
5.1 - Aesthetics

5.1.1 - Introduction

This section describes the existing aesthetics setting and potential effects of project implementation on the aesthetic character of the area. Descriptions and analyses in this section are based on information contained in the visual simulations prepared in February 2009 by Rabben/Herman Design Office, included in this EIR as Appendix B, Elevations and Visual Simulations, as well as on-site visits by consultant staff

Aesthetics, as addressed in CEQA, refers to visual considerations. In Webster's *New World Dictionary*, *aesthetics* is defined as "the study or theory of beauty and the psychological responses to it." In CEQA analyses, however, aesthetics (or visual resources) is a wider concept than beauty; instead, the analysis assesses perceptible change in the visual environment and evaluates anticipated viewer responses to that change.

This analysis of aesthetics focuses on impacts in the four basic issues addressed in the Notice of Preparation and set forth in the CEQA Guidelines Appendix G:

- scenic vistas
- designated scenic highways
- the visual character of the project area, and
- light and glare.

5.1.2 - Regulatory Setting

Federal

No existing federal regulations pertain to the visual resources within the proposed project area.

State

California Coastal Act Policy 30251. According to the California Coastal Act Policy 30251, the scenic and visual qualities of coastal areas shall be considered and protected as resources of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas in a manner that minimizes the alteration of natural land forms, is visually compatible with the character of surrounding areas, and where feasible, restores and enhances visual quality in visually degraded areas. New development in highly scenic areas, such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local governments, shall be subordinate to the character of its setting.

Caltrans Scenic Highways. The California Department of Transportation (Caltrans) defines a scenic highway as any freeway, highway, road, or other public right of way that traverses an area of

exceptional scenic quality. Suitability for designation as a State Scenic Highway is based on vividness, intactness, and unity.

Local

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 spectacular views of the ocean, bay, sandy beaches, 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. Several parts of the Natural Resources Element address visual resources:

- *NR 20.1 Enhancement of Significant Resources* (page 10-36) Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points, as shown in Figure NR3 (General Plan Figure NR3, Coastal Views);
- *NR 20.1 New Development Requirements* (page 10-36) Require new development to restore and enhance visual quality in visually degraded areas, where feasible, and to provide view easements or corridors designed to protect public views or to restore the public's views in developed areas, where appropriate;
- *NR 20.4 Public View Corridor Landscaping* (page 10-39) Design and site 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;
- *NR 20.5 Public View Corridor Amenities* (page 10-39) Provide public trails, recreation areas, and viewing areas adjacent to public view corridors, where feasible.

In addition, Policy R6.2 of the Recreation and Open Space Element pertaining to coastal views states that existing view opportunities should be protected and enhanced, especially views of the ocean, harbor, and upper bay, in accordance with the Local Coastal Program.

City of Newport Beach Zoning Code. Existing codes that could be applicable to the project are those related to height limits. In general, building height in the Shoreline Height Limitation Zone, which includes the project site, is limited to 35 feet, although the City's zoning code allows for certain architectural features to exceed that limit.

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, and coastal views from designated roadway segments.

5.1.3 - Existing Conditions

The existing setting constitutes the baseline condition of the proposed project, and refers to conditions at the time of the Notice of Preparation (May 2008).

Analytical Methodology

Visual Resources

The assessment of the impacts of the project with regard to visual resources entails the following steps:

- Objective identification of the visual features (visual resources) of the landscape;
- Assessment of the character and quality of those resources relative to overall regional visual character; and
- Assessment of the potential significance of features in the landscape to the people who see them and their sensitivity to the proposed changes to those features.

Visual resources are an important component of the quality of life of any geographic area: the primary sensory interaction of users with a place is visual in nature. The criteria for identifying the importance of views, or scenic vistas, are related in part to the position of the viewer relative to the resource. Generally, the closer a visual element is to the viewer, the more dominant it is and the greater its importance to the viewer. Visual sensitivity also depends on the number and type of viewers and the frequency and duration of views. Generally, visual sensitivity increases with an increase in total number of viewers, the frequency of viewing (e.g., daily or seasonally), and the duration of views (i.e., how long a scene is viewed). Also, visual sensitivity is higher for views seen by people who are driving for pleasure; people engaging in recreational activities, such as hiking, biking, or camping; and homeowners. Sensitivity tends to be lower for views seen by people driving to and from work or as part of their work (Federal Highway Administration 1983, U.S. Forest Service 1974, and U.S. Soil Conservation Service 1978). Finally, sensitivity is high for views associated with designated state or federal scenic highways.

Different types of viewers have differing sensitivity to visual quality and visual quality change based on their familiarity with the view, their sense of ownership of that view, and their activity, which determines how much attention they can pay to the view.

Typical viewers include people on the local roadway system, including motorists, bicyclists, and pedestrians. These viewers have varying sensitivity depending on their purpose of travel: if they are traveling to simply get from one place to another for business or pleasure, their sensitivity would normally be average, but if they are traveling for pleasure it is likely they would be more sensitive to their surroundings.

Residential viewers are typically very sensitive to visual quality and to changes in the quality of their views. This is because of their familiarity with the views, their sense of investment in the area (if they are homeowners or long-time residents), and their sense of ownership of the views. The views

from their residences and yards at times represent to them visual extensions of their property, and changes in this view are noticeable and can result in strong positive or negative reactions. Residential viewers within the viewshed of the project would be located in the residential neighborhoods to the southwest, south, and southeast of the project site. CEQA requires a project to consider whether the project will generally affect the environment of the majority of persons within a project area, not if a project will affect particular individuals. Where projects are visible from a few private views within a project's immediate vicinity, the impact is not generally regarded as significant.

Light and Glare

There are two typical types of light intrusion. First, light emanates from the interior of structures and passes through windows. Second, light projects from exterior sources, such as street lighting, building illumination, security lighting, and landscape lighting. Glare mainly results from sunlight reflection off flat building surfaces, with glass typically contributing the highest degree of reflectivity. Glare effects are associated with various building materials and vehicles during the daylight hours. Light introduction can be a nuisance to adjacent residential areas and diminish the view of the clear night sky.

Analysis of potential light and glare impacts uses the following concepts and terms:

- **Glare:** Light that causes visual discomfort, disability, or loss of performance. Glare is typically the result of high luminaires or insufficient shielding of light sources.
- **Spill Light/Spillover:** Light from an installation that falls outside of the boundaries of the property on which the installation is sited.
- **Luminaire (light fixture):** A complete lighting unit consisting of one or more electric lamps, the lamp holder, reflector, lens, diffuser, ballast, and/or other components and accessories.
- **Shielding:**
 - Fully shielded - A luminaire emitting no light above the horizontal plain.
 - Shielded - A luminaire emitting less than 2 percent of its light above the horizontal plane.
 - Partly shielded - A luminaire emitting less than 10 percent of its light above the horizontal plane.
- **Footcandle:** A measure of light intensity widely used in the lighting industry. The unit is defined as the amount of illumination the inside surface an imaginary 1-foot radius sphere would receive if there were a uniform point source of one candela in the exact center of the sphere.

The impact assessment evaluates the degree to which project features that produce, reflect, or obscure light, especially night lighting, would change the ambient light regime at the project site and at adjacent receptors.

Scenic Vistas

In the City of Newport Beach, a wide variety of shapes, colors, and textures, composed by topography, structures, roadways, and vegetation, form the views. The City is situated on a coastal plain and is bounded on three sides by the developed urban lands of Huntington Beach, Costa Mesa, and Irvine. Development in Newport Beach has been oriented to capture views of the ocean, using the ridgelines and hillsides as vantage points. Upper and Lower Newport Bay, draining an area of 118 square miles via the San Diego Creek and Santa Ana Delhi Channel, bisect the City and create a the physical setting unique to Newport Beach that includes estuaries, beaches, the harbor, coastal bluffs, open spaces, and meandering waterways.

This physical setting provides a variety of spectacular coastal scenic vistas, including those of the open waters of the ocean and bay, the harbor, sandy beaches, rocky shores, wetlands, canyons, and coastal bluffs. On the Balboa Peninsula, the grid pattern of the streets and highways means that many north/south-tending streets provide views of the ocean and bay. These views would generally not be considered scenic vistas, however, because most are limited by buildings on either side of the streets. Streets and shorelines adjacent to the water, however, do provide scenic vistas, of the bay on the north side and of the ocean on the south side. The project site is also part of the scenic vista as viewed from the south shore of Lido Isle and the east end of the Lido Peninsula, appearing as a beach backed by low residential development (the mobile home park).

At the project site itself, there are no view corridors to Newport Bay from public rights of way adjoining the project site because views are obstructed by existing improvements on the site, as shown in Exhibits 5.1-1 and 5.1-2. Beach visitors and pedestrians on the sidewalk between the mobile home park and the beach have a scenic vista across Newport Bay to Lido Isle and the Lido Peninsula, with, weather permitting, coastal hills in the background.

Scenic Highways

According to the Environmental Impact Report for the City of Newport Beach General Plan, there are no officially designated state scenic highways within the City of Newport Beach.

Visual Character

Surrounding Areas

The most dominant visual feature on the north side of the project site is a sidewalk and public beach in the foreground, beyond which lie Newport Harbor and numerous boats on moorings and in motion. There are various one- and two-story residential buildings across the bay and on Lido Island and Lido Peninsula.

Areas surrounding the project site on the west, south, and east are dominated by various one- and two-story residential uses. To the southeast are scattered multi-story commercial uses. A hotel is located just west of the site at 18th Street and businesses are located at the corner of 15th Street and Balboa Boulevard. There are also two churches east and southeast of the site. Other vantage points in the area consist of the American Legion Post 291 to the east and 18th Street to the west.

Project Site

The project site is visible from Balboa Boulevard, the main arterial for the Balboa Peninsula, and from various locations in and across Newport Bay to the north. Minimal vegetation is present onsite, with the exception of some non-native, ornamental landscaping, and a row of palm trees that lines the boardwalk adjacent to the public beach. Minimal security lighting exists, and light standards for the four existing tennis courts provide lighting during nighttime periods. Site topography is flat.

Onsite views from Balboa Boulevard (**Exhibits 5.1-1** and **5.1-2**) illustrate the visual character of the existing project site.

Existing View 1

This viewpoint is immediately west of the Balboa Boulevard/17th Street intersection facing north toward the project site. As shown in the existing view, this area of the project site is dominated by fencing surrounding the tennis courts at Las Arenas Park and several mature trees lining Balboa Boulevard adjacent to the park. No view to the bay is afforded presently.

Existing View 2

This viewpoint is at the south side of Balboa Boulevard at the 16th Street intersection facing northwest toward the project site. This location includes additional views of Las Arenas Park with ivy-covered chain-link fencing surrounding the tennis courts and a sandy vacant area. A portion of the Marina Park mobile home park is also visible in the background. Electrical lines and palm trees that line the beach are visible, but Newport Bay is not.

Light and Glare

Due to the developed nature of the project site, light and glare are primarily attributed to indoor lighting from the Marina Park mobile homes, security lighting, and night lighting for the basketball and tennis courts. The existing luminaires are not modern, meaning there is some degree of spill light, especially from the tennis courts and community buildings, that affects offsite receptors. Vehicle headlights on Balboa Boulevard provide periodic illumination of the project site.

5.1.4 - Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, the following questions are analyzed and evaluated to determine whether impacts to aesthetics are significant environmental effects. Would the project:

- a.) Have a substantial adverse effect on a scenic vista?
- b.) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?
- c.) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d.) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?



Legend

-  Project Boundary
-  View Location and Direction

Source: Google Earth Pro, 2008



Exhibit 5.1-1 Visual Analysis Index Key



Existing View 1



Existing View 2

Source: Michael Brandman Associates

Exhibit 5.1-2 Existing Views

5.1.5 - Project Impact Analysis and Mitigation Measures

This section discusses potential impacts associated with the proposed project and provides mitigation measures where necessary.

Scenic Vista

5.1-A: The project would not have a substantial adverse effect on a scenic vista.

Project-Specific Analysis

The proposed marina would front on Balboa Boulevard, creating a dramatic visual element on the streetscape. The City's Local Coastal Program identifies one scenic vantage point, located on 15th Street directly adjacent to American Legion Post 291, that must be protected, but construction of the proposed project would not obstruct views of Newport Bay from that location.

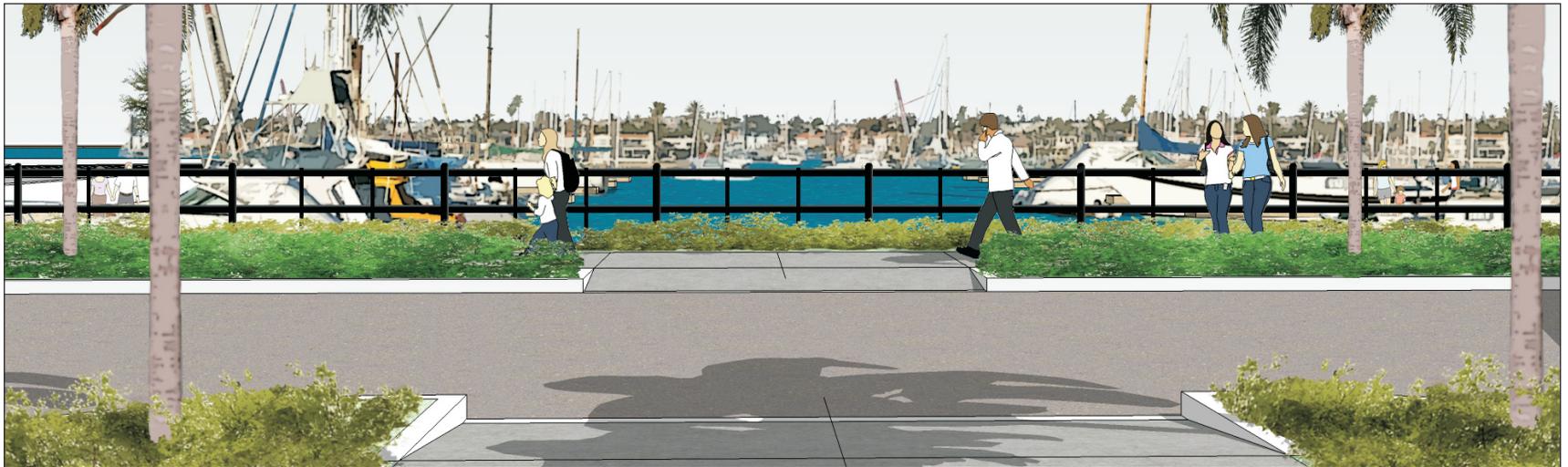
Implementation of Phases 1 and 2 would result in removal of the existing mobile homes (coaches) and replacement with open space.

On completion of Phase 3 the project would provide enhanced views of the Bay for pedestrians and motorists traveling along Balboa Boulevard because further features that currently obstruct those views (tennis courts and associated fencing and community buildings in addition to the mobile homes removed in Phase 1) would be replaced by open space, including landscaped park. Future views from Balboa Boulevard (see **Exhibit 5.1-3**) at the completion of Phase 3 would include the main pedestrian entrance to Marina Park and the main vehicular entrance into the Balboa Center complex's parking lot. The first would consist of open space with landscaped trees bordering the walkways, extensive lawn areas, and Newport Bay and Lido Isle in the background. The second view would consist of a direct line of site to the proposed marina, with landscaping, parking lot, and palm trees in the foreground and the marina (in Phase 3) and Newport Bay/Lido Isle in the middle and background. The scenic vistas from Balboa Boulevard would not include clear views of the Balboa Center Complex buildings nor of the Girl Scout House because the landscaping around the associated parking lots would act as screens although, as the simulations in **Appendix B** show, the tops of the buildings would be visible. Because the project would place utilities underground, none of the views would include utility lines.

The scenic vista from Lido Isle/Lido Peninsula that includes the project site would be altered by the change from the mobile home park to open space (park in Phase 2 and Phase 3), by the addition of the marina in Phase 3, and by the addition of architectural features such as the lighthouse and the sail-shaped roof in Phase 3. The marina would add sailboat masts to the view, but that addition would be insignificant in the context of Newport Bay, with its numerous moored and docked sailboats, especially given the presence of the adjacent American Legion marina. The architectural features proposed in Phase 3 would be prominent, as typical of civic architecture. The lighthouse is both ornamental and a functional landmark, providing a visual point of reference on the Balboa Peninsula to direct the public to a major public amenity. However, the overall impact to the scenic vista through the addition of these architectural features is mitigated because the vertical nature of the



View Corridor 1



View Corridor 2

Source: Michael Brandman Associates

Exhibit 5.1-3 Visual Simulations of Proposed View Corridors

lighthouse is less obstructing to the view than the current horizontal mass of buildings, which will be replaced with open space. Based on these considerations, implementation of the proposed project would result in no adverse impacts on a scenic vista.

Cumulative

Development of the proposed project would not adversely affect a scenic vista. Therefore, the project would not contribute to a potential cumulative impact on a scenic vista.

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

No impact.

Cumulative

No impact.

Scenic Resources within a State Scenic Highway

5.1-B: The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway.

Project-Specific Analysis

Because there are no designated scenic highways in the project area, implementation of the proposed project would have no impact on scenic resources within a state scenic highway.

Cumulative

Because there are no designated scenic highways in the project area, the project would not contribute to cumulative impacts on scenic resources within a state scenic highway.

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

No impact.

Cumulative

No impact.

Visual Character

5.1-C: The project would not substantially degrade the existing visual character or quality of the site and its surroundings.

Project-Specific Analysis

Construction of the proposed project would temporarily alter the visual characteristics of the project site during all three phases of construction, largely due to the presence of construction equipment and stockpiles of soil, which would be noticeable on the flat site. Fence screening would be provided onsite to minimize views of construction. Because these impacts would be temporary and minimized by screening, construction would have less-than-significant visual impacts.

The proposed project would permanently change views of the existing mobile home site to views of a recreational park; in Phase 3 the view would include public tennis courts, the Balboa Center complex, the Girl Scout House, and the marina (see **Appendix B**). The primary views that would experience the most alteration would be those of the motorists and pedestrians traveling along Balboa Boulevard and of nearby boaters on Newport Bay. Views from Lido Isle/Peninsula would be too remote to be markedly altered, although residents and frequent visitors would likely notice the change.

Approximately 930 linear feet of waterfront area would be opened up to view from Balboa Boulevard under all three phases. In Phase 3, palm trees and ornamental landscaping would line pedestrian walkways and gathering points. Except for two architectural features, the lighthouse and the sail-roof feature on the Balboa Center (**Appendix B**), the buildings proposed on the project site (exclusive of architectural features) for Phase 3 would be within the 35-foot height limit. The architectural lighthouse feature would extend vertically to approximately 73 feet. Its height would contrast with the remainder of the site and surrounding structures, as its purpose is to provide a visual point of reference in the area and direct the public to a major public amenity. Because the width of the lighthouse would taper from 18 feet at its base to 8 feet at its top, the lighthouse would be a relatively minor horizontal element in comparison to the expanse of waterfront view (930 linear feet) opened by the proposed project. Therefore, the project would have a less than significant impact on the visual character of the site and its surroundings.

Cumulative

Development of the proposed project would enhance land-side views to and from Newport Bay and would lessen the intensity of development on the project site. Therefore, the project's contribution to cumulative visual impacts is less than considerable.

Mitigation Measures*Project-Specific*

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation*Project-Specific*

Less than significant.

Cumulative

Less than significant.

Light or Glare

5.1-D: The project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

Project-Specific Analysis

Phases 1 and 2 would result in removal of existing lighting associated with the existing mobile homes. Some low level security lighting may be introduced although it is not specifically called out on the plans.

Lighting associated with the Phase 3 development would introduce minor new sources of light and glare, although to some extent the new lighting would simply replace the existing lighting. New sources of light would include additional safety lighting for the parking lots, lighting associated with the marina (security lighting along the perimeter, safety lighting on the docks), security lighting, low-level accent lighting and interior lights (visible through un-shaded windows) for the Balboa Center, and safety and security lighting as well as accent lighting for park features, including the rest rooms and major walkways. The existing site already has lighting associated with the tennis courts, security lighting for the community buildings, and lighting associated with residents of the mobile homes, although much of that lighting is shielded by external walls around the mobile home park. Some of the lighting would be relocated on site; for example, the tennis court lighting would be adjacent to 15th Street rather than along Balboa Boulevard.

The lighthouse feature would include a lighting fixture. The top of the tower would have a glass skin comprised of individual glass panels with varying levels of tinting and/or filtering depending on their sun orientation providing additional selective directional protection from emitted light while creating additional visual interest to this semi-translucent feature. A single, non-directional light fixture suspended in the upper portion of the tower would act as an accent light. It would not provide external illumination, but instead would function as a marker highlighting the uppermost portion of the tower. Low-intensity red or white aircraft warning lights may also be installed on masts on top of the tower.

Overall, implementation of the proposed project would not result in a substantial addition of light sources or intensity on the project site or of light emitted off the project site. The project site would appear much as it currently does in terms of the amount and intensity of light; existing inefficient

lighting that spills over on to adjacent properties would be replaced with efficient, directional lighting with fewer unwanted spill-over effects. Therefore, lighting impacts associated with the project would be less than significant.

The existing site includes many older light fixtures that do not incorporate modern glare reduction designs, such as shielding and modern illumination devices. The proposed project would utilize fully shielded luminaires in accordance with City of Newport Beach standards and regulations. Utilization of these luminaires, coupled with the removal of residences on the project site, would ensure that the proposed project would create a less than significant glare impact on the surrounding residential land uses.

Cumulative

Implementation of the proposed project would create an amount of light and glare that would not be substantially greater than the light and glare that currently exists on the site. Therefore, the project's contribution of light and glare to the project area would not be cumulatively considerable. Thus, the project's contribution to cumulative light and glare impacts would be less than significant.

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

Less than significant.

Cumulative

Less than significant.