Visual Setting

Character and Land Use

Airport Area

This proposed area of change consists of the City's Airport Area (Map Reference No. 4 of Figures 3-3, *Proposed Areas of Change*, and 3-4, *Airport Area Proposed Changes*), which encompasses the properties abutting and east of John Wayne Airport (JWA) and is in close proximity to the Irvine Business Complex and University of California, Irvine (UCI). This proximity has influenced the area's development with uses that support JWA and UCI, such as research and development, high technology industrial, and visitor-serving uses, such as hotel and car rental agencies. A mix of low-, medium-, and high-rise office buildings predominate, with lesser coverage of supporting multitenant commercial, financial, and service uses. A number of buildings are occupied by corporate offices for industry and financial uses. Koll Center, at MacArthur Boulevard and Jamboree Road, was developed as a master planned campus office park. Manufacturing uses occupy a small percentage of the Airport Area.

Fashion Island/Newport Center

This proposed area of change consists of Fashion Island and Newport Center (Map Reference Nos. 5 [Newport Center/Fashion Island], 17 [150 Newport Center Drive], and 18 [100 Newport Center Drive] of Figures 3-3, *Proposed Areas of Change*, and 3-5, *Fashion Island/Newport Center Proposed Changes*). The Fashion Island and Newport Center area is a regional center of business and commerce that includes major retail, professional office, entertainment, recreation, and residential in a master-planned, mixed-use development.

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Fashion Island, a regional shopping center, forms the nucleus of Newport Center and is framed by this mixture of office, entertainment, and residential. High-rise office and hotel buildings to the north of Fashion Island and Newport Center form a visual background for lower rise buildings and uses to the south and west.

Other Areas

These other proposed areas of change are scattered through the City, as shown in Figure 3-3, *Proposed Areas of Change*, and consist of a mix of residential, commercial, retail, office, and recreational uses. Existing uses within these proposed areas of change are mostly housed within low- and mid-rise buildings.

Scenic Vistas

Airport Area

As shown in Figure 5.5-1, *Coastal Views*, the 2006 General Plan does not designate any public viewpoints or coastal view roads within or in proximity of this proposed area of change. This proposed area of change is in a highly urbanized area of the City and is not afforded any scenic vistas.

Fashion Island/Newport Center

As shown in Figure 5.1-1, *Coastal Views*, two of the proposed areas of change within the Fashion Island/Newport Center area are within or in proximity of two designated coastal view roads (Newport Center Drive and MacArthur Boulevard). Scenic vistas from these designated coastal view roads include the Pacific Ocean.

Other Areas

As shown in Figure 5.1-1, *Coastal Views*, one of the other proposed areas of change is within or in proximity of designated public viewpoints and two designated coastal view roads (Pacific Coast Highway and Bayside Drive). Scenic vistas from these designated public viewpoints and coastal view roads include Balboa Island Channel and the Pacific Ocean.

5.1.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

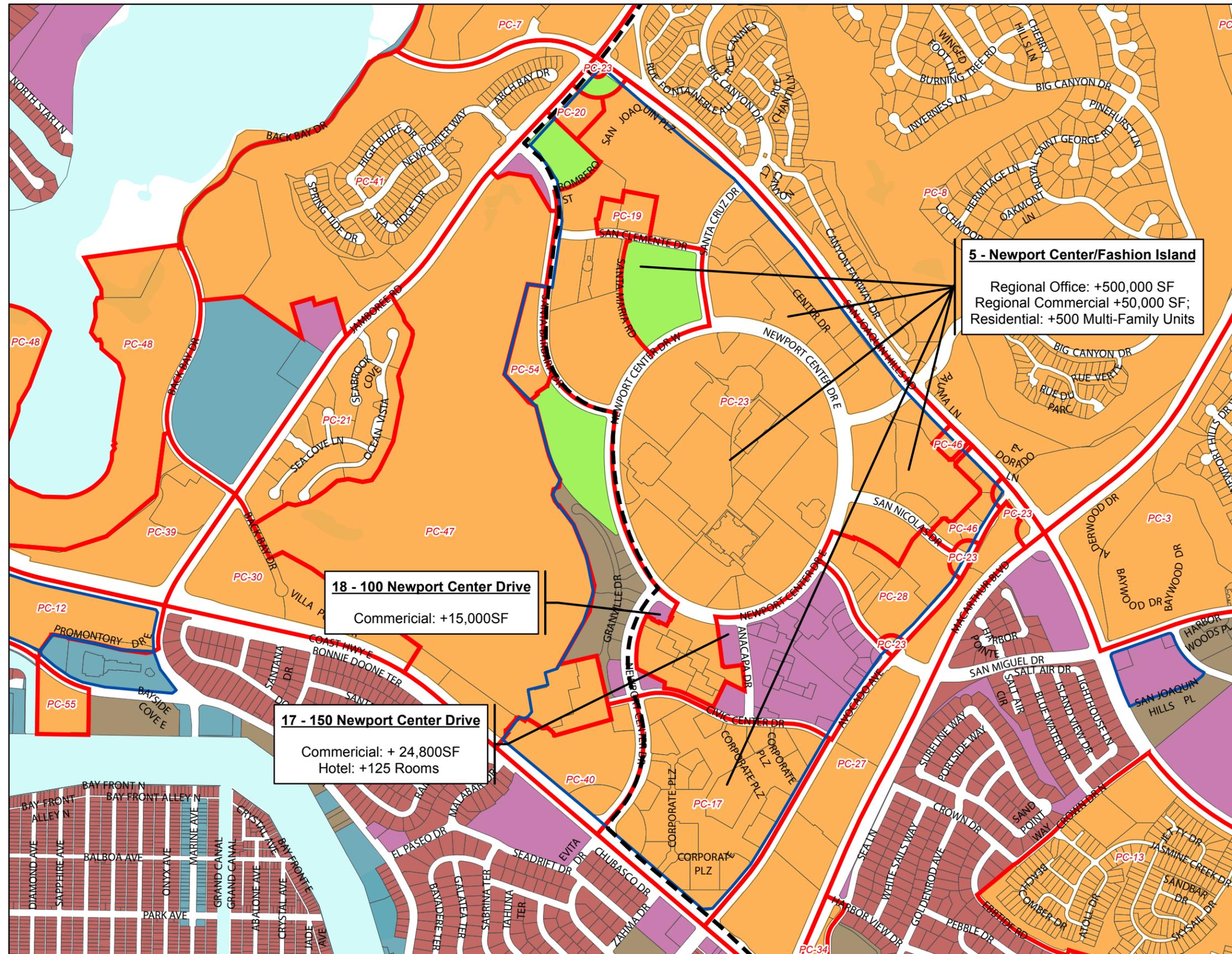
- AE-1 Have a substantial adverse effect on a scenic vista.
- AE-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- AE-3 Substantially degrade the existing visual character or quality of the site and its surroundings.
- AE-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant: AE-2 and AE-4. These impacts will not be addressed in the following analysis.

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Figure 5.1-2

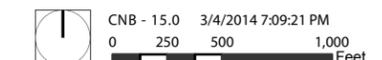
Planned Communities within Newport Center/Fashion Island



- - - - City Boundary
 - - - - Coastal Zone Boundary
 - Areas of Change
 - Planned Community Boundaries
- Height Restriction Zones**
- 18
 - 24 Flat / 29 Sloped
 - 26 Flat / 31 Sloped
 - 28 Flat / 33 Sloped
 - 32 Flat / 37 Sloped
 - 35
 - 35 ft/max 2 stories
 - Highrise 300 ft
 - SEE NOTES
 - SEE PLANNED COMMUNITY TEXT



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Source: City of Newport Beach, 2013

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Figure 5.1-3

Planned Communities within Airport Area



4A - Saunders Properties
Retail: +238,077 SF
Residential: +329 DUs

4B - The Hangars
Retail: +11,800 SF

4C - Lyon Companies
Retail: +85,000 SF
Residential: +850 Replacement DUs
Hotel: +150 Rooms

4D - UAP Companies
4699 Jamboree Road, 5190 Campus Drive
Revise Anomaly #6 to allow 2.0 FAR if trip neutral congregate care

- ▬▬▬▬ City Boundary
- ▬▬▬▬ PC Boundaries
- ▬▬▬▬ Areas of Change

planninginformation

- Height Restriction Zones**
- 18
 - 24 Flat / 29 Sloped
 - 26 Flat / 31 Sloped
 - 28 Flat / 33 Sloped
 - 32 Flat / 37 Sloped
 - 35
 - 35 ft/max 2 stories
 - Highrise 300 ft



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5.1.3 Environmental Impacts

2006 General Plan EIR

As stated in the 2006 General Plan EIR, after implementation of 2006 General Plan policies, impacts related to aesthetics and scenic vistas were deemed to be less than significant and no mitigation measures were required. The 2006 General Plan EIR acknowledged that new uses, including the introduction of mixed use development and higher density residential development in the Newport Center/Fashion Island area, the Airport Area, and West Newport Mesa would change the visual character of these areas of the City. The 2006 General Plan EIR noted that both City-wide and area-specific policies would reinforce design standards, protect visual character and views, and enhance the City's existing aesthetic qualities while simultaneously accommodating projected growth. The 2006 General Plan EIR also stipulated that new development would undergo a subsequent environmental review consisting of a case-by-case analysis of visual impacts, and that these developments would be required to conform to 2006 General Plan standards, the City's municipal code, and as applicable, the Local Coastal Plan. Visual impacts were concluded to be less than significant.

General Plan LUE Amendment (Proposed Project)

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.1-1: Implementation of the Newport Beach General Plan LUE Amendment would not have a substantial adverse effect on scenic vistas. [Threshold AE-1]

Impact Analysis: Vistas provide visual access or panoramic views to a large geographic area and are generally located at a point where surrounding views are greater than one mile away. Panoramic views are usually associated with vantage points over a section of urban or natural areas that provide a geographic orientation not commonly available. Examples of panoramic views might include an urban skyline, valley, mountain range, a large open space area, the ocean, or other water bodies.

The City of Newport Beach has a unique combination of scenic features and vistas. Along the coastline, flat ocean views can be seen across the beaches while areas more inland near the hills and mountains, canyons, and bluffs provide a more terrestrial scenic quality. Within Upper and Newport Bay, the City also has scenic estuaries, beaches, coastal bluffs, and meandering waterways unique to Newport Beach. Crystal Cove State Park forms the City's eastern boundary and offers rolling green hills on the ridgelines and hillsides that offer scenic viewpoints of the ocean below. At these higher elevations, the San Joaquin Hills and the Santa Ana Mountains can also be seen in the distance.

The Natural Resources Element of the 2006 General Plan identifies various public viewpoints and coastal view roads within the West Newport Area, Upper Newport Bay, and harbor that offer vistas of the City's natural water and land features (see Figure 5.5-1, *Coastal Views*) and should be protected and enhanced as new development is introduced. More specifically, Goal NR 20 (Preservation of Significant Visual Resources) of the Natural Resources Element outlines various policies (policies NR 20.1 through NR 20.5) to preserve significant visual resources throughout the City, such as requiring new development to restore and enhance

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the visual quality of visually degraded areas or public viewpoints, protecting public view corridors and scenic roadway segments, and designing and siting landscaping on the edge of corridors to frame and accent the surrounding scenery. Following is a discussion of the potential impacts on designated public viewpoints and coastal view roads as a result of the change in land use designation and development capacity of the proposed areas of change (see Figure 3-3, *Proposed Areas of Change*) associated with implementation of the General Plan LUE Amendment.

Airport Area

As shown in Figure 5.5-1, *Coastal Views*, there are no designated public viewpoints or coastal view roads within or in proximity of this proposed area of change. The closest designated coastal view road to this proposed area of change is Jamboree Road south of SR-73, approximately 0.7 mile southwest. Due to the distance and highly urbanized nature of this proposed area of change, public views along this coastal view road would not be impacted by the proposed project.

Fashion Island/Newport Center

As shown in Figure 5.5-1, three of the proposed areas of change (Map Reference Nos. 5 [Newport Center/Fashion Island] and 17 and 18 [150 and 100 Newport Center Drive, respectively] on Figure 3-5, *Fashion Island/Newport Center Proposed Changes*) are near two designated coastal view roads (Newport Center Drive and MacArthur Boulevard). Scenic vistas from designated coastal view roads include the Pacific Ocean.

Future development and/or redevelopment within these proposed areas of change as a result of the proposed project could potentially result in an impact to these designated coastal view roads due to increased building massing and/or heights. The potential increase in development for these sites is as follows:

- Newport Center/Fashion Island - an increase of up to 500,000 square feet of regional office uses, 50,000 square feet of regional commercial uses, and 500 multifamily dwelling units
- 150 Newport Center Drive - up to 125 hotel rooms and 24,800 SF commercial use
- 100 Newport Center Drive - up to 15,000 square feet of commercial/office uses

As shown in Figure 5.1-2, *Planned Communities within Newport Center/Fashion Island*, much of the area in Newport Center, including portions of the potential development area for Newport Center/Fashion Island, are within approved PCs. Unique development standards and height limits would apply to some of the parcels within the respective Planned Community Development Plans. The 150 and 100 Newport Center Drive properties are not within approved PCs and are subject to the height limits shown on Figure 5.1-2.

The specific parcel location for development in Newport Center/Fashion Island is unknown at this time, and therefore PC standards may or may not apply to the sites selected for development. Building height would be governed by applicable height restriction zone (zoning ordinance) or the governing Planned Community Development Plan. Pursuant to the zoning ordinance (Section 20.30.060 C), the height limit could be increased within specified areas with the adoption of a Planned Community District, adoption of a specific

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plan, or approval of a planned development permit or site development review. Certain findings would be required upon development permit review, including provision of additional amenities such as increased landscaping and open space or enhanced public views.

Future development and/or redevelopment that would occur within any of these proposed areas of change would be subject to site-specific environmental evaluation (including an analysis of potential impacts to scenic vistas), which would also be ensured through the City's development review process. Review would assure the compliance with the provisions and guidelines in 2006 General Plan policies NR 20.1 through NR 20.5, which help preserve significant visual resources throughout the City. For example, policy NR 20.4 (Public View Corridor Landscaping) calls for the design and siting of new development, including landscaping, on the edges of public view corridors, including those down public streets, to frame, accent, and minimize impacts to public views.

Impacts on the aforementioned designated coastal view road as a result of project implementation are not anticipated to occur in this proposed area of change.

Other Areas

As shown in Figure 5.5-1, *Coastal Views*, other potential areas proposed for change that could affect a coastal viewpoint include 813 East Balboa Boulevard, Bayside Center, and Gateway Park (Map Reference Nos. 2, 8, and 11, respectively, on Figure 3-3, *Proposed Areas of Change*). Minor changes to each of these sites would more accurately reflect existing and proposed uses of the sites. Gateway Park would be limited to the existing park and recreation use, and the development capacity of Bayside Center would be reduced. The 813 East Balboa Boulevard property would include a redesignation from RT to Mixed-Use Vertical (MU-V) to include an adjoining parcel and create a more cohesive district. These minor changes would not adversely impact public views.

Impact 5.1-2: Implementation of the Newport Beach General Plan LUE Amendment would alter the visual character and appearance of some areas of change, but would not degrade the existing visual character or quality of these areas. [Threshold AE-3]

Impact Analysis: The proposed project would result in the change in land use designation and/or development capacity of a number of proposed areas of change (see Figure 3-3, *Proposed Areas of Change*) as a result of implementation of the Newport Beach General Plan LUE Amendment. As shown in Figure 3-3 and detailed in Table 3-1, *Proposed Land Use Changes*, the proposed land use changes that would occur under the proposed project would allow increased infill development and/or redevelopment in some areas of the City while decreasing development potential in other areas. In particular, development in accordance with proposed increases for Newport Center/Fashion Island and the Airport Area could potentially alter the visual character and appearance of these areas. Following is a discussion of the potential impacts to the visual character and appearance that could occur within the proposed areas of change as a result of project implementation.

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Airport Area

As noted above, the 2006 General Plan EIR acknowledged that new uses, including the introduction of mixed-use development and high density residential development in the Airport Area would change the visual character of this area. The General Plan LUE Amendment proposes the following changes to parcels in the Airport Area, all of which would increase development capacity relative to the 2006 General Plan (see Figure 3-4, *Airport Area Proposed Changes*):

- Map Reference No. 4A, Saunders Property: +238,077 SF retail, +329 DUs
- Map Reference No. 4B, The Hangars: +11,800 SF retail
- Map Reference No. 4C, Lyon Communities: +85,000 SF retail, +850 replacement DUs, +150 hotel rooms
- Map Reference No. 4D, UAP Companies: +148,000 SF congregate care (increase FAR to 2.0 if trip neutral)

Future development and/or redevelopment in accordance with the General Plan LUE Amendment would change the visual character and appearance of the Airport Area. New development intensity would require an increase in building massing and/or heights. Additionally, the introduction of residential and congregate care uses would change the general character of the Airport Area.

All of the airport area properties are subject to height restrictions governed by the John Wayne Airport Environs Land Use Plan (AELUP) and FAA regulations (see Figure 5.5-2, *Height Restrictions per FAR Part 77*). As shown on Figure 5.1-3, the Lyon Communities and UAP Companies properties (Map Reference Nos. 4C and 4D) are also in PC 15, Koll Center. Specific development standards and height limits are assigned to each parcel in the PC. Existing allowable heights are detailed in Table 5.5-9, *Existing Maximum Permitted Building Heights*. Highrise development (300 feet) is permitted on the Saunders and The Hangars properties, although the height is further restricted by the AELUP requirements.

Development in the Airport Area would be subject to case-by-case review, including site-specific environmental review with respect to aesthetic impacts. Projects in the Airport Area also must comply with specific General Plan LUE policies for this area (LU 6.15.1-6.15.29). Policies particularly relevant to potential visual resource impacts are listed under Section 5.1.4, *Relevant General Plan Policies*. Among other categories, these policies include detailed Urban Form and Structure, Regulatory Plans, and Design and Development standards. Design and Development Standards detail neighborhood park, streets and pedestrian ways, and building massing requirements.

The 2006 General Plan Airport Area policies also include provisions for residential villages containing a minimum of 10 acres within the airport area. These sites are mapped as Figure LU 23 of the 2006 General Plan and include the Lyon Communities and UAP Companies properties. Specific provisions for the Residential Villages include development of a regulatory plan to coordinate the location of new parks, streets, and pedestrian ways; establish pedestrian and vehicular connections with adjoining land uses; and ensure compatibility with office, industrial, and other nonresidential uses.

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Fashion Island/Newport Center

The 2006 General Plan EIR acknowledged that new uses, including the introduction of mixed-use development and higher density residential development in the Newport Center/Fashion Island would alter the visual character of this area. Future development and/or redevelopment would change the appearance of certain areas of Newport Center and Fashion Island, particularly with the introduction of additional development capacities and the potential increase in building massing and/or heights.

As described above in relationship to scenic vistas, the specific locations for new development within Newport Center/Fashion Island are unknown at this time. This area would accommodate most of the new development capacity. Some parcels within the subject area are governed by existing Planned Community Development Plans. Future development may therefore be subject to these existing PC Development Plan provisions or new PC plans and/or development agreements.

The 2006 General Plan also includes specific policies for the Newport Center/Fashion Island area (policies 6.14.1 through 6.14.8). Among other requirements, these policies address development scale, urban form, pedestrian connectivity and amenities, and Fashion Island architecture and streetscapes. Compliance with General Plan policies, development standards, and guidelines would be ensured through the City's development review process.

Furthermore, any future development and/or redevelopment that would occur within this proposed area of change would be required to undergo a site-specific environmental evaluation (including an analysis of potential aesthetic impacts), which would also be ensured through the City's development review process.

Therefore, aesthetic impacts as a result of project implementation are not anticipated to occur in this proposed area of change.

Other Areas

As shown in Figures 3, *Proposed Areas of Change*, the other proposed areas of change are scattered throughout the City. As shown in Figure 3-3, *Proposed Areas of Change*, and detailed in Table 3-1, *Proposed Land Use Changes*, Map Reference Nos. 3, 6, 7, 8, 9, 10, 11, and 15 would see a decrease in development capacity, which would not create an aesthetic impact in these areas or their surroundings. In fact, the decrease in development potential of these proposed areas of change would result in the reduction of building massing and/or heights of future development and/or redevelopment that could occur in these areas.

Three of these other proposed areas of changes (1526 Placentia Avenue, 813 East Balboa Boulevard, and Harbor Day School, Map Reference Nos. 1, 2, and 12, respectively) would, however, involve an increase in development capacity, in addition to a change in land use designation for two of these areas (Map Reference Nos. 1 and 2, shown as blue circled areas in Figure 3-3). Specifically, as shown in Table 3-1, 1526 Placentia Avenue calls for the allocation of a floor area ratio (FAR) of 0.5 FAR and a change in land use designation from Multi-Unit Residential (RM) to General Commercial (CG); 813 East Balboa Boulevard calls for the allocation of a 0.75 FAR and a change in land use designation from Two-Unit Residential (RT) to Mixed-Use Vertical (MU-V); and Harbor Day School calls for an FAR increase from 0.35 (existing) to 0.40 (proposed), an

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increase in the number of allowed students from 408 (existing) to 480 (proposed), and an increase of 14,244 square feet of institutional use. Future development and/or redevelopment within these three proposed areas of change as a result of the proposed project could result in a change in the visual character and appearance of these areas, particularly with the introduction of additional development capacities and the potential increase in building massing and/or heights.

However, any future development and/or redevelopment that would occur within any of these proposed areas of change would be controlled by and be required to adhere to the provisions of the City's zoning code. Compliance with these established development standards and guidelines would be ensured through the City's development review process.

Additionally, any new development and/or redevelopment activity on the 1526 Placentia Avenue property as a result of the change in land use designation and FAR allocation would help implement one of the visions of the West Newport Mesa subarea of the City, which would benefit from revitalization, as stated in the 2006 General Plan (page 3-77). The change in land use designation of 813 East Balboa Boulevard from RT to MU-V would allow mixed-use development that permits the vertical integration of retail, office, restaurant, and similar nonresidential uses at an FAR of 0.75. The future development of mixed use in this proposed area of change that would be permitted under the proposed project would be complementary to and compatible with existing development in the surrounding area, which consists of a mix of residential, commercial, office, retail, and mixed use in single- and two-story buildings. Any new development and/or redevelopment activity that would be permitted at Harbor Day School as a result of the increase in FAR, number of students, and square footage would occur within the confines of the school property. The additional student and development capacity that would be accommodated by the proposed project would be consistent with the existing uses on the school property and compatible with the surrounding uses, which consist of residential to the west, Big Canyon Reservoir to the north, Pacific View Memorial Park (cemetery and mortuary) to the east, and residential to the south across San Joaquin Hills Road. Therefore, any new development and/or redevelopment that would occur in any of these proposed areas of change would not be visually detrimental to the surrounding areas.

Furthermore, any future development and/or redevelopment that would occur within any of these other proposed areas of change would be required to undergo a site-specific environmental evaluation (including an analysis of potential aesthetic impacts), which would also be ensured through the City's development review process.

Therefore, aesthetic impacts as a result of project implementation are not anticipated to occur in these proposed areas of change.

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5.1.4 Relevant General Plan Policies

Existing Policies

Land Use Element (LU)

Goal LU 6.14: A successful mixed-use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the subregion, with expanded opportunities for residents to live close to jobs, commerce, entertainment, and recreation, and is supported by a pedestrian-friendly environment.

- **LU 6.14.4 - Development Scale:** Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly section along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway.
- **LU 6.14.5 - Urban Form:** Encourage that some new development be located and designed to orient to the inner side of Newport Center Drive, establishing physical and visual continuity that diminishes the dominance of surface parking lots and encourages pedestrian activity.
- **LU 6.14.7 - Fashion Island Architecture and Streetscapes:** Encourage that new development in Fashion Island complement and be of equivalent or higher design quality than existing buildings. Reinforce the existing promenades by encouraging retail expansion that enhances the storefront visibility to the promenades and provides an enjoyable retail and pedestrian experience. Additionally, new buildings shall be located on axes connecting Newport Center Drive with existing buildings to provide visual and physical connectivity with adjoining uses, where practical.
- **LU 6.14.8 - Development Agreements:** Require the execution of Development Agreements for residential and mixed-use development projects that use the residential 450 units identified in Table LU2 (Anomaly Locations). Development Agreements shall define the improvements and benefits to be contributed by the developer in exchange for the City's commitment for the number, density, and location of the housing units.

Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.

- **LU 6.15.1 - Land Use Districts and Neighborhoods:** Provide for the development of distinct business park, commercial, and airport serving districts and residential neighborhoods that are integrated to ensure a quality environment and compatible land uses.
- **LU 6.15.3 - Airport Compatibility:** Require that all development be constructed in conformance with the height restrictions set forth by Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and that residential development be located outside of the 65 dBA CNEL noise contour specified by the 1985 JWA Master Plan.

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- **LU 6.15.6 - Size of Residential Villages:** Allow development of mixed-use residential villages, each containing a minimum of 10 acres and centered on a neighborhood park and other amenities (as conceptually illustrated in Figure LU23). The first phase of residential development in each village shall encompass at least 5 gross acres of land, exclusive of existing rights-of-way. This acreage may include multiple parcels provided that they are contiguous or face one another across an existing street. At the discretion of the City, this acreage may also include part of a contiguous property in a different land use category, if the City finds that a sufficient portion of the contiguous property is used to provide functionally proximate parking, open space, or other amenity. The “Conceptual Development Plan” area shown on Figure LU22 shall be exempt from the 5-acre minimum, but a conceptual development plan described in Policy LU 6.15.11 shall be required.
- **LU 6.15.7 - Overall Density and Housing Types:** Require that residential units be developed at a minimum density of 30 units and maximum of 50 units per net acre averaged over the total area of each residential village. Net acreage shall be exclusive of existing and new rights-of-way, public pedestrian ways, and neighborhood parks. Within these densities, provide for the development of a mix of building types ranging from townhomes to high-rises to accommodate a variety of household types and incomes and to promote diversity of building masses and scales.
- **LU 6.15.8 - First Phase Development Density:** Require a residential density of 45 to 50 units per net acre, averaged over the first phase for each residential village. This shall be applied to 100 percent of properties in the first phase development area whether developed exclusively for residential or integrating service commercial horizontally on the site or vertically within a mixed-use building. On individual sites, housing development may exceed or be below this density to encourage a mix of housing types, provided that the average density for the area encompassed by the first phase is achieved.
- **LU 6.15.9 - Subsequent Phase Development Location and Density:** Subsequent phases of residential development shall abut the first phase or shall face the first phase across a street. The minimum density of residential development (including residential mixed-use development) shall be 30 units per net acre and shall not exceed the maximum of 50 units per net acre averaged over the development phase.
- **LU 6.15.22 - Building Massing:** Require that high-rise structures be surrounded with low- and mid-rise structures fronting public streets and pedestrian ways or other means to promote a more pedestrian scale.

Proposed New and/or Modified Policies

The proposed General Plan LUE Amendment includes the following new and/or revised policies that are relevant to aesthetics. The proposed changes are shown in underlined/~~strikeout~~ for new and eliminated text, respectively. The goal for a revised policy is provided, even if the goal itself is unchanged.

Goal LU 6.14: A successful mixed-use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the sub-region, with expanded opportunities for residents to live close to jobs, commerce, entertainment, and recreation, and is supported by a pedestrian-friendly environment.

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- **LU 6.14.4 - Development Scale:** Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the ~~northeasterly~~ northern section ~~along San Joaquin Hills Road of Newport Center,~~ where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway. Allow increased height for the development of a hotel on the eastern portion of the 100 block to enable distinguished and quality architectural design.

Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.

- **LU 6.15.10 - Regulatory Plans:** Require ~~the development of~~ a regulatory plan for each residential village, ~~which shall~~ containing a minimum of 10 acres, ~~to coordinate~~ developed in conformance with the Integrated Concept Development Plan (ICDP) establishing a design theme and standards for buildings and site work (such as landscaping lighting, walls/fencing, signage and other, common areas and comparable elements); ~~coordinate~~ plan the location and phasing of buildings, new parks, streets, and pedestrian ways, infrastructure and other facilities; set forth a strategy to accommodate neighborhood serving commercial uses and other amenities; establish pedestrian and vehicular connections with adjoining land uses; and ensure compatibility with office, industrial, and other nonresidential uses.

5.1.5 Existing Regulations

- Title 20 (Zoning Code), Chapter 20.30 (Property Development Standards), Section 20.30.060 (Height Limits and Exceptions)

5.1.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and compliance with the existing policies of the 2006 General Plan and the amended policies of the Land Use Element, the following impacts would be less than significant: 5.1-1 and 5.1-2.

5.1.7 Mitigation Measures

No impacts were identified and no mitigation measures are necessary.

5.1.8 Level of Significance After Mitigation

No significant adverse impacts were identified relating to aesthetics.

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