# Initial Study/
# Mitigated Negative Declaration

## AutoNation Porsche of Newport Beach

**CEQA Lead Agency:**

City of Newport Beach
Community Development Dept.
Planning Division
100 Civic Center Drive
Newport Beach, CA 92660

**Project Applicant:**

AutoNation
200 Southwest 1st Avenue #1400
Fort Lauderdale, FL 33301

**CEQA Consultant:**

T&B Planning, Inc.
17542 East 17th Street, Suite 100
Tustin, CA 92780

**Public Review Draft**
**July 8, 2016**

# TABLE OF CONTENTS

# TABLE OF CONTENTS

## LIST OF TECHNICAL APPENDICES

The reports identified below are included within the Technical Appendices to this MND, and are herein incorporated by reference pursuant to CEQA Guidelines §15150. These reports are attached to this MND (bound separately) and also are available for review at the City of Newport Beach, Community Development Department, Planning Division, 100 Civic Center Drive, Newport Beach, CA 92660, during regular business hours.

A. Conceptual Design Documents

B1. Air Quality Impact Analysis

B2. Greenhouse Gas Analysis

C. Geotechnical Investigation

D. Phase I and Phase II Environmental Site Assessment

E. Water Quality Management Plan

F. Noise Study

G. Traffic Impact Analysis

## LIST OF FIGURES

## LIST OF TABLES

# 1.0 Introduction

This Mitigated Negative Declaration (MND) evaluates the AutoNation Porsche of Newport Beach Project (hereafter, "the Project"). The Project is proposed by AutoNation (hereafter, "the Project Applicant") on a 1.79-acre property (hereafter "the Project Site") located north of West Coast Highway between Dover Drive and Tustin Avenue in the City of Newport Beach, Orange County, California. The Project Applicant proposes to construct and operate a new 37,347 square foot (s.f.) automobile dealership building with associated parking, exterior lighting, signage, and landscaping improvements on the Project Site. Under existing conditions, the property is developed with commercial retail land uses, which would be demolished and removed to accommodate the proposed Project.

## 1.1 Purpose of this Document

The Project is the subject of analysis in this document pursuant to the California Environmental Quality Act (CEQA). The content of this MND complies with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

CEQA is a statewide environmental statute contained in Public Resources Code §§21000-21177 that applies to most public agency decisions to carry out, authorize, or approve actions that have the potential to adversely affect the environment. CEQA requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

As defined by CEQA Guidelines §15367, the City of Newport Beach is the Lead Agency for the proposed Project. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Approvals required of the City of Newport Beach to implement the proposed Project include, but are not limited to, a Site Development Review, Conditional Use Permit, and discretionary approval of the increased building height within the Commercial General (CG 0.3 FAR) zoning district. These actions and other approval actions required of the City of Newport Beach, the County of Orange, and/or other governmental agencies to fully implement the proposed Project are described in more detail in Section 3.0, Project Description. If this MND is approved by the City of Newport Beach, Responsible and Trustee agencies with approval authorities over the Project can use this MND as the CEQA compliance document as part of their decision-making processes.

## 1.2 CEQA Requirements for Mitigated Negative Declarations (MNDs)

A MND is a written statement by the Lead Agency briefly describing the reasons why a proposed project, which is not exempt from the requirements of CEQA, will not have a significant effect on the environment and therefore does not require preparation of an Environmental Impact Report (EIR) (CEQA Guidelines §15371). The CEQA Guidelines require the preparation of a MND if the Initial Study prepared for a project identifies potentially significant effects, but: 1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed MND and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and 2) there is no substantial evidence, in light of the whole record before the Lead Agency, that the project as revised may have a significant effect on the environment (CEQA Guidelines §15070[b]).

## 1.3 Format and Content of this Mitigated Negative Declaration

The following items comprise the MND in its entirety:

1) This document, including all Sections. Section 5.0 contains the completed Environmental Checklist/Initial Study and its associated analyses, which documents the evidence relied upon to support the findings and conclusions of the Initial Study.

2) The Mitigation Monitoring and Reporting Program (MMRP), which lists the mitigation measures that the City of Newport Beach has identified and imposed on the proposed Project to ensure that the Project's environmental effects are reduced to less-than-significant levels. The basis for the MMRP is found in the Environmental Checklist/Initial Study. The MMRP also indicates the required timing for the implementation of each mitigation measure, identifies the parties responsible for implementing and/or monitoring the mitigation measures, and identifies the level of significance following the incorporation of mitigation.

3) Seven technical reports that evaluate the effects of the proposed Project, which are attached as Technical Appendices B through G. These technical reports also are on file and available for public review at the City of Newport Beach Community Development Department, Planning Division (100 Civic Center Drive; Newport Beach, California 92660) and are hereby incorporated by reference pursuant to CEQA Guidelines §15150.

   B1. Air Quality Impact Analysis, prepared by Urban Crossroads, and dated June 14, 2016.

   B2. Greenhouse Gas (GHG) Analysis, prepared by Urban Crossroads, and dated June 14, 2016.

   C. Geotechnical Investigation Report, AutoNation – Newport Porsche, 600 West Coast Highway, Newport Beach, California, prepared by Stantec Consulting Services, Inc., and dated April 20, 2015.

   D. Phase I Environmental Site Assessment, 1.8-acres of Land Currently Developed with Retail Shops, 320 to 600 West Coast Highway, Newport Beach, California, prepared by JHA Environmental, and dated March 30, 2015 and Report of Findings for Focused Phase II Investigation for a Possible Underground Storage Tank at 320 West Coast Highway, Newport Beach, California, prepared by JHA Environmental, and dated June 18, 2015.

   E. Water Quality Management Plan (WQMP), AutoNation, Porsche of Newport Beach, 550 West Coast Highway, Newport Beach, California, prepared by Stantec, and dated June 1, 2016.

   F. Noise Impact Analysis, prepared by Urban Crossroads, dated July 7, 2016.

   G. Traffic Impact Analysis, AutoNation Porsche Dealership, prepared by Kunzman Associates, Inc., dated June 3, 2016.

## 1.4 Preparation and Processing of this Mitigated Negative Declaration

The City of Newport Beach Community Development Department, Planning Division directed and supervised the preparation of this MND. Although prepared with assistance of the consulting firm T&B

Planning, Inc., the content contained within and the conclusions drawn by this MND reflect the sole independent judgment of the City of Newport Beach.

This MND and a Notice of Intent (NOI) to adopt the MND will be distributed to the following entities for a 30-day public review period: 1) organizations and individuals who have previously requested such notice in writing to the City of Newport Beach; 2) direct mailing to the owners of property contiguous to the Project Site and property owners within a 300-foot radius as shown on the latest equalized assessment roll; 3) responsible and trustee agencies (public agencies that have a level of discretionary approval over some component of the proposed Project); 4) the County of Orange Clerk; and 5) the California Office of Planning and Research, State Clearinghouse, for review by State agencies. The NOI identifies the location(s) where the MND and its associated MMRP and Technical Appendices are available for public review. In addition, notice of the public review period also will occur via posting of a notice at City Hall (100 Civic Center Drive) and at the Project Site, and publication in a newspaper of general circulation in the Project area. The NOI also establishes a 30-day public review period during which comments on the adequacy of the MND document may be provided to the City of Newport Beach Planning Division.

Following the 30-day public review period, the City of Newport Beach will review any and all comment letters received and determine whether any substantive comments were provided that may warrant revisions to the MND document. If substantial revisions are not necessary (as defined by CEQA Guidelines §15073.5(b)), then the MND will be finalized and forwarded to the City of Newport Beach Planning Commission for review as part of their deliberations concerning the proposed Project. A public hearing(s) will be held before the City's Planning Commission to consider the proposed Project and the adequacy of this MND. Public comments will be heard and considered at the hearing(s). If the MND is approved, the Planning Commission will adopt findings relative to the Project's environmental effects as disclosed in the MND and a Notice of Determination (NOD) will be filed with the County of Orange Clerk.

# 2.0 Environmental Setting

## 2.1 Location of the Project Site

The Project Site is located in the Mariner's Mile area of the City of Newport Beach, California, which is comprised of a heavily traveled segment of West Coast Highway (State Route 1) extending from the Arches Bridge to the west to Dover Drive to the east. The Mariner's Mile corridor is bordered to the north by a residential neighborhood commonly referred to as "Newport Heights," and to the south by Newport Harbor. According to the City of Newport Beach General Plan, properties located along the Mariner's Mile corridor generally consist of highway-oriented retail and marine-related commercial uses. Whereas the bay-fronting portions of Mariner's Mile primarily consist of marine-related commercial uses (i.e., boat sales and storage, sailing schools, marinas, and visitor-serving restaurants), properties located along the inland side of West Coast Highway are developed predominantly as highway-oriented retail, automobile dealerships, and neighborhood commercial services. (City of Newport Beach, 2006a, pp. 3-122 - 3-123)

As shown on Figure 2-1, *Regional Map*, Figure 2-2, *Vicinity Map*, and Figure 2-3, *Aerial Photograph*, the Project Site is located in the western portion of the City of Newport Beach, to the north of West Coast Highway between Dover Drive and Tustin Avenue. The private neighborhood of Bayshores is located to the south on the opposite side of West Coast Highway. The Project Site comprises 1.79 acres, encompasses Assessor Parcel Number (APN) 049-280-86, and is associated with the address range 320-600 West Coast Highway. The Project Site is located in Section 36 of Township 6 south, Range 10 West, San Bernardino Baseline and Meridian.

## 2.2 CEQA Requirements for Environmental Setting and Baseline Conditions

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines §15125[a]). The Initial Study prepared for the proposed Project (see Section 5.0 of this document) determined that a MND is the appropriate form of CEQA compliance document, which does not require a Notice of Preparation (NOP). Thus, the environmental setting for the proposed Project is the approximate date that the Project's environmental analysis commenced.

The City of Newport Beach deemed the proposed Project's application complete and commenced environmental review of the Project in February 2016. Accordingly, the environmental setting for the proposed Project is defined as the physical environmental conditions on the Project Site and in the vicinity of the Project Site as they existed in February 2016.

## 2.3 Existing Site and Area Characteristics

### 2.3.1 Existing Site Conditions

The Project Site is developed with commercial uses. Under existing conditions, there are six commercial retail buildings on the property collectively totaling 11,660 square feet of building space. Asphalt-paved surface parking lots are located on the property and a vegetated slope occupies a strip of land along the northern portion of the Site, at the top of which and off-site are single-family residential homes.

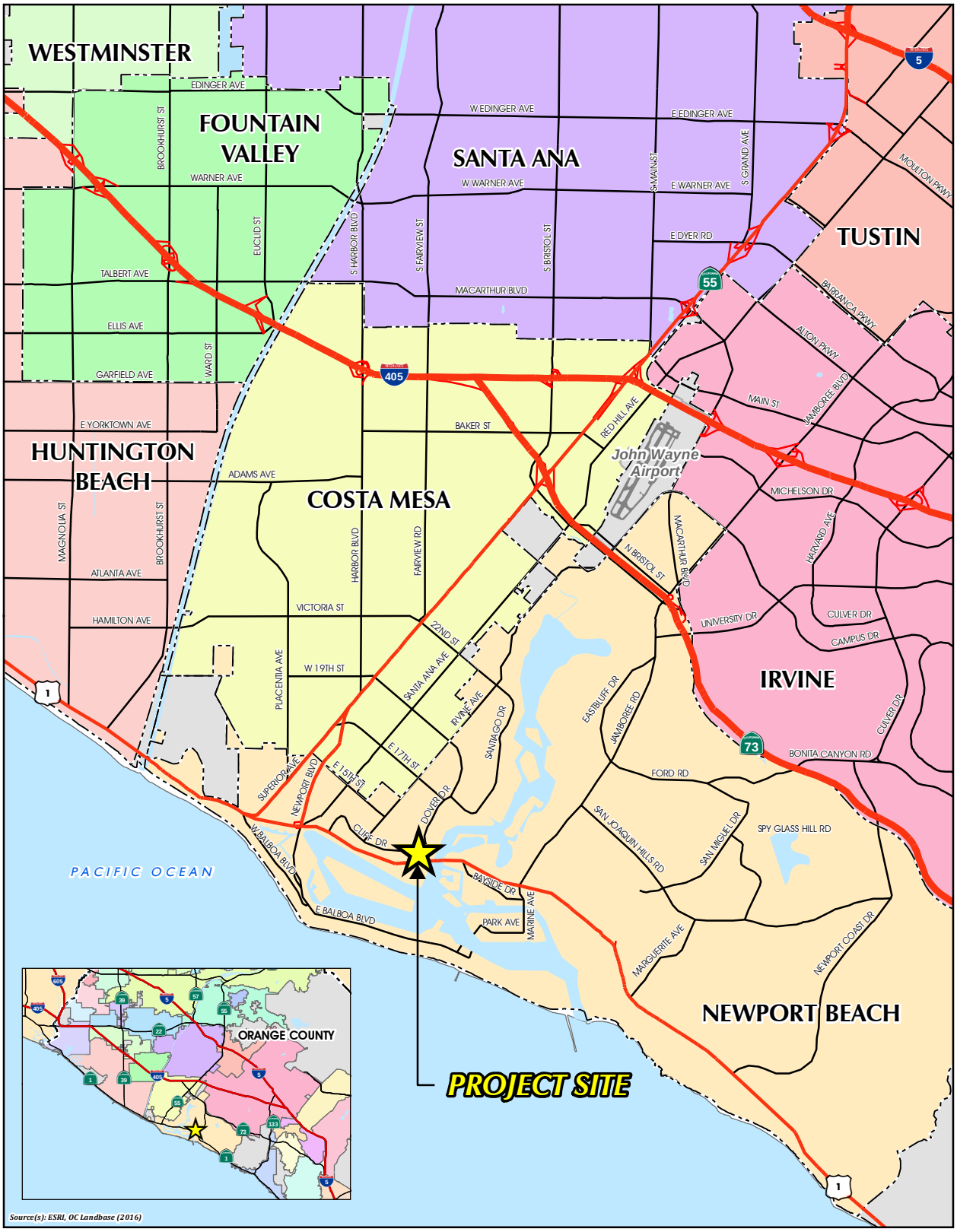



Figure 2-1

## REGIONAL MAP

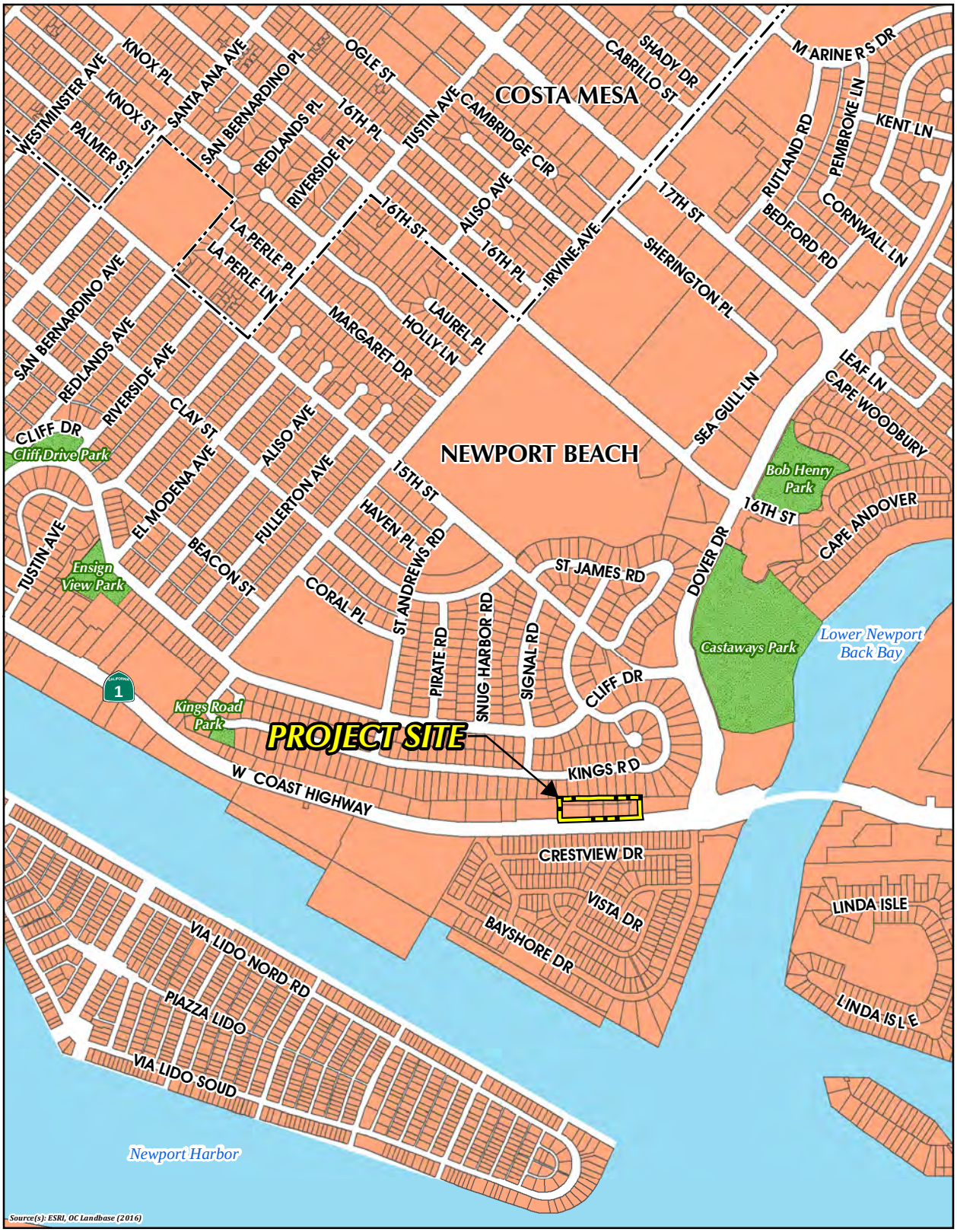



Figure 2-2

## VICINITY MAP


Figure 2-3

0 75 150 300 Feet

## AERIAL PHOTOGRAPH

Two single-story structures occur on the eastern portion of the Project Site located at 320 and 400 West Coast Highway, which are occupied by a consignment store ("The Find, Etc."). An asphalt-paved parking lot with 20 parking stalls is located on the northern portion of the adjoined properties. The portion of the Project Site located at 410 West Coast Highway contains an L-shaped one- and two-story multitenant commercial office/retail building ("The Shops at The Cove") consisting of 12 commercial units. A single-story commercial retail building occupies the portion of the Project Site located at 430 West Coast Highway, which houses "La Tavola," a linen and party rental business. The property located at 500 West Coast Highway contains a single-story commercial retail building occupied by a dog food store, "Just Food for Dogs." An asphalt-paved parking lot is located between the structures occupying 410, 430, and 500 West Coast Highway. A used classic car dealership ("European Collectibles on PCH") operates at 600 West Coast Highway, and consists of a showroom/office building fronting West Coast Highway, and an asphalt-paved parking lot.

The northernmost portion of the Project Site consists of a vegetated slope, which is supported by a retaining wall running in an east-west orientation ranging in height from approximately 2 to 12 feet (Stantec, 2015a). Power poles supporting overhead utility lines are located on the slope, off-site and adjacent to the northern Project Site boundary, and run in an east-west orientation. Curb-adjacent sidewalks and streetlights are located in the public right-of-way off-site and along the Project Site's frontage with West Coast Highway. There is one street tree, *Eucalyptus citriodora* (lemon-scented gum) located within the portion of the sidewalk to the immediate south of the 400 West Coast Highway property.

### 2.3.2 Site Access

Direct roadway access to the Project Site is via West Coast Highway via four access driveways. West Coast Highway provides access to State Route 55 (SR-55) via Newport Boulevard, located approximately 1.2 miles west of the Project Site. Jamboree Road is located approximately 1.1 miles east of the Project Site and provides access to Interstate 405 (I-405), which is located approximately 5.6 miles to the northeast of the Project Site.

A vehicular access driveway enters the eastern portion of the Project Site from West Coast Highway, and is located between the properties having street addresses of 320 and 400 West Coast Highway. Two additional vehicular access driveways provide access to the Project Site from West Coast Highway, the first of which is located between 500 and 430 West Coast Highway, and the second is located between 430 and 410 West Coast Highway. A fourth vehicular access driveway enters the western portion of the Project Site from West Coast Highway just to the east of the 600 West Coast Highway property.

### 2.3.3 Surrounding Land Uses and Development

As shown on Figure 2-4, *Existing and Surrounding Land Uses*, the Project Site is bounded on the north by a residential neighborhood ("Newport Heights"); on the east by a commercial retail center ("Mariner's Pointe") and Dover Drive; on the south by West Coast Highway and a private residential neighborhood ("Bayshores"); and to the west by commercial uses, including restaurants (McDonald's [immediately adjacent] and Pizzeria Mozza), a car dealership (Maserati of Newport Beach), and a retail shopping center.

## 2.4 City Planning Context

### 2.4.1 City of Newport Beach General Plan

As shown on Figure 2-5, *Existing General Plan Land Use Designations*, the Project Site is designated General Commercial (CG 0.3 FAR) by the City's General Plan (City of Newport Beach, 2016a). The CG designation is intended to provide a wide variety of commercial activities oriented primarily to serve citywide or regional needs (City of Newport Beach, 2006a, p. 3-12). Properties east and west of the


Figure 2-4

0 125 250 500 Feet

## EXISTING AND SURROUNDING LAND USES

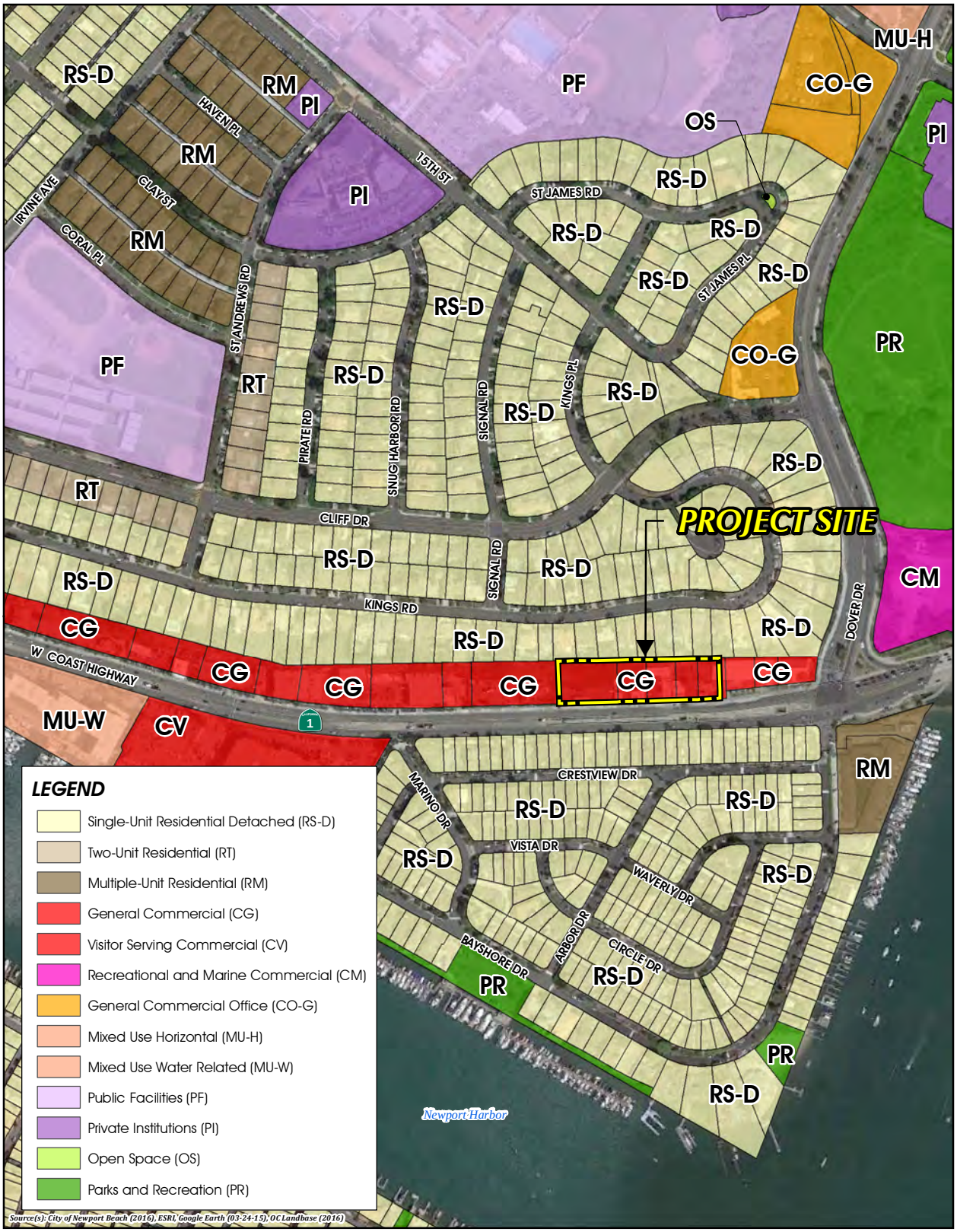



Figure 2-5

## EXISTING GENERAL PLAN LAND USE DESIGNATIONS

Project Site are also designated by the General Plan as General Commercial (CG 0.3 FAR). Properties bordering the Project Site to the north are designated by the General Plan as Single Unit Residential Detached (RS-D), as are the properties within the Bayshores neighborhood located to the south of the Project Site on the opposite side of West Coast Highway. (City of Newport Beach, 2016a)

### 2.4.2 City of Newport Beach Zoning Designations

As shown on Figure 2-6, *Existing Zoning Designations*, the Project Site is zoned Commercial General (CG 0.3/0.5 FAR). The CG Zoning District is intended to provide for areas appropriate for a wide variety of commercial activities oriented primarily to serve Citywide or regional needs. (City of Newport Beach, 2016b, Section 20.20.010; City of Newport Beach, 2016a)

Properties north of the Project Site are zoned by the Newport Beach Municipal Code as Single-Unit Residential (R-1), as are the residential properties within the Bayshores neighborhood located to the south of the Project Site across West Coast Highway. The properties located to the east and west of the Project Site are zoned Commercial General (CG 0.3/0.5 FAR), with the exception of the Mariner's Pointe Shopping Center to the adjacent east, which is zoned CG [Anomaly] due to a modified floor area ratio (FAR). (City of Newport Beach, 2016a)

Additionally, the Project Site is located within the "Shoreline Height Limit Area", which (per the Newport Beach Municipal Code Section 20.30.060) stipulates a 26-foot base height limit for nonresidential structures with flat roofs, which may be increased up to a maximum of 35 feet through discretionary approval (City of Newport Beach, 2016b, Section 20.30.060).

### 2.4.3 City of Newport Beach Coastal Land Use Plan

The Coastal Zone Management Act of 1972 (Title 16 U.S.C. 1451-1464) declares it a national policy to preserve, protect, develop, and where possible, to restore or enhance, the resources of the nation's coastal zone. The California Coastal Act of 1976 established the California Coastal Commission and identified coastal resource planning and management policies to address public access, recreation, marine environment, land resources, and development. Implementation of California Coastal Act policies is accomplished primarily through the preparation of a Local Coastal Program (LCP) by the local government that is reviewed and certified (approved) by the Coastal Commission.

According to the City of Newport Beach Local Coastal Program Coastal Land Use Plan, the Project Site is not located within the Coastal Zone; thus, no approvals from the California Coastal Commission are required prior to Project implementation (City of Newport Beach, 2009, p. 2-80). In the vicinity of the Project Site, the nearest areas within the Coastal Zone are properties located on the opposite side of West Coast Highway.

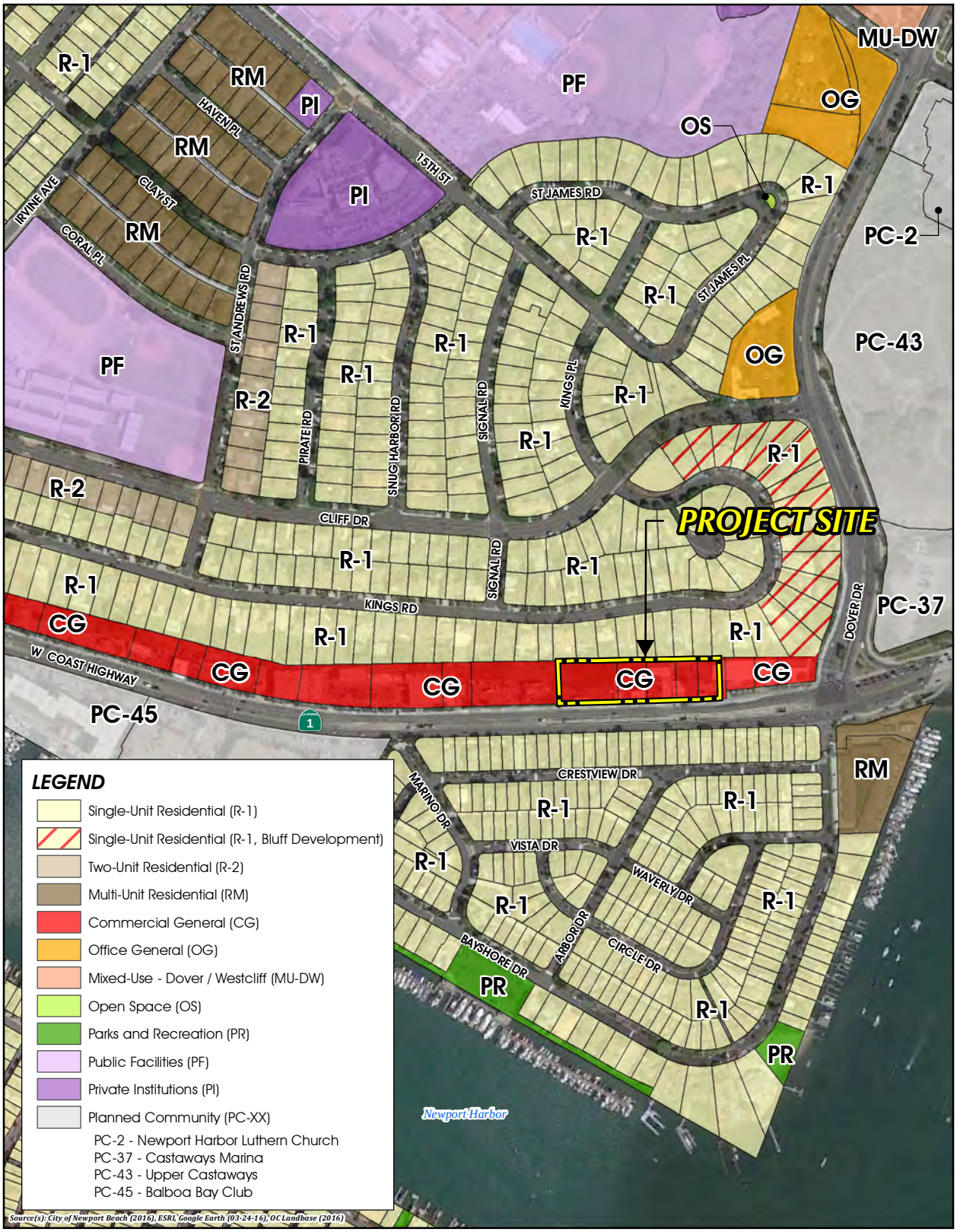



Figure 2-6

## EXISTING ZONING DESIGNATIONS

# 3.0 Project Description

## 3.1 Project Overview

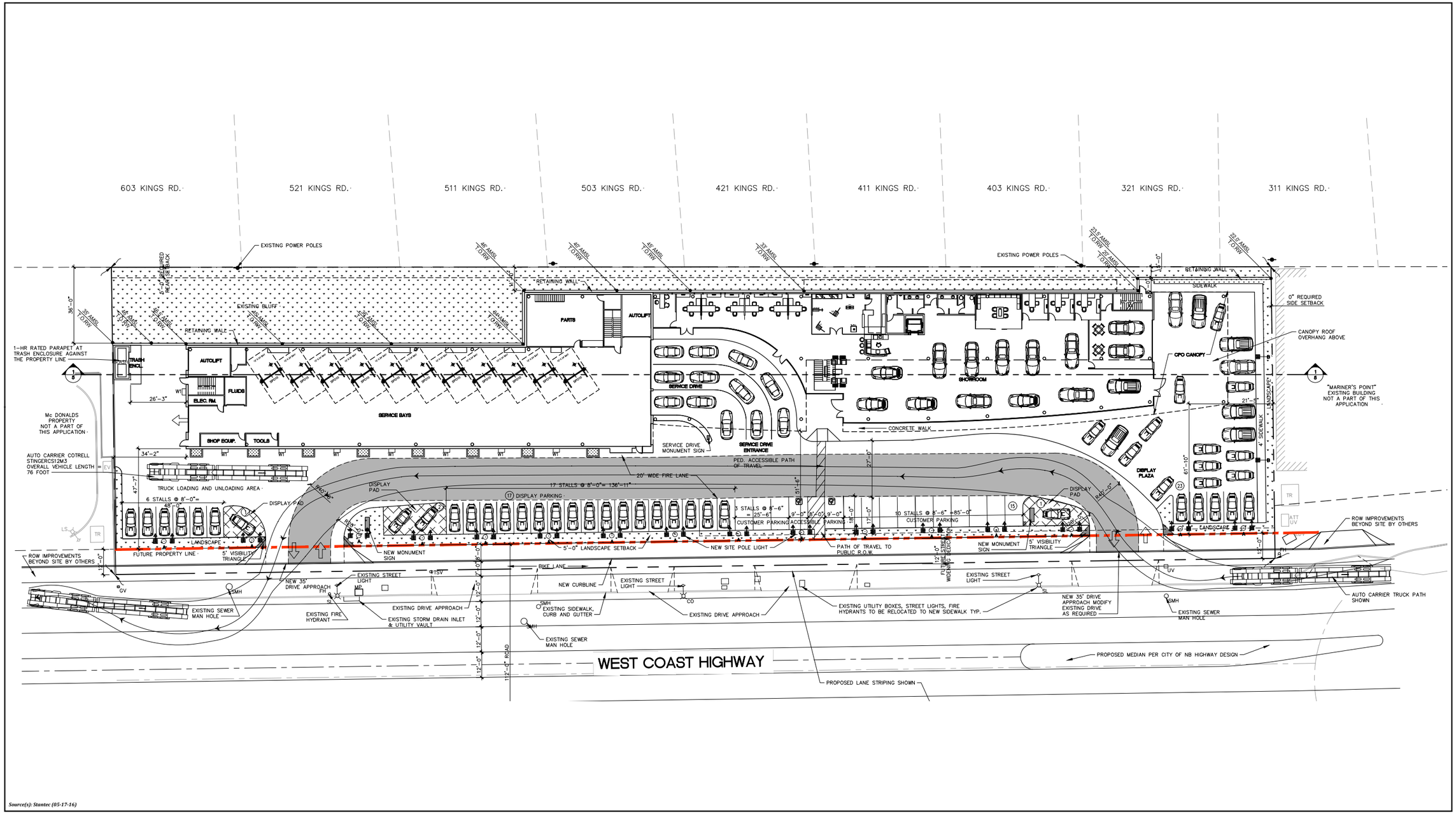
The Project evaluated in this MND is proposed by AutoNation and is referred to as "AutoNation Porsche of Newport Beach." As shown in Figure 2-3, *Aerial Photograph*, the Project Site consists of 1.79 acres of developed land along West Coast Highway in the western portion of the City of Newport Beach. The proposed Project involves the demolition and removal of six existing commercial buildings and associated parking lots on the Site, preparation of the Site for redevelopment, and the construction of a multi-story, 37,347 s.f. building. Other improvements would include landscaping, lighting, signage, and surface parking areas. The proposed site plan is depicted in Figure 3-1, *Proposed Site Plan*. Operations at the proposed car dealership would include automobile sales, vehicle servicing, and vehicle detailing/washing. The automobile dealership proposed to occupy the Project Site is the existing Porsche Newport Beach Dealer, which would relocate to the Project Site from its existing location at 445 East Pacific Coast Highway ("Newport Auto Center," located approximately 0.55 miles east of the Project Site) where it currently shares space with Audi and Bentley. Following implementation of the Project, Audi and Bentley would utilize the portions of the Newport Auto Center property currently occupied by Porsche Newport Beach. There would be no physical changes at the Newport Auto Center property resulting from Porsche Newport Beach relocating to the Project Site. Although Audi and Bentley would occupy more space at the existing Auto Center, their operational characteristics are not expected to change in any way that could result in a reasonably foreseeable environmental effect.

### 3.1.1 Building Details

The Project proposes the construction and operation of a multi-story automobile dealership building containing 37,347 s.f. of usable floor space within a 28,680 s.f. building footprint. The first floor of the proposed building would comprise a total of 28,680 s.f., including a showroom and a 685 s.f. driver's selection boutique. The first floor would also include restrooms, offices, storage rooms, and a customer lounge in the northeast portion; a 1,650 s.f. service write-up and service manager area in the north-central portion of the building; an 11,430 s.f. vehicle service area in the western portion of the building; and a 991 s.f. parts store. A one-way service drive entrance (totaling 3,084 s.f.) would feed into the vehicle service area from the east, and would be partially covered by a canopy. A 1,943 s.f. canopy would extend over the pre-owned vehicle sales area on the eastern portion of the Project Site. The vehicle service area would consist of 11 service bays, each of which would be equipped with an electric hydraulic vehicle service lift. Storage of tools and equipment is proposed in the western portion of the service area, and storage of fluids (including motor oil, lubricants, coolants, solvent cleaners, sealants, and adhesives) would occur in the southwest portion of the service area.

The eastern portion of the second floor of the building would consist of offices, employee breakrooms, and a customer waiting lounge; a technical support room; and a parts storage room. The western portion of the second floor would include a hand carwash and three detail bays. Car wash activities would not be automated, and would be conducted by hand. A wash bay would be provided on the westernmost portion of the car wash/detail area. An inventory and support area would be provided on the second floor to the east of the car wash/detail area. The Project proposes a ramp sloping up to the rooftop from the western portion of the second floor to provide vehicular access between the two areas.

The building would include a 27,544 s.f. rooftop that would provide rooftop parking, including a total of 30 employee parking spaces, 21 vehicle inventory spaces, and 34 vehicle service (valet) spaces. The remainder of the rooftop would be occupied by mechanical rooms. With the exception of 15 parking spaces, all parking spaces would be covered by metal trellises. Potted trees would also be provided along the northern portion of the rooftop, with the intention of providing additional screening of parked vehicles




*Source(s): Stantec (05-17-16)*

Figure 3-1

NOT TO SCALE

## PROPOSED SITE PLAN

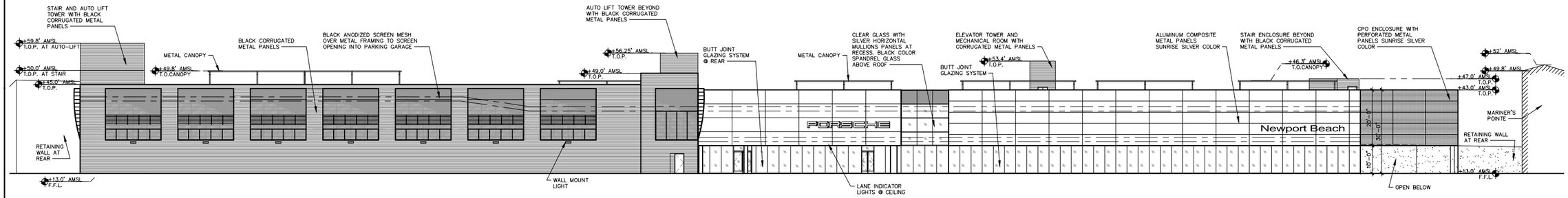
from higher elevations to the north. The western portion of the rooftop would be slightly elevated to accommodate the covered wash/detailing area below. Two ramps would provide access between the eastern and western portions of the rooftop, and between the rooftop and the second floor car wash/detailing area. Rooftop appurtenances would consist of a mechanical equipment room on the eastern portion of the rooftop; a stair tower on the northeast portions of the rooftop; an elevator/mechanical room tower on the northern portion of the rooftop; an auto-lift tower on the northwest portion of the rooftop; and an auto-lift/stair tower on the western portion of the rooftop. All rooftop appurtenances would be enclosed by louvered walls and/or corrugated metal panels. The Project proposes a maximum building height (including rooftop appurtenances) of 46.8 feet above the finished floor level (equivalent to 59.8 feet above mean sea level [amsl] when accounting for base elevations), which is represented by the top of the parapet at the auto-lift/stair tower on the western portion of the rooftop. The proposed maximum building height of 59.8 feet amsl falls within the allowable height limit of 35 feet above the Project Site's base elevation of 30.58 feet amsl applicable to this location, which would allow for a maximum building height of 65.58 feet amsl (30.58 feet amsl + 35 feet amsl = 65.58 feet amsl). Proposed building elevations are depicted in Figure 3-2, *South Building Elevation*, and Figure 3-3, *East and West Building Elevations*.

### 3.1.2 Building Mass and Architectural Features

Figure 3-4, *Representative Architectural Renderings*, provides conceptual architectural renderings of the proposed Project. The building is designed in a contemporary architectural style. Black, smooth corrugated metal panels are proposed on the western half of the building façade. Seven large square openings covered by black anodized screen mesh would occur in the panels. The eastern half of the building would feature a mixture of clear glass, silver horizontal mullion panels, and silver aluminum composite metal panels. Roof appurtenances would also feature black, smooth corrugated metal panels. A canopy structure connected to the building to screen rooftop parking would consist of perforated metal panels of a silver color. In an effort to reduce the building bulk along the Mariner's Mile corridor, the proposed building would be set back from the future public right-of-way (ROW) of West Coast Highway at a minimum of 47 feet and 7 inches, which is well beyond the required zero (0)-foot setback required by the Commercial General zoning designation. The proposed site plan also illustrates the widening of West Coast Highway that would occur as part of Project implementation, which would include the addition of a third westbound 12-foot wide vehicular lane, 7-foot wide shoulder with bike lane, and 8-foot wide sidewalk. The widening of West Coast Highway is described in further detail in Section 3.1.6.

### 3.1.3 Access/Parking

Two 35-foot wide vehicular access driveways are proposed with direct access from West Coast Highway at the eastern and western ends of the Project Site. These driveways would be connected by a drive aisle, with a minimum width of 20 feet, traversing the south-central portion of the property in an east-west orientation. These driveways would allow full access to/from West Coast Highway, accommodating left and right turns both into and out of the Project Site. A drive aisle (approximately 34 feet and 2 inches in width) would be provided on the western portion of the Project Site to provide access for trash disposal trucks. A one-way service drive entrance would be provided on the central portion of the Project Site at ground level, and would allow for queuing of vehicles entering the service bay area. Two hydraulic auto-lifts, operated by a dealership attendant, would be located in the western and north-central portions of the building, and would convey vehicles to the detailing area on the second floor and parking areas located on the rooftop.



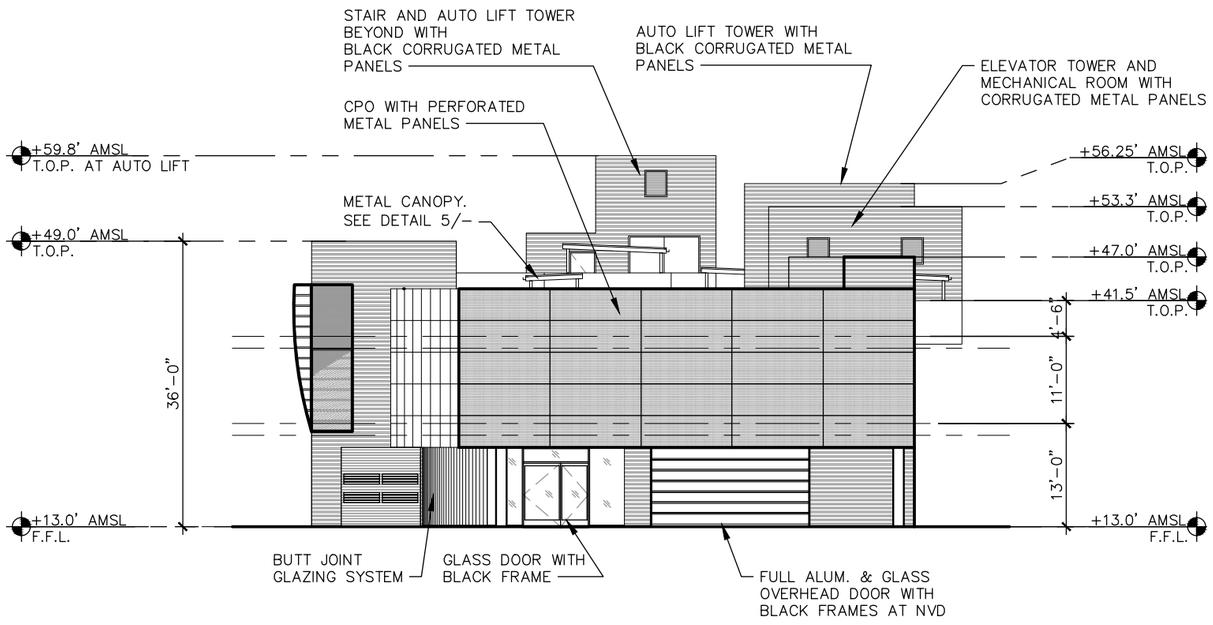

*Source(s): Stantec (05-17-16)*

Figure 3-2

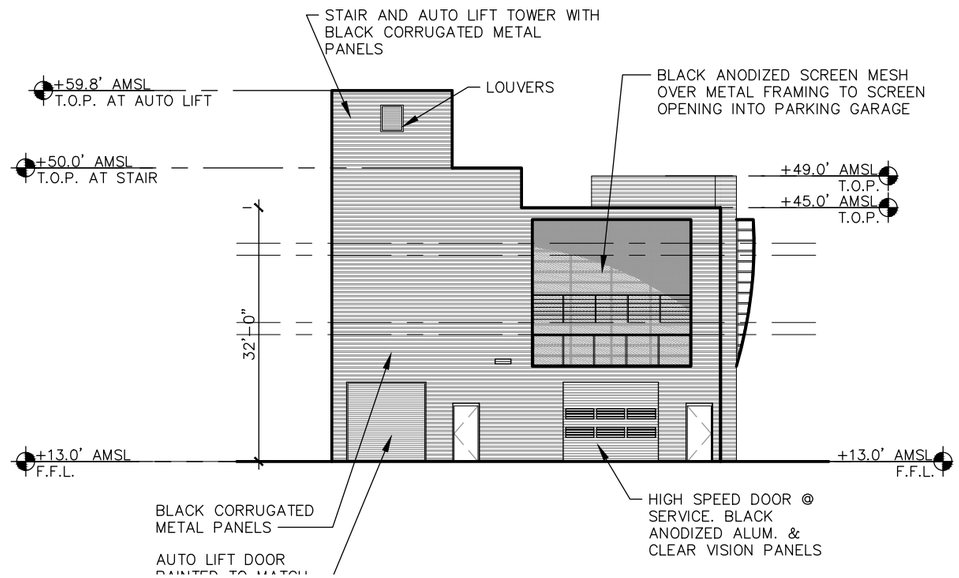
NOT TO SCALE

## SOUTH BUILDING ELEVATION

## EAST ELEVATION




## WEST ELEVATION




*Source(s): Stantec (05-17-16)*

Figure 3-3

NOT TO SCALE

## EAST AND WEST BUILDING ELEVATIONS



*Source(s): Stantec (05-26-16)*

Figure 3-4

NOT TO SCALE

## REPRESENTATIVE ARCHITECTURAL RENDERINGS

A total of 173 vehicle spaces are proposed at the Site, with 64 parking stalls dedicated to employees and vehicle servicing, 94 parking stalls dedicated to vehicle inventory/display spaces, and 15 parking stalls (including four handicap-accessible stalls) designated for dealership customers. Customer parking would be located at ground level in the southern portion of the site. Of the 94 vehicle inventory/display spaces, 46 spaces would be provided at ground level (within the exterior parking lot south of the proposed dealership building and in the exterior display plaza located on the eastern portion of the Project Site), 12 spaces would be provided in the first floor showroom, nine spaces would be provided on the second floor showroom, and 21 spaces would be provided on the rooftop. In total, 85 parking spaces would occur on the building's roof. All of the rooftop parking spaces are proposed to be covered with metal trellises except for 15 spaces.

### 3.1.4 Exterior Features/Landscaping

In addition to the parking and internal circulation areas described above, the proposed Project also includes landscaped areas, hardscaping, and other exterior features. On the northern portion of the Project Site, a masonry retaining wall ranging in height from 9 to 24.5 feet is proposed. A trash enclosure is proposed on the northwest portion of the Project Site, and would be enclosed by concrete walls and a corrugated metal roll-up door.

As shown on Figure 3-5, *Landscape Planting Plan*, landscaped areas totaling 13,800 s.f. are proposed in the remaining space between the northeast, east, and southeast walls of the dealership building and the property line. A 5-foot wide landscape setback would be provided along the southern boundary of the Project Site that fronts West Coast Highway. An additional triangular landscaped island is proposed within the inventory display plaza on the eastern portion of the Project Site. Mexican Fan Palm trees would be planted within the proposed landscaped areas fronting West Coast Highway and along the south-facing exterior wall of the proposed building in the western portion of the ground-level parking lot. The remaining proposed on-site landscaped areas would be planted with shrubs, ornamental grasses, perennials, and groundcover as shown on Figure 3-5. The existing vegetation on the slope on the northern portion of the Project Site would remain, with the exception of ice plant and invasive plant species, which would be removed and replaced with bougainvillea. Three automobile display pads are proposed along the southern portion of the Project Site, two of which are proposed on either side of the westernmost driveway entrance, and the other on the western side of the easternmost driveway entrance. Two monument signs are proposed along the southern portion of the Project Site on the easternmost vehicle display pads. The Project proposes a handicap accessible pedestrian path through the central portion of the Project Site in an east-west orientation that would provide pedestrian access from the ground-level customer parking lot to the entrance of the building. A concrete walkway is proposed to adjoin the front (south-facing wall) of the proposed building, and would merge with the vehicle display plaza on the eastern portion of the site in order to enable pedestrian access through these areas.

### 3.1.5 Lighting Plan

Per Section 5.14 of the Mariner's Mile Strategic Vision and Design Framework, the Project proposes a lighting plan that includes a photometric study (see *Technical Appendix A*) (City of Newport Beach, 2000, p. 57). The proposed lighting plan features evenly spaced pole-mounted light fixtures (12 feet in height) along the frontage of the Project Site and the easterly site boundary to illuminate the ground-level parking lot. Wall-mounted light emitting diodes (LED) fixtures are proposed along the south-facing building wall. Rooftop lighting would include pole-mounted lights, as well as LED light fixtures under the proposed metal trellises located within the rooftop parking area. The use of rooftop lighting would be consistent with dealership hours of operation. The proposed automobile dealership building would also include lights inside the building, which would be visible through the windows from off-site locations.

## CITY REQUIREMENTS MET

- ☑ WASHIINGTONIA PROVIDED 18' OC PER THE MARINERS MILE DESIGN REQUIREMENTS.
- ☑ 24" HEIGHT MATERIAL PROVIDED ALONG FRONTAGE.
- ☑ BOUGAINVILLEA PROVIDED ON SLOPE AS REQUIRED.
- ☑ ICE PLANT AND INVASIVES TO BE REMOVED OFF SLOPE.
- ☑ VISIBILITY TRIANGLES PROVIDED WITH NO PLANTS OVER 24" HGT.
- ☑ PLANT SIZES MEET MINIUM SIZE AND MIXTURE REQUIREMENTS.

BOUGAINVILLEA

X HALIMIOCISTUS

LAVANDULA

## WATER CONSERVATION CONCEPT

CONCEPT STATEMENT

A COMBINATION OF DRIP, BUBBLERS, AND/OR LOW GALLONAGE SPRAYS SHALL BE INSTALLED IN ALL PLANTERS. IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL PROGRAMMING. PLANTS SHALL BE GROUPED INTO "HYDROZONES" AND IRRIGATED SEPARATELY FROM THOSE WITH DIFFERENT WATER REQUIREMENTS.

## GENERAL NOTES

1. ALL PLANTING AREAS SHALL BE COVERED FIRST WITH A 2" LAYER OF ORGANIC COMPOST THEN WITH CORRUGATED CARDBOARD AND TOPDRESSED WITH A 3" (MINIMUM) DEEP LAYER OF DECOMPOSED GRANITE.
2. REFER TO ARCHITECTURAL AND CIVIL PLANS FOR DESCRIPTIONS OF ELEMENTS NOT IDENTIFIED ON THIS PLAN.
3. OBSERVE THE FOLLOWING MINIMUM SETBACK DISTANCES FOR TREE PLANTING :
   - BETWEEN STREET TREES = 30 FT.
   - DRIVEWAY CUTS AND FIRE HYDRANTS = 7 FT.
   - UTILITY BOXES, MANHOLE AND OTHER UTILITY VAULTS, TELEPHONE AND OTHER UTILITY POLES, GAS AND WATER METER, AND MAINS = 5 FT.
4. ALL SURFACE AND SUB-SURFACE SWALES, DRAINAGE STRUCTURES AND PATTERNS SHALL BE MAINTAINED.
5. A LICENSED LANDSCAPE MAINTENANCE CONTRACTOR WILL BE RETAINED TO PERFORM ROUTINE MAINTENANCE DUTIES.
6. PLANTER SOIL SHALL BE AMENDED AS DESCRIBED BY A LABORATORY SOIL ANALYSIS. ANALYSIS AT MINIMUM TO DETERMINE SOIL TEXTURE, PERCENT ORGANIC MATTER, PH, INFILTRATION RATE, TOTAL SOLUBLE SALTS, AND TO MAKE RECOMMENDATIONS FOR BACK FILL MIX, SOIL PREPARATION AND RATES FOR ORGANIC AMENDMENTS AND FERTILIZERS.

## SUSTAINABLE DESIGN CHECKLIST GOING GREEN

- ☑ REGIONAL/COMMUNITY DESIGN AND CONNECTIVITY
- ☑ GROUND COVER DESIGNED TO PROVIDE 100% VEGETATED COVER IN 2-3 YRS. ON AT LEAST 50% OF THE LANDSCAPE AREA.
- ☑ PLANTS SUPPORT IPM
- ☑ NON-INVASIVE PLANTS USED
- ☑ EROSION OF SOIL MINIMIZED WITH PLANT STABILIZATION, MULCH, JUTE NETTING, OTHER
- ☑ LOW MAINTENANCE PLANTINGS USED OVER 80% OF LANDSCAPE AREA (ADJUST %)
- ☑ LAWNS MINIMIZED
- ☑ PLANTS SELECTED BASED ON AVAILABLE PLANTER AREA
- ☑ WATER CONSERVING PLANTING DESIGN
- ☑ MULCH DEPTH 3" TO REDUCE EVAPOTRANSPIRATION
- ☑ EXISTING PLANTINGS PRESERVED AND PROTECTED
- ☑ IRRIGATION DESIGN TO BE WATER CONSERVING
- ☑ SOILS TEST REQUIRED FOR IMPROVING SOILS

## PLANTING LEGEND

| SYMBOL | SIZE | QTY. | MATURE HEIGHT | BOTANICAL NAME | WUCOLS* RATING | COMMON NAME |
|---|---|---|---|---|---|---|
| TREES | | | | | *H, L, M HIGH, LOW, MEDIUM | |
| | 8' BTH. | 34 | 50' | WASHINGTONIA ROBUSTA | L | MEXICAN FAN PALM |
| SHRUBS/ORNAMENTAL GRASSES AND PERENNIALS | | | | | | |
| | 5 GAL. | 15 | 4' | LAVATERA THURINGIACA 'BURGUNDY WINE' | L | TREE MALLOW |
| | 1 GAL. | 141 | 2' | NASSELLA TENUISSIMA | L | MEXICAN FEATHER GRASS |
| | 4" POT | 327 | 1' | LAVANDULA ANGUSTIFOLIA 'LADY' | L | LAVENDER |
| | 1 GAL. | 195 | 2' | FESTUCA 'ELIJAH' | L | BLUE FESCUE |
| | 5 GAL. | 121 | 2' | X HALIMIOCISTUS WINTONENSIS | L | – |
| | 4" POTS | 162 | 8-16" | ECHEVERIA MIXED COLORS HEIGHTS AND SIZES | L | SUCCULENTS |
| GROUND COVERS | | | | | | |
| | 1 GAL. 5' OC | 1803 SF | 3' | INVASIVE REMOVAL AND REPAIR AREA WITH BOUGAINVILLEA 'SAN DIEGO RED' | L | BOUGAINVILLEA |
| | 1 GAL. 5' OC | 8603 SF | 3' | BOUGAINVILLEA 'SAN DIEGO RED' | L | BOUGAINVILLEA |
| SITE FEATURES – TYPICAL | | | | | | |
| | | 14 | | ROCKS, 3' D ROCKS WITH VARYING HEIGHTS BEWTEEN 12" AND 18". | | |
| | NOT SHOWN | | | ROOT BARRIER: INSTALL AT TREES (EXCEPT PALMS) PLANTED 5' OR LESS FROM CURBS, BUILDINGS, OR PAVEMENT. USE COPPER MESH 16.011 COPPER AVAILABLE FROM HOWARD WIRE CLOTH COMPANY, HAYWARD CA (510)887-8787., | | |

TOTAL LANDSCAPED AREA: 13,800 S.F.

*GROUND COVERS TO EXTEND UNDER SHRUBS AND TREES WHICH IS NOT SHOWN ON THE PLAN DUE TO LEGIBILITY. CONTRACTOR TO INCLUDE SUFFICIENT PLANTS TO ACCOMPLISH THE SPACING SHOWN IN SHRUB BEDS TO WITHIN 3' OF EACH PLANTED SHRUB.

LINEAR ROOT BARRIER SPECIFIED. DO NOT USE PLASTIC BOX BARRIERS.

**NOT FOR BIDDING OR CONSTRUCTION**

THESE DRAWINGS ARE UNDER REVIEW AND SUBJECT TO REVISIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN FINAL DRAWINGS, (INITIALED IN TITLE BLOCK), BEFORE FINALIZING BIDS OR BEGINNING CONSTRUCTION.

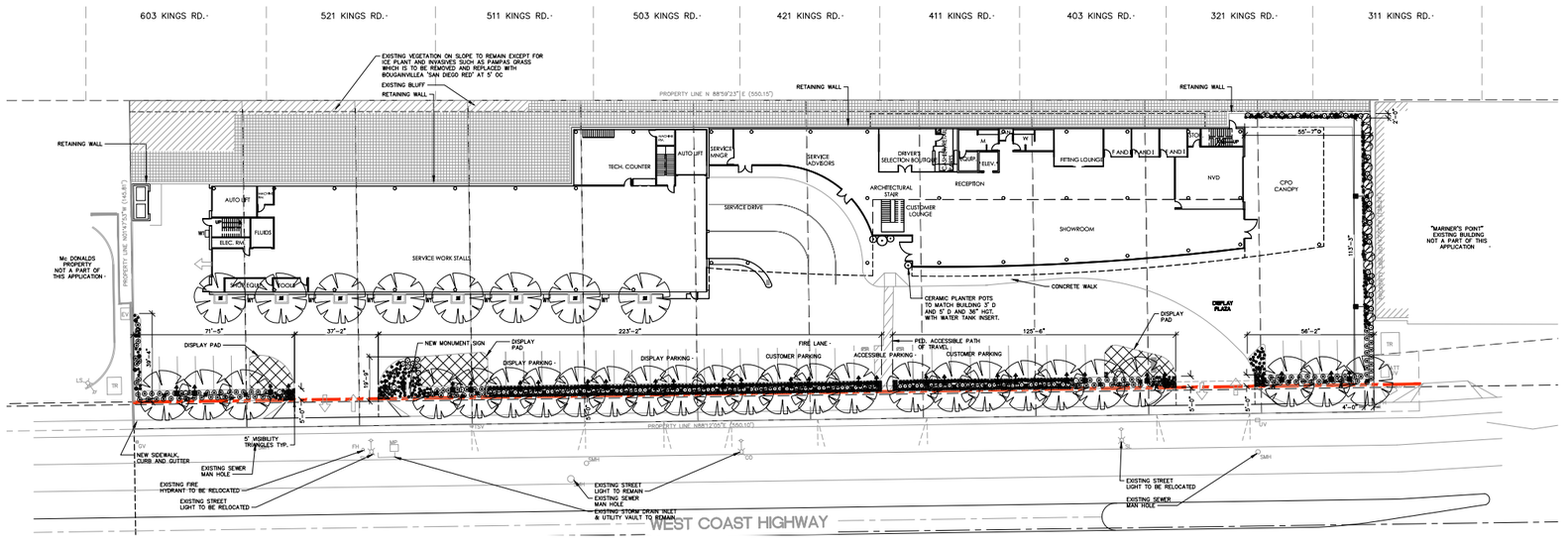
LAVATERA

NASSELLA TENUISSIMA

FESTUCA

WASHINGTONIA

ECHEVERIA




*Source(s): Stantec (05-17-16)*

Figure 3-5

NOT TO SCALE

## LANDSCAPE PLANTING PLAN

### 3.1.6 West Coast Highway Widening

Pursuant to the Circulation Element of the Newport Beach General Plan, the Newport Beach Municipal Code, and the Master Plan of Arterial Highways (MPAH), the City of Newport Beach is requiring the applicant to construct a third westbound lane in West Coast Highway adjacent to the Project site and the two contiguous properties. Under current conditions, the merge from three lanes to two lanes along West Coast Highway occurs near the easterly Project boundary. The Project proposes to dedicate the necessary right-of-way and construct a third westbound lane in West Coast Highway. The new third westbound through lane proposed to be constructed would extend from the Dover Drive / West Coast Highway intersection westward through the Project frontage and merge to two lanes at the western boundary of the neighboring property (McDonald's restaurant). As part of the widening of West Coast Highway, the Project would remove existing landscaping and hardscape improvements within the right-of-way and construct new street improvements including the additional westbound travel lane, curb and gutter, sidewalk, drive approaches, and landscaping across the frontage of the Project Site and the lots that abut the Project Site to the east (Mariner's Pointe) and west (McDonald's restaurant). The widening of West Coast Highway would also include a new 170-foot long median in West Coast Highway that would function to prevent left turns to and from the easterly Project access driveway. Figure 3-6, *General Area to be Disturbed by Proposed West Coast Highway Widening*, shows the general location of the proposed widening of West Coast Highway.

## 3.2 Project Technical Characteristics

### 3.2.1 Demolition

To construct the Project, existing buildings and associated site improvements located on the property would be demolished and cleared from the site. The existing commercial office and retail structures and asphalt/concrete parking areas would be demolished to prepare the site for redevelopment. Demolition activities on-site are projected to generate approximately 4,800 cubic yards of construction debris, which is estimated to require approximately 400 truckloads for debris removal (assuming a hauling capacity of 12 cubic yards per truck). Demolition activities would occur over a period of approximately two weeks (10 working days). Distributed over a 10-day period, debris removal is forecast to result in approximately 40 truckloads per day, or 80 daily (two-way) trips.

The Project's Conceptual Grading Plan is depicted on Figure 3-7, *Conceptual Grading Plan*. The Conceptual Grading Plan identifies proposed elevations for the proposed building outline at grade level, and indicates that the Project's grading operation would excavate 9,300 cubic yards of raw cut during the approximately eight days of the grading phase of Project construction, and would export approximately 9,000 cubic yards of soil. The excavation/grading phase of the Project's construction would require approximately 750 haul trips (188 trips in/out during the 8 days of grading [750 haul trips divided by 8 working days = 94 one-way trips or 188 round trips]).

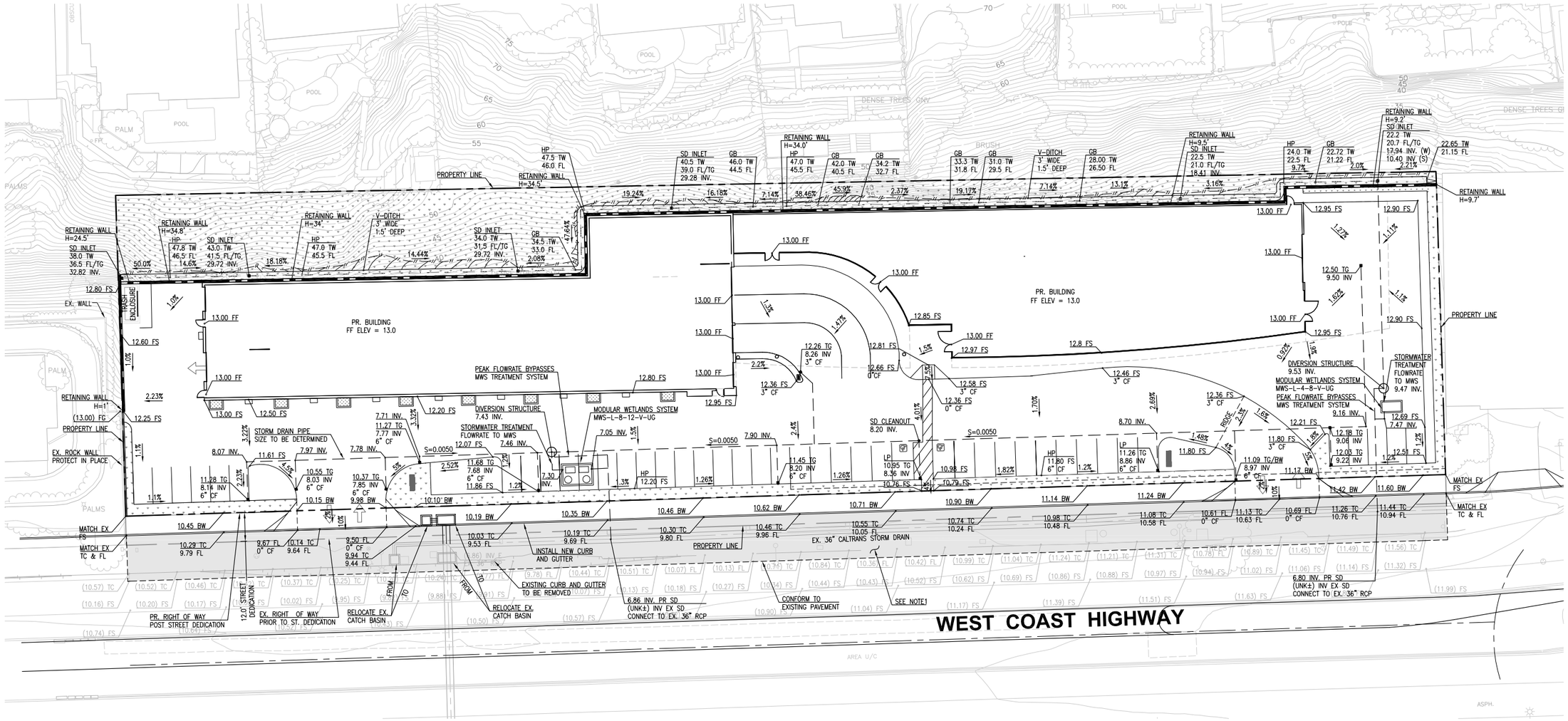
Demolition debris and excavated soils would be disposed of at the Frank R. Bowerman Sanitary Landfill, located at 11002 Bee Canyon Access Road in Irvine (approximately 17.3 roadway miles from the Project Site) (Google Earth Pro, 2016). The Project would be subject to the City's Recycling Service Fee pursuant to Newport Beach Municipal Code Chapter 2.30 (Recycle Service Fee), which assists the City in meeting its 50% solid waste diversion objective. Refer to Section 5.4.17, Utilities and Service Systems, of this document for additional details about solid waste disposal.

### 3.2.2 Conceptual Grading Plan

Figure 3-7, *Conceptual Grading Plan*, identifies proposed elevations for the proposed building outline at grade level. The plan indicates that the Project's grading operation would excavate 9,300 cubic yards of


Figure 3-6

**GENERAL AREA TO BE DISTURBED BY PROPOSED WEST COAST HIGHWAY WIDENING**




## EARTHWORK QUANTITIES

CUT = 9,349 C.Y.
FILL = 252 C.Y.
NET = 9,097 C.Y. (EXPORT)

*Source(s): Stantec (06-02-16)*

Figure 3-7

NOT TO SCALE

## CONCEPTUAL GRADING PLAN

cut, 9,028 cubic yards of which would be exported from the Project Site to the Frank R. Bowerman Landfill in the City of Irvine. The Conceptual Grading Plan also identifies that the Project's access driveways off of West Coast Highway would be 35 feet in width. The final finished building elevation pad is shown as 13 feet amsl. Additionally, the City has imposed a Condition of Approval on the Project to limit simultaneous ground-disturbing construction activities to no more than one acre per day in order to minimize air quality impacts associated with construction of the Project.

### 3.2.3 Anticipated Construction Schedule

The Project Applicant estimates that construction activities associated with the Project would occur over an approximately 12-month duration. Construction would include the following phases: demolition; grading; construction of the retaining wall; installation of underground utilities; rough grading for building pad; construction of shell structure; installation of interior and exterior finishes; site work; street improvements; installation of landscape and irrigation; and installation of furniture and equipment. Construction equipment is expected to operate on the Project Site between six to eight hours per day, from 7:00 AM to 4:00 PM up to six days a week (Monday-Saturday). Refer to Table 3-1, *Construction Duration*, below which shows the construction duration in days by general construction phase. (AutoNation, 2016)

**Table 3-1 Construction Duration**

| Phase Name | Start Date | End Date | Days |
|---|---|---|---|
| Demolition | 01/01/2017 | 01/27/2017 | 20 |
| Site Preparation | 01/28/2017 | 02/02/2017 | 4 |
| Grading | 02/03/2017 | 02/14/2017 | 8 |
| Building Construction | 02/15/2017 | 11/21/2017 | 200 |
| Paving | 11/22/2017 | 12/05/2017 | 10 |
| Architectural Coating | 12/06/2017 | 01/01/2018 | 20 |

Source: (James Campbell, 2016b)

### 3.2.4 Construction Staging

During the demolition and grading phases, all construction equipment would be stored within the Project Site. No off-site staging area for trucks or equipment would be required during construction activities. All construction materials will be stored on-site.

### 3.2.5 Hours of Construction

Construction activities would be restricted to non-holiday weekdays from 7:00 AM to 6:30 PM, per City of Newport Beach Municipal Code § 10.28.040 and in accordance with the Conditions of Approval issued for this Project.

### 3.2.6 Construction Equipment

Table 3-2, *Construction Equipment Usage*, shows the construction equipment that is expected to be used for the Project. To provide a conservative (i.e. worst-case and likely overstated) analysis of potential Project impacts during the construction period, the default equipment mix from the California Emissions Estimator Model (CalEEMod)™ model was used. Based on the small size of the Project Site, the list of equipment is overstated, but is appropriate to assume for CEQA analysis purposes.

**Table 3-2 Construction Equipment Usage**

| Activity | Equipment | Number | Hours Per Day |
|---|---|---|---|
| Demolition | Concrete/Industrial Saws | 1 | 8 |
| | Rubber Tired Dozers | 1 | 8 |
| | Tractors/Loaders/Backhoes | 2 | 8 |
| Site Preparation | Graders | 1 | 8 |
| | Rubber Tired Dozers | 1 | 8 |
| | Tractors/Loaders/Backhoes | 1 | 8 |
| Grading | Graders | 1 | 8 |
| | Rubber Tired Dozers | 1 | 8 |
| | Tractors/Loaders/Backhoes | 1 | 8 |
| Building Construction | Cranes | 1 | 8 |
| | Forklifts | 1 | 8 |
| | Generator Sets | 1 | 8 |
| | Tractors/Loaders/Backhoes | 1 | 8 |
| | Welders | 3 | 8 |
| Paving | Paving Equipment | 1 | 8 |
| | Cement and Mortar Mixers | 1 | 8 |
| | Tractors/Loaders/Backhoes | 1 | 8 |
| | Rollers | 1 | 8 |
| | Pavers | 1 | 8 |
| Architectural Coating | Air Compressors | 1 | 8 |

Source: (James Campbell, 2016b)

### 3.2.7 Construction Employees and Construction Employee Parking

The total number of construction personnel at the site would vary depending on the construction activity. It is expected that there would be an average of 10 workers daily at the Project Site during the site work and construction activities. Construction workers would park at an off-site parking area location to be determined prior to the commencement of construction and would be shuttled to and from the Project Site during the construction period.

### 3.2.8 Demolition Hauling Routes and Construction Materials Delivery Routes

The proposed Project would require the hauling of demolition materials from the Project Site to regional destinations outside of the City of Newport Beach, and would require the hauling of construction materials and equipment to/from the Project Site. Materials and equipment are anticipated to be hauled to and from the Project Site via the proposed haul route described below, which would be subject to final review and approval by the City's Traffic Engineer.

The proposed haul route would provide access to and from the Project Site to the SR-55 freeway to the west and north of the Project Site. The haul route (reversed for trucks delivering equipment and materials to the Project Site) would exit the Project Site and travel west along West Coast Highway, and northeast along Newport Boulevard to the SR-55 freeway.

The majority of the haul trucks that would access the Project Site during demolition and site development activities (through the completion of the building foundation) would be dump trucks, cement mixers, and cement boom pumps. Construction of the superstructure and interiors of the proposed building during the later construction phases would primarily require the use of flat-bed delivery trucks and smaller delivery vehicles such as cargo vans. The construction contractor would utilize a flag person during the construction period at the construction vehicle access point in order to prevent obstruction of through traffic lanes adjacent to the Project Site.

### 3.2.9 Off-Site Improvements

As previously discussed in subsection 3.1.6, the Project proposes the addition of a third northernmost travel lane (westbound) in West Coast Highway along the Project Site's frontage and two contiguous properties (Mariner's Pointe Shopping Center to the east and McDonald's property to the west)..The Project also proposes connections to the existing electricity, sanitary sewer, fire hydrants, water, and gas utilities located in the West Coast Highway ROW that abuts the southern boundary of the Project Site.

### 3.2.10 Temporary Roadway Lane Closures

The restriping or the temporary closure of the northernmost westbound lane along West Coast Highway along the Project Site's frontage and frontages of the abutting lots (Mariner's Pointe Shopping Center to the east and McDonald's property to the west) may be periodically required during the construction period in order to accommodate the unloading of construction materials from the street if the Project Site cannot accommodate the size of the delivery trucks. The temporary lane closure of the northernmost westbound lane along West Coast Highway may also be required to accommodate crane erection/dismantling, lifting of mechanical pack units, and public street and right-of-way improvements such as curb, asphalt, sidewalks and landscaping. These partial roadway lane closures would only require the closure of up to one traffic lane at any given time; no complete roadway closures would be required.

The widening of West Coast Highway (described in subsections 3.1.6 and 3.2.9 above) would also likely require temporary roadway and sidewalk closures. A Construction Management and Traffic Control Plan which conforms to the applicable City of Newport Beach and Caltrans requirements would be required to be prepared by the Project Applicant and approved by the City of Newport Beach and Caltrans prior to issuance of building permits and/or encroachment permits associated with improvements within West Coast Highway. The Construction Management and Traffic Control Plan would identify whether restriping of lanes would be required (in order to avoid lane closures) and other specific measures intended to minimize safety hazards and traffic disruptions along public roadways during any temporary roadway lane closures. Traffic control during lane closures would be coordinated with Caltrans, the City of Newport Beach Police Department, Public Works Department, Traffic, and Development Services Division. During construction activities, temporary closure of portions of the sidewalk located along the northern side of West Coast Highway would occur. The Construction Management and Traffic Control Plan would specify routing of pedestrian traffic during sidewalk closures, which may include routing pedestrian traffic to the existing sidewalk along the south side of West Coast Highway, or providing a minimum width walkway and/or bike path through the construction area that would likely include the installation of a K-rail barrier and construction fences. Additionally, temporary closure of the Orange County Transportation Agency (OCTA) bus stop located near the southeasterly Project Site boundary would be required during the construction of West Coast Highway widening improvements in the vicinity of the bus stop location. During preparation of the Construction Management and Traffic Control Plan, the Project Applicant would be required to solicit input from OCTA regarding temporary closure and/or relocation of the bus stop.

### 3.2.11 Fire Hydrant Plan (Fire Protection)

The Project is designed to comply with the City's fire protection requirements. The Project would utilize the three existing off-site public fire hydrants located along West Coast Highway (1) along the southwestern boundary of the Project Site in front of the 600 West Coast Highway building, (2) along the southeast Project boundary, and (3) to the east of the Project Site in front of the neighboring Mariner's Pointe shopping center. The City of Newport Beach Fire Department has reviewed the Project's plans and determined that the three existing fire hydrant locations and flows would be sufficient to serve the Project (Susan Guzzetta [Newport Beach Fire], 2016).

## 3.3 Project Operational Characteristics

As discussed throughout this document, the proposed Project entails the construction of a 37,347 s.f. Porsche automobile dealership which would support sales, servicing, and detailing of vehicles, as well as other customer service-related activities. According to Project application materials, anticipated hours of operation at the dealership would be 7:00 AM to 9:00 PM Monday through Friday, 8:00 AM to 7:00 PM on Saturdays, and 8:00 AM to 6:00 PM on Sundays. Approximately 40 employees would be located on-site throughout a typical work day during the operation of the Project. The dealership would allow customers to test drive vehicles along a proposed test drive route that would travel north along West Coast Highway to Brookhurst Street, at which point drivers would make a U-turn and return to the dealership by driving south along West Coast Highway.

## 3.4 Proposed Discretionary Approvals

The anticipated discretionary approvals for the Project are described below.

### 3.4.1 Site Development Review No. SD2015-002

Site Development Review No. SD2015-002 is required to fulfill the requirements of Newport Beach Municipal Code § 20.52.080 (Site Development Reviews) because the Project would consist of a non-residential construction of greater than 20,000 square feet of gross floor area. The purpose of the Site Development Review is to review the Project plans for consistency with the applicable development standards of the City of Newport Beach Zoning Code. According to Newport Beach Municipal Code § 20.52.080, the authority to approve the Site Development Review rests with the City of Newport Beach Planning Commission. (City of Newport Beach, 2016b, Section 20.52.080)

Figure 3-1, *Proposed Site Plan*, identifies the location and orientation of the building and required property line setbacks. As shown, the Project includes one multi-story automobile dealership building. The Site Plan identifies that the building would include 37,347 s.f. of usable floor space. The Project would include 79 parking spaces (79 stalls required) for customers and employees, and 94 vehicle inventory/display spaces. Thus, the Project would meet the City's parking requirement.

The Project Site is located within the "Shoreline Height Limit Area", which allows for a base building height limit of 26 feet for nonresidential and mixed-use structures with flat roofs, and a base height limit of 31 feet for structures with sloped roofs. Height limits established by the zoning code require a measurement from grade. Due to site topography, the established grade of the Project Site is approximately 26 feet higher at the northerly boundary (near the adjacent slope) than the southerly boundary of the property, near West Coast Highway. This adjustment to grade is reflected on the site plan, which specifies a base grade of 30.58 amsl.

The Project's Site Development Review Application proposes a building with a flat roof that would extend to a maximum building height (including rooftop appurtenances) of 46.8 feet above the finished floor level.

The tallest point of the roof is represented by the top of the parapet at the auto-lift/stair tower on the western portion of the rooftop. Per § 20.30.060.C of the Newport Beach Municipal Code, the height of a flat-roofed structure may be increased by up to a maximum of 35 feet above the base height limit of 26 feet (for a total maximum height of 61 feet) through the approval of a Site Development Permit when all applicable required findings are met in compliance with § 20.30.060.C(3) (City of Newport Beach, 2016b). During the City's review of the proposed Project's Site Development Review Application, the City Community Development Department, Planning Division, reached the following required findings pursuant to § 20.30.060.C(3) of the Newport Beach Municipal Code to allow the building height to exceed the applicable 26-foot base height limit:

A. The Project Applicant is providing additional Project amenities beyond those that are otherwise required. Examples of Project amenities include, but are not limited to:
   i. Additional landscaped open space;
   ii. Increased setback and open areas;
   iii. Enhancement and protection of public views; and
B. The architectural design of the Project provides visual interest through the use of light and shadow, recessed planes, vertical elements, and varied roof planes;
C. The increased height will not result in undesirable or abrupt scale changes or relationships being created between the proposed structure(s) and existing adjacent developments or public spaces. Where appropriate, the proposed structure(s) provides a gradual transition to taller or shorter structures on abutting properties; and
D. The structure will have no more floor area than could have been achieved without the approval of the height increase.

### 3.4.2 Conditional Use Permit No. UP2015-025

In accordance with Newport Beach Municipal Code § 20.20.020, the Project is required to obtain a Conditional Use Permit (CUP) in order to operate a general car sales establishment within the CG zoning district (City of Newport Beach, 2016b, § 20.20.020). The purpose of a CUP is to provide a process for reviewing uses and associated operational characteristics that may be appropriate in the applicable zoning district, but whose effects on a site and surroundings cannot be determined before being proposed for a specific site (City of Newport Beach, 2016b, § 20.52.020). In accordance with Newport Beach Municipal Code § 20.52.020, the Planning Commission would review and issue approval for the CUP (City of Newport Beach, 2016b, § 20.52.020).

### 3.4.3 Newport Parcel Map No. NP2015-010

Under existing conditions, the Project Site consists of one parcel (APN 049-280-86) comprised of 11 individual lots (Lots 7 to 17). The proposed Newport Parcel Map No. NP2015-010 would combine these 11 contiguous lots into one lot in order to accommodate the proposed automobile sales use within the Project Site.

### 3.4.4 Approvals Required from Other Agencies

The Project would require a National Pollutant Discharge Elimination System (NPDES) Permit from the Santa Ana Regional Water Quality Control Board (RWQCB) because NPDES permits apply to construction sites of one acre or more, and Project construction would disturb more than one acre of land. Because the proposed Project would involve the storage and use of hazardous materials related to vehicle servicing activities, the relevant hazardous materials permits and approvals are required to be procured from the City of Newport Beach Fire Department (serves as the Certified Unified Protection Agency [CUPA] within the City of Newport Beach) and South Coast Air Quality Management District (SCAQMD).

Previous environmental assessments performed at the Project Site discuss the potential presence of an underground storage tank (UST) that was installed at the Site in 1959 for which no evidence of removal exists. A Phase II environmental site assessment (ESA) was conducted at the Project Site in April 2015 to locate the UST, which involved the performance of a geophysical survey at the property, as well as soil sampling in the estimated vicinity of the historical UST location. The Phase II did not uncover evidence of an existing UST at the Project Site. In the case that a UST is encountered during excavation and grading activities, the Applicant would be required to contact the City of Newport Beach Fire Department to ensure that proper procedures are followed regarding notification, permitting, and oversight related to the removal and disposal of the UST. (JHA, 2015a; JHA, 2015b)

The Project would be required to obtain approvals from the California Department of Transportation (CalTrans) for design and construction of all planned improvements within the West Coast Highway right-of-way. This includes improvements pertaining to pavement, lane markings, curb and gutter, sidewalks, driveway approaches, signs, median, storm drains, street lights, and other utilities.

This MND was prepared based on the Project application materials on file with the City of Newport Beach, but is intended to cover all permits and approval actions required for implementation of the Project, including but not limited to those discussed above.

## 3.5 Existing Environmental Characteristics

### 3.5.1 Air Quality

The City of Newport Beach is located within the South Coast Air Basin (SCAB, or "Basin"), which is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The climate of Southern California found in the Newport Beach area of the SCAB is described as a Mediterranean-type climate characterized by long warm summers and moderate winters with moderate precipitation and a maritime influence giving a marine layer and a temperature inversion layer. The coastal areas of the SCAB, including the Project Site, have better air quality than inland portions of the Basin. Regardless, the SCAQMD reports a severe air pollution problem in the SCAB as a consequence of the combination of emissions and meteorological conditions which are adverse to the dispersion of those emissions. In the SCAB, high concentrations of ozone (O3) are normally recorded during the spring and summer months, while high concentrations of carbon monoxide (CO) are generally recorded in late fall and winter. High particulate matter concentrations can occur throughout the year, but occur most frequently in the fall and winter.

### 3.5.2 Topography, Geology and Soils

Under existing conditions, the Project Site is developed with commercial uses and sits at an elevation of approximately 12 to 61 feet above mean sea level (amsl). With the exception of the steep south-facing slope that occupies the northernmost portion of the Project Site, the topography in the majority of the site is relatively flat, with a slight slope to the southwest toward Newport Bay. (Stantec, 2015a, p. 7)

Holocene deposits consisting of unconsolidated sand, silt, and clay compose the surficial geology of the region. The sloped northern portion of the Project Site is underlain by middle Miocene age siltstone facies consisting of massive to crudely bedded and friable white to gray siltstone and mudstone.

Southern California is a seismically active area and properties in the City of Newport Beach, including the Project Site, are subject to periodic ground shaking and other effects from earthquake activity. The Project Site is not located within an Alquist-Priolo earthquake fault zone, so there is no potential for ground rupture at the site. Faults zones in the regional vicinity are shown on General Plan EIR Figure 4.5-1, *Regional Faults* (City of Newport Beach, 2006b, Figure 4.5-1), and the potential exists for moderate ground

shaking in the City of Newport Beach. The nearest fault to the Project Site is the Newport-Inglewood (L.A. basin) fault, which is located approximately 1.2 miles away and has a maximum moment magnitude of 7.5 (Stantec, 2015a, p. 9).

During the geotechnical investigation conducted at the Project Site by Stantec in March 2015, near surface soils (0 to 36 feet below ground surface [bgs]) were observed to generally consist of sand, silt and silty sand. Additionally, a layer of clay was observed on the eastern portion of the Project Site at intervals of approximately 6 to 9 feet bgs and 13 to 31 feet bgs. The soil material was found to have low expansion potential with presence of artificial fill and is relatively loose near the surface. Groundwater was encountered at the Project Site at depths of 6 to 7 feet bgs. (Stantec, 2015a, Appendix A)

### 3.5.3 Hydrology

Under existing conditions, storm water runoff from the Project Site generally sheet flows south out of the four entrance driveways that span the length of the Project Site, and into the public street gutter. The storm water runoff flows westward in the street gutter before being intercepted by a catch basin located near 600 West Coast Highway. The runoff is then conveyed to an existing 36-inch reinforced concrete pipe located on the north side of West Coast Highway that is maintained by CalTrans and discharges to Newport Bay. There is no existing storm drain system onsite. The Project Site receives storm water run-on from the slope located to the adjacent north of the Project Site. The slope runoff flows in the direction of the Project Site and primarily percolates into the ground. No existing drainage facility is in place to accommodate runoff from the adjacent slope. (Stantec, 2015b, p. 4)

### 3.5.4 Biological Resources

With the exception of the vegetated sloped area on the northern portion of the Project Site, the Site is fully developed with existing buildings, surface parking lots, ornamental landscaping, and hardscape. As indicated in the City of Newport Beach General Plan EIR, the Project Site is not identified as containing any sensitive biological resources and is not located within any Environmental Study Areas that have the potential to support sensitive biological resources (Newport Beach, 2006b, pp. 4.3-10 and Figures 4.3-1 and 4.3-2).

### 3.5.5 Historical, Archaeological, and Paleontological Resources

According to General Plan EIR Figure 4.4-1, the Project Site is not identified as containing any historical resources (City of Newport Beach, 2006b, Figure 4.4-1). None of the Project Site's features are included on the National Register of Historic Places, the California Register of Historical Resources, or the California Historic Resources Information System. Additionally, the Project Site is not listed as a Locally Recognized Resource in the City Register, nor is it listed in the Historic Resource Inventory complied by the Newport Beach Ad Hoc Historic Preservation Advisory Committee (AHHPAC). (City of Newport Beach, 2006b; AHHPAC, 1992)

According to the General Plan EIR, the Project Site also is not located within a portion of the City that is identified as having the potential to contain fossil-bearing soils or rock formations. (City of Newport Beach, 2006b, p. 4.4-17)

### 3.5.6 Rare and Unique Resources

As required by CEQA Guidelines Section 15125(c), "Special emphasis should be placed on resources that are rare or unique to that region and would be affected by the project." Based on the Project Site's existing condition and developed nature, the proposed Project Site does not contain any resources that are rare or unique to the region.

# 4.0 Project Information

## 1. Project Title

AutoNation Porsche of Newport Beach

## 2. Lead Agency Name and Address

City of Newport Beach
Community Development Department
Planning Division
100 Civic Center Drive (P.O. Box 1768)
Newport Beach, CA 92658-8915

## 3. Contact Person and Phone Number

James Campbell, City of Newport Beach Principal Planner (949) 644-3210

## 4. Project Location

The Project Site is located north of West Coast Highway between Dover Drive and Tustin Avenue in the City of Newport Beach, California. Specifically, the Project Site comprises 1.79 acres of land developed with commercial uses.

## 5. Project Applicant

AutoNation
200 Southwest 1st Avenue, 14th Floor
Fort Lauderdale, Florida 33301

## 6. General Plan Designation

General Commercial (CG 0.3/0.5 FAR)

## 7. Zoning

General Commercial (CG 0.3/0.5 FAR)

## 8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the Project, and any secondary, support, or off-Site features necessary for its implementation. Attach additional sheets if necessary.)

Please refer to Section 3.0 for a detailed description of the proposed Project.

## 9. Surrounding Land Uses and Setting: Briefly describe the Project's surroundings:

As previously discussed in Section 2.0 and presented in Figure 2-4, the Project Site is bounded on the north by a residential neighborhood, on the east by a commercial retail shopping center ("Mariner's Pointe") and Dover Drive; to the south by West Coast Highway, the Bayshores residential neighborhood, and Lower Newport Bay; and to the west by commercial land uses, including restaurants, shopping centers, and car dealerships.

## 10. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement)

| Public Agency | Approvals and Decisions |
|---|---|
| Regional Water Quality Control Board (RWQCB) | • Issuance of National Pollutant Discharge Elimination System (NPDES) Construction Storm Water General Permit |
| California Department of Transportation (CalTrans) | • Issuance of roadway closure permits<br>• Issuance of encroachment permits<br>• Approval of plans and issuance of permits required to construct additional westbound lane in West Coast Highway |

# 5.0 Environmental Checklist and Environmental Analysis

## 5.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less than Significant with Mitigation Incorporated," as indicated by the checklist on the following pages. There were no issues identified as a "Potentially Significant Impact."

| | | |
|---|---|---|
| ☒ Aesthetics | ☐ Agriculture and Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☒ Cultural Resources | ☐ Geology/Soils |
| ☐ Greenhouse Gas Emissions | ☒ Hazards & Hazardous Materials | ☐ Hydrology/ Water Quality |
| ☐ Land Use and Planning | ☐ Mineral Resources | ☐ Noise |
| ☐ Population and Housing | ☐ Public Services | ☐ Recreation |
| ☐ Transportation/ Traffic | ☐ Utilities/ Service Systems | ☒ Mandatory Findings of Significance |

## 5.2 Determination (To Be Completed By the Lead Agency)

On the basis of this initial evaluation:

| | |
|---|---|
| I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | ☐ |
| I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. | ☒ |
| I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. | ☐ |
| I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. | ☐ |
| I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. | ☐ |

J WCampbell 7/7/2016

Submitted by: James Campbell, City of Newport Beach Principal Planner (Signature) Date

## 5.3 City of Newport Beach Environmental Checklist Summary

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **I. AESTHETICS** | | | | | |
| 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 buildings 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 which would adversely affect day or nighttime views in the area?* | ☐ | ☑ | ☐ | ☐ |
| | | | | | |
| **II. AGRICULTURE AND FOREST RESOURCES** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* | ☐ | ☐ | ☐ | ☑ |
| *b)* | *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* | ☐ | ☐ | ☐ | ☑ |
| *c)* | *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?* | ☐ | ☐ | ☐ | ☑ |
| *d)* | *Result in the loss of forest land or conversion of forest land to non-forest use?* | ☐ | ☐ | ☐ | ☑ |
| e) | *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?* | ☐ | ☐ | ☐ | ☑ |
| | | | | | |
| **III. AIR QUALITY** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Conflict with or obstruct implementation of the applicable air quality plan?* | ☐ | ☐ | ☑ | ☐ |

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| *b)* | *Violate any air quality standard or contribute to an existing or projected air quality violation?* | ☐ | ☐ | ☑ | ☐ |
| *c)* | *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?* | ☐ | ☐ | ☑ | ☐ |
| *d)* | *Expose sensitive receptors to substantial pollutant concentrations?* | ☐ | ☐ | ☑ | ☐ |
| *e)* | *Create objectionable odors affecting a substantial number of people?* | ☐ | ☐ | ☑ | ☐ |
| | | | | | |
| **IV. BIOLOGICAL RESOURCES** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?* | ☐ | ☐ | ☐ | ☑ |
| *b)* | *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?* | ☐ | ☐ | ☐ | ☑ |
| *c)* | *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* | ☐ | ☐ | ☐ | ☑ |
| *d)* | *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery Sites?* | ☐ | ☐ | ☐ | ☑ |
| *e)* | *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* | ☐ | ☐ | ☑ | ☐ |
| *f)* | *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?* | ☐ | ☐ | ☐ | ☑ |

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **V.** | **CULTURAL RESOURCES** | | | | |
| Would the Project: | | | | | |
| *a)* | *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?* | ☐ | ☐ | ☑ | ☐ |
| *b)* | *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?* | ☐ | ☑ | ☐ | ☐ |
| *c)* | *Directly or indirectly destroy a unique paleontological resource or Site or unique geologic feature?* | ☐ | ☑ | ☐ | ☐ |
| *d)* | *Disturb any human remains, including those interred outside of formal cemeteries?* | ☐ | ☐ | ☑ | ☐ |
| *e)* | *Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code § 21074?* | ☐ | ☑ | ☐ | ☐ |
| **VI.** | **GEOLOGY AND SOILS** | | | | |
| Would the Project: | | | | | |
| *a)* | *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:* | ☐ | ☐ | ☑ | ☐ |
| | *i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.* | ☐ | ☐ | ☑ | ☐ |
| | *ii) Strong seismic ground shaking?* | ☐ | ☐ | ☑ | ☐ |
| | *iii) Seismic-related ground failure, including liquefaction?* | ☐ | ☐ | ☑ | ☐ |
| | *iv) Landslides?* | ☐ | ☐ | ☑ | ☐ |
| *b)* | *Result in substantial soil erosion or the loss of topsoil?* | ☐ | ☐ | ☑ | ☐ |
| *c)* | *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-Site landslide, lateral spreading, subsidence, liquefaction or collapse?* | ☐ | ☐ | ☑ | ☐ |
| *d)* | *Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?* | ☐ | ☐ | ☐ | ☑ |

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| e) | *Have soils incapable of adequately supporting the use septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?* | ☐ | ☐ | ☐ | ☑ |
| | | | | | |
| **VII. GREENHOUSE GAS EMISSIONS** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* | ☐ | ☐ | ☑ | ☐ |
| *b)* | *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?* | ☐ | ☐ | ☐ | ☑ |
| | | | | | |
| **VIII. HAZARDS AND HAZARDOUS MATERIALS** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?* | ☐ | ☑ | ☐ | ☐ |
| *b)* | *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?* | ☐ | ☑ | ☐ | ☐ |
| *c)* | *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* | ☐ | ☐ | ☐ | ☑ |
| *d)* | *Be located on a Site which is included on a list of hazardous materials Sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* | ☐ | ☐ | ☐ | ☑ |
| *e)* | *For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* | ☐ | ☐ | ☐ | ☑ |
| *f)* | *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?* | ☐ | ☐ | ☐ | ☑ |
| *g)* | *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* | ☐ | ☐ | ☐ | ☑ |

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| *h)* | *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?* | ☐ | ☐ | ☐ | ☑ |
| | | | | | |
| **IX. HYDROLOGY AND WATER QUALITY** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Violate any water quality standards or waste discharge requirements?* | ☐ | ☐ | ☑ | ☐ |
| *b)* | *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?* | ☐ | ☐ | ☑ | ☐ |
| *c)* | *Substantially alter the existing drainage pattern of the Site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-Site?* | ☐ | ☐ | ☑ | ☐ |
| *d)* | *Substantially alter the existing drainage pattern of the Site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-Site?* | ☐ | ☐ | ☑ | ☐ |
| *e)* | *Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?* | ☐ | ☐ | ☑ | ☐ |
| *f)* | *Otherwise substantially degrade water quality?* | ☐ | ☐ | ☑ | ☐ |
| *g)* | *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?* | ☐ | ☐ | ☐ | ☑ |
| *h)* | *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?* | ☐ | ☐ | ☐ | ☑ |

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| *i)* | *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?* | ☐ | ☐ | ☐ | ☑ |
| *j)* | *Inundation by seiche, tsunami, or mudflow?* | ☐ | ☐ | ☑ | ☐ |
| | | | | | |
| **X. LAND USE AND PLANNING** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Physically divide an established community?* | ☐ | ☐ | ☐ | ☑ |
| *b)* | *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?* | ☐ | ☐ | ☑ | ☐ |
| *c)* | *Conflict with any applicable habitat conservation plan or natural community conservation plan?* | ☐ | ☐ | ☐ | ☑ |
| | | | | | |
| **XI. MINERAL RESOURCES** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* | ☐ | ☐ | ☐ | ☑ |
| *b)* | *Result in the loss of availability of a locally-important mineral resource recovery Site delineated on a local general plan, specific plan, or other land use plan?* | ☐ | ☐ | ☐ | ☑ |
| | | | | | |
| **XII. NOISE** | | | | | |
| Would the project result in: | | | | | |
| *a)* | *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* | ☐ | ☐ | ☑ | ☐ |
| *b)* | *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* | ☐ | ☐ | ☑ | ☐ |
| *c)* | *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?* | ☐ | ☐ | ☑ | ☐ |
| *d)* | *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* | ☐ | ☐ | ☑ | ☐ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| e) *For a project located within an airport land use land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* | ☐ | ☐ | ☐ | ☑ |
| f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?* | ☐ | ☐ | ☐ | ☑ |
| | | | | |
| **XIII. POPULATION AND HOUSING** | | | | |
| Would the Project: | | | | |
| a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* | ☐ | ☐ | ☐ | ☑ |
| b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* | ☐ | ☐ | ☐ | ☑ |
| c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* | ☐ | ☐ | ☐ | ☑ |
| | | | | |
| **XIV. PUBLIC SERVICES** | | | | |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| *Fire protection?* | ☐ | ☐ | ☐ | ☑ |
| *Police protection?* | ☐ | ☐ | ☐ | ☑ |
| *Schools?* | ☐ | ☐ | ☐ | ☑ |
| *Other public facilities?* | ☐ | ☐ | ☐ | ☑ |
| | | | | |
| **XV. RECREATION** | | | | |
| a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* | ☐ | ☐ | ☐ | ☑ |
| b) *Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment?* | ☐ | ☐ | ☐ | ☑ |
| | | | | |
| **XVI. TRANSPORTATION/TRAFFIC** | | | | |
| Would the Project: | | | | |

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| *a)* | *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?* | ☐ | ☐ | ☑ | ☐ |
| *b)* | *Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?* | ☐ | ☐ | ☐ | ☑ |
| *c)* | *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?* | ☐ | ☐ | ☐ | ☑ |
| *d)* | *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* | ☐ | ☐ | ☑ | ☐ |
| *e)* | *Result in inadequate emergency access?* | ☐ | ☐ | ☑ | ☐ |
| *f)* | *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities?* | ☐ | ☐ | ☐ | ☑ |
| | | | | | |
| **XVII. UTILITIES & SERVICE SYSTEMS** | | | | | |
| Would the Project: | | | | | |
| *a)* | *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* | ☐ | ☐ | ☑ | ☐ |
| *b)* | *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* | ☐ | ☐ | ☐ | ☑ |
| *c)* | *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* | ☐ | ☐ | ☐ | ☑ |
| *d)* | *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* | ☐ | ☐ | ☑ | ☐ |

| | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|---|
| e) | *Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* | ☐ | ☐ | ☑ | ☐ |
| f) | *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?* | ☐ | ☐ | ☑ | ☐ |
| g) | *Comply with federal, state, and local statutes and regulation related to solid waste?* | ☐ | ☐ | ☑ | ☐ |
| | | | | | |
| **XVIII.** | **MANDATORY FINDINGS OF SIGNIFICANCE** | | | | |
| a) | *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?* | ☐ | ☑ | ☐ | ☐ |
| b) | *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)* | ☐ | ☐ | ☑ | ☐ |
| c) | *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?* | ☐ | ☑ | ☐ | ☐ |

## 5.4 Evaluation of Environmental Impacts

### 5.4.1 Aesthetics

Existing Visual Setting

Figure 5-1, *Site Photo Key Map*, along with Site photographs shown on Figure 5-2 through Figure 5-4, depict the existing conditions of the Project Site as viewed from within the Site and from the surrounding area. Additionally, Figure 5-5, *Site Photographs 11-12 (Off-Site Impact Areas)*, provides views of the off-Site areas that would be affected by the addition of a third westbound lane in West Coast Highway that would extend along the frontages of the Project Site and abutting lots. As depicted on Site Photos 1 through 10, the Project Site is developed with six commercial retail buildings collectively totaling approximately 11,660 square feet of building space. Asphalt-paved surface parking lots are located throughout the Project Site between building footprints, and a vegetated slope (ranging in height from approximately 49.5 feet to 64.4 feet) occupies a strip of land along the northern portion of the Project Site. The slope provides a buffer between the existing on-Site commercial uses and off-Site single-family residential homes located to the north of the Project Site. The slope located on-Site and to the adjacent north of the Site is supported by a retaining wall running in an east-west orientation that ranges in height from approximately 2 to 12 feet. Curb-adjacent sidewalks and streetlights are located within the public sidewalk ROW that runs along the Project Site's frontage with West Coast Highway. One street tree (eucalyptus) is located on the portion of the public sidewalk ROW to the south of the 400 West Coast Highway property.

Public views of the Project Site are available primarily from passing motorists and pedestrians traveling on West Coast Highway. As shown on Figure 5-2 through Figure 5-4, views of the Site experienced from the West Coast Highway ROW mostly consist of the existing building frontages, landscaping, signage and parking lots. Intervening topography and existing development restrict views of the Project Site from public viewing points to the north, west, and east. Views of the Project Site from West Coast Highway include the vegetated slope and the bluff-top residences to the adjacent north as the backdrop. Although views of the Project Site from private property are available from the rear of residential properties to the north of the Project Site, effects to private views are not a subject of consideration in this MND because the City's General Plan calls for the protection of public views (refer to General Plan Policies NR 20.1, NR 20.2, and NR 20.3) and the City does not have any ordinances or policies in place that protect views from privately-owned property. A description of the visual appearance of each of the six properties that comprise the Project Site is included in the sections below, and is based on observations and photographs taken during a Site visit conducted by T&B Planning on February 26, 2016.

As shown on Site Photograph #6 on Figure 5-3, *Site Photographs 4-6*, a single-story commercial retail building fronting West Coast Highway occurs on the eastern portion of the Project Site (320 West Coast Highway), which is presently occupied by a consignment store ("The Find"). The building that occurs on the 320 West Coast Highway property has a minimal setback from the existing sidewalk, and is characterized by masonry walls and a wood-framed pergola located along the south-facing building façade.

As shown on Site Photographs #4 and #5 on Figure 5-3, the existing single-story commercial retail building located at 400 West Coast Highway that fronts West Coast Highway features a minimal setback from the public ROW, and is also occupied by "The Find" consignment store. The structure is characterized by a "folded plate" roof profile, resembling a mid-century architectural design style. The building also features roof-mounted tenant signage. There is one street tree, *Eucalyptus citriodora* (lemon-scented gum) located within the portion of the sidewalk to the immediate south of the 400 West Coast Highway property, which would be removed as part of Site redevelopment. At the time of the Site visit, potted ornamental landscaping and patio furniture were observed to occur along the exterior portions of both of the existing retail buildings located at 320 and 400 West Coast Highway.


Figure 5-1

0 43.75 87.5 175 Feet

## SITE PHOTO KEY MAP

Site Photograph #1

Site Photograph #2

Site Photograph #3

Figure 5-2

NOT TO SCALE

**SITE PHOTOGRAPHS 1-3**

Site Photograph #4

Site Photograph #5

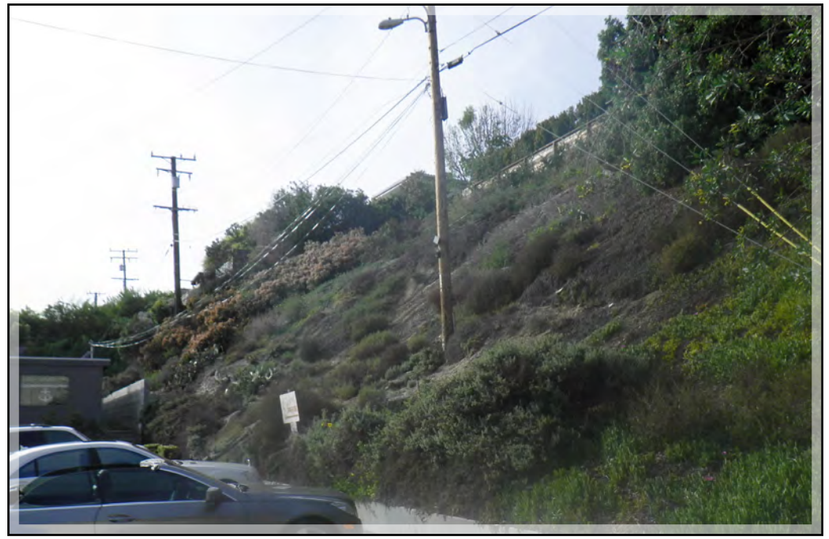
Site Photograph #6

Figure 5-3

NOT TO SCALE

**SITE PHOTOGRAPHS 4-6**

Site Photograph #7



Site Photograph #9

Site Photograph #8


Site Photograph #10

Figure 5-4

NOT TO SCALE

**SITE PHOTOGRAPHS 7-10**

Site Photograph #11

(Off-Site Frontage West of Project Site)


Site Photograph #12

(Off-Site Frontage East of Project Site)

Figure 5-5

NOT TO SCALE

**SITE PHOTOGRAPHS 11-12 (OFF-SITE IMPACT AREAS)**

An L-shaped multi-tenant commercial office/retail building ("The Shops at The Cove") occurs on the central portion of the Project Site located at 410 West Coast Highway (see Photograph #10 on Figure 5-4). The southern portion of the building is single-story, and is occupied by retail tenants, while the northern portion of the building is two-story, and occupied by office tenants. The building is characterized by a flat roof profile.

A single-story commercial retail building occupies the central portion of the Project Site located at 430 West Coast Highway, which houses "La Tavola," a linen and party rental business. This building is characterized by a flat roof profile (with the exception of a dark gray masonry appurtenance), large windows framed by black metal mullions, and a black and white striped fabric awning. The building has a minimal setback from the public ROW, and features a small red brick landscaped planters along its south-facing wall. The building also features roof-mounted tenant signage.

A single-story commercial retail building occurs on the west-central portion of the Project Site located at 500 West Coast Highway, which is occupied by a dog food store, "Just Food for Dogs." The building is characterized by a flat roof profile (with the exception of rooftop mechanical equipment appurtenances), that partially cantilevers over the public sidewalk ROW. Masonry steps provide access to the building entrance located on the southeast portion of the building. The building setback is minimal (approximately 2 feet) and landscaping is provided between the building and the public sidewalk ROW. The building also features roof-mounted tenant signage.

A classic European used car dealership ("European Collectibles on PCH") operates at 600 West Coast Highway, and consists of a single-story showroom/office building with an asphalt-paved parking lot surrounding the building footprint (see Photograph #7 on Figure 5-4). The existing automobile dealership structure resembles a mid-century modern architectural design, and is characterized by exposed steel beam framework encasing large glass window panes and a low-pitched front-facing gable roof that protrudes outward toward Coast Highway. The property also a landscaped strip between the building outline and the public sidewalk ROW, as well as pole-mounted tenant signage along its frontage with West Coast Highway. Pole-mounted security lights are located throughout the parking areas surrounding the existing car dealership building. At the time of the Site visit, a storage trailer was observed behind the existing automobile structure on the northern portion of the parking lot.

The Natural Resources Element of the City's General Plan identifies goals and policies for the protection of visual resources within the City. There are no officially designated scenic vistas within the City of Newport Beach (City of Newport Beach, 2006b, p. 4.1-13). Figure NR3, *Coastal Views*, of the City's General Plan shows the closest Coastal View Roads to the Project Site are the segments of West Coast Highway between (1) Jamboree Road and Dover Drive, and (2) between Newport Boulevard and Marino Drive (Bayshores) (City of Newport Beach, 2006a, Figure NR3). The segment of West Coast Highway that fronts the Project Site is not designated as a Coastal View Road, and views of Newport Bay and the Pacific Ocean from this roadway segment are blocked by intervening development.

Additionally, the City provides policies in the Municipal Code and Local Coastal Plan that protect "public views", which is defined as views from public vantage points (City of Newport Beach, 2006a, p. 10-17). Figure NR3 of the General Plan identifies the following public view points within the Project Site's vicinity:

- Harbor Island Road at Bayside Drive (located approximately 3,300 feet to the southeast of the Project Site);
- West Coast Highway within Mariner's Mile (located approximately 2,500 feet to the west of the Project site); and

- Western Shore of Newport Bay Immediately North of the Coast Highway Bridge (located approximately 1,200 feet to the northeast of the Project Site).

None of the public view points listed above are located within the immediate vicinity of the Project Site, nor is the Project Site visible from these public view points.

*a) Would the Project have a substantial adverse effect on a scenic vista?*

Finding: No Impact: There are no officially designated scenic vistas within the City of Newport Beach. The Project Site is not visible from any public view points identified in the Newport Beach General Plan, and thus would not result in any impacts to Coastal View Roads. Therefore, the Project would have no impacts on scenic vistas and no mitigation is required.

The Project Site is not visible from any designated public view points due to intervening geography and development. The public view point located at Harbor Island Road at Bayside Drive is oriented toward views of Harbor Island and the intervening channel to the south. Due to the intervening residential development along Harbor Island Road, the Project Site is not visible from this public view point, nor would the proposed car dealership building be visible from this public view point. The public view point located at West Coast Highway within Mariner's Mile is located approximately 2,500 feet to the west of the Project site; due to the curvature in West Coast Highway and intervening commercial development along Mariner's Mile, the Project site is not visible from this public view point, nor would the proposed car dealership building be visible from this view point. Furthermore, this public view point is intended to accommodate public views of the Lido Channel and Lido Island to the south rather than towards the Project Site (located in a westerly direction from this public view point). Lastly, the Project Site is not visible from the public view point located at the western shore of Newport Bay immediately north of the Coast Highway Bridge (within Castaways Park), primarily due to the intervening coastal bluff and commercial/residential development. The intent of this public view point is to allow the public to enjoy views of the Newport Bay Bridge and the Lower Newport Bay to the south, and of the Upper Newport Bay, Fashion Island, and coastal bluff landscapes to the east. As the proposed Project would not be visible from any designated public view points, the Project would not affect views of scenic vistas from public view points.

The Project Site does not immediately abut any Coastal View Roads designated in the Newport Beach General Plan (City of Newport Beach, 2006a, Figure NR3). As discussed above, the segment of West Coast Highway that the Project Site fronts and the portions of West Coast Highway proposed to be widened are not designated as a Coastal View Road and do not provide motorists with views of the coast due to intervening development, and no Coastal View Roads provide views onto the Project Site. Based on the foregoing analysis, the Project would have no impacts on Coastal View Roads.

*b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?*

Finding: No Impact. Implementation of the proposed Project would not damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. The Project Site is not visible from a State scenic highway. Therefore, there is no potential for impacts to occur.

The State Legislature created a Scenic Highway Program in 1963, which is intended to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to

highways. There are no officially designated scenic vistas or scenic highways within the City of Newport Beach; however, State Route 1 (SR-1) is identified as Eligible for State Scenic Highway designation. A State scenic highway changes from eligible to officially designated when the local jurisdiction adopts a scenic corridor protection program, applies to Caltrans for scenic highway approval, and receives notification from Caltrans that the highway has been designated as a Scenic Highway. The City must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in local codes; at the time of this analysis, the City has not applied for State designation. (Newport Beach, 2006b, p. 4.1-13)

Under existing conditions, the Project Site is developed with commercial office/retail buildings, associated parking lots, landscaped areas and hardscape elements. As shown on Figure 5-2 through Figure 5-4, the Project Site does not contain scenic trees or rock outcroppings. One street tree (eucalyptus) is located along the public right-of-way sidewalk that abuts the Project Site, and would be removed as part of the Project. As shown on Figure 3-6, *General Area to be Disturbed by Proposed West Coast Highway Widening*, the proposed widening of West Coast Highway would also physically disturb off-Site areas including the frontages of the Mariner's Pointe Shopping Center (abuts the Project Site to the east) and the McDonald's restaurant property (abuts the Site to the west). Figure 5-5, *Site Photographs 11-12 (Off-Site Impact Areas)*, depicts the frontages of these abutting lots to be impacted by the widening of West Coast Highway to consist of curb and gutter, sidewalks, street lights, access driveways, and landscaped areas. Under existing conditions, the frontages to be affected by the widening of West Coast Highway proposed by the Project and depicted in Figure 3-6 include landscaping and hardscape improvements but do not consist of scenic resources that would be damaged as a result of Project implementation. Furthermore, the Project proposes to construct a new curb and gutter, sidewalk, drive approaches, and landscaping across the frontages of the Project Site and the lots that abut the Project Site to the east (Mariner's Pointe) and west (McDonald's restaurant).

The proposed redevelopment of the Project Site with a car dealership and the widening of West Coast Highway would not change the scenic character of the Site such that scenic views from West Coast Highway would be degraded. Views toward the Project Site from West Coast Highway orient north, whereas views of the coast are oriented in the opposite direction to the south. Accordingly, the proposed Project has no potential to damage scenic resources within a State scenic highway and no impacts would occur.

*c) Would the Project substantially degrade the existing visual character or quality of the Site and its surroundings?*

Finding: Less-than-Significant Impact. The proposed Project would not substantially degrade the existing visual character or quality of the Site. A less-than-significant impact would occur and mitigation is not required.

The proposed Project would result in redevelopment of the Project site by the construction and operation of a building featuring a contemporary architectural design that is consistent with the architectural character of nearby commercial development along the Mariner's Mile corridor. As shown on Figure 3-2, *South Building Elevation*, and Figure 3-3, *East and West Building Elevations*, the architectural concept for the proposed Project would include variable rooflines and parapets, signage, and ground-level ornamental landscaping along the Project Site's frontage with West Coast Highway. The western half of the proposed south-facing building façade would be characterized by black smooth corrugated metal panels, interrupted by large square openings in the panels covered by black anodized screen mesh to screen second-level parking areas. The eastern half of the proposed south-facing building façade would include a combination of clear glass with silver horizontal mullion panels at the recesses, and aluminum composite metal panels of a silver color. The first level of the eastern half of the building will feature glazed glass panels. The roof

profile design would be modulated, to reduce the scale of the structure and to provide visual interest and variety, with the western half of the roof elevated by several feet. Roof appurtenances would also feature black smooth corrugated metal panels, and the roof is designed to be equipped with metal trellises and landscaping to screen views of parked cars from the blufftop residences above. Rooftop mechanical equipment would be enclosed, and equipment enclosure vents would be louvered and oriented toward West Coast Highway to minimize visibility from the residences to the adjacent north. Additionally, in an effort to reduce the perceived building bulk along the Mariner's Mile corridor of West Coast Highway, the proposed building footprint has been set back from the public right of way at a minimum of approximately 47 feet 7 inches, which exceeds the required zero (0)-foot setback applicable to the Commercial General zoning designation.

As described in Subsection 3.1.6 and depicted on Figure 3-6, *General Area to be Disturbed by Proposed West Coast Highway Widening*, the Project proposes to add a third westbound lane along the northernmost portion of West Coast Highway that would span from the intersection of Dover Drive / West Coast Highway westward through the Project Site to the westerly boundary of the McDonald's restaurant property that abuts the Project Site to the west. The Project would construct a third westbound lane in the northernmost portion of West Coast Highway which would include the addition of a 12-foot wide vehicular lane, 7-foot wide shoulder with bike lane, and 8-foot wide sidewalk. As part of the widening of West Coast Highway, the Project would remove the portions of the improvements within the existing affected frontages (including curb and gutter, sidewalk, drive approaches, and landscaping) and construct new street improvements including the additional westbound travel lane, curb and gutter, sidewalk, drive approaches, and landscaping across the frontage of the Project Site and the lots that abut the Project Site to the east (Mariner's Pointe) and west (McDonald's restaurant). The widening of West Coast Highway would also include a 170-foot long median in West Coast Highway directly to the south of the Project Site and the Mariner's Pointe Shopping Center.

The proposed Site design has been reviewed by the City of Newport Beach to ensure that it complies with the applicable standards established by the Newport Beach Municipal Code. The Project also generally follows the design guidelines provided in the Mariner's Mile Strategic Vision and Design Framework. Compliance with applicable design standards would be further verified through the City's building permit issuance process. Consistency with the requirements of the Newport Beach Municipal Code would ensure that the redevelopment of the Project Site does not substantially degrade the existing visual character or quality of the Project Site. Additionally, improvements associated with the proposed widening of West Coast Highway would comply with all applicable CalTrans and City of Newport Beach design requirements.

As compared to existing conditions, the Project Site would retain a commercial character upon its redevelopment. Moreover, the proposed automobile dealership building closely resembles the architectural styles exemplified by the existing Porsche/Audi Newport Beach building located at 445 East Pacific Coast Highway (approximately 0.55 miles to the east of the Project Site) and the existing Maserati Newport Beach car dealership building located at 1100 West Coast Highway (approximately 0.18 miles west of the Project Site). Thus, the proposed change in the Project Site's architectural character would not result in the substantial degradation of the existing visual character or quality of the Site and its surroundings, and a less-than-significant impact would occur. Mandatory compliance with the highway and street design standards established by CalTrans and the City of Newport Beach would ensure that the widening of West Coast Highway proposed by the Project does not substantially degrade the existing visual character of the affected area(s).

*d) Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views?*

Finding: Less-than-Significant Impact with Mitigation Incorporated. With mandatory adherence to the City of Newport Beach Zoning Code § 20.30.070 (Outdoor Lighting), the Project would not produce a new source of artificial light that could adversely affect day or nighttime views. Project application materials indicate that the proposed lighting plan features light coverings, fixtures, and orientation that would minimize spillage of illumination on to adjacent properties or the night sky. In order to ensure that the final design of the building does not include reflective materials that could cause substantial glare, Mitigation Measure MM AE-1 is recommended to reduce potential impacts to less-than-significant.

Section 20.30.070 (Outdoor Lighting) of the City's Zoning Code regulates outdoor lighting, and includes standards that are intended "…to reduce the impacts of glare, light trespass, overlighting, sky glow, and poorly shielded or inappropriately directed lighting fixtures…" (City of Newport Beach, 2016b, § 20.30.070). The City of Newport Beach is mostly built-out; therefore, a substantial amount of ambient light from urban uses already exists. Similar to other developed urban areas, sources of light and glare include neon signs, glass building facades, streetlights, parking lot lights, automotive headlights, etc. (City of Newport Beach, 2006b, pp. 4.1-13)

All development within the City is required to comply with Section 20.30.070 (Outdoor Lighting) of the City's Zoning Code, including the following requirements:

> *All outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained to shield adjacent properties and to not produce glare onto adjacent properties or roadways. Parking lot light fixtures and light fixtures on buildings shall be full cut-off fixtures* (City of Newport Beach, 2016b, § 20.30.070.A.1).
>
> *Spotlighting or floodlighting used to illuminate buildings, statues, signs, or any other objects mounted on a pole, pedestal, or platform or used to accentuate landscaping shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the object intended to be illuminated to minimize glare, sky glow, and light trespass. The beam width shall not be wider than that needed to light the feature with minimum spillover. The lighting shall not shine directly into the window of a residence or directly into a roadway. Light fixtures attached to a building shall be directed downward* (City of Newport Beach, 2016b, § 20.30.070.C).

Per Section 5.14 of the Mariner's Mile Strategic Vision and Design Framework, the Project proposes a comprehensive lighting plan that includes a photometric study, and is designed in such a way that strives to minimize off-Site spillage of illumination (AutoNation, 2016; City of Newport Beach, 2000, p. 57). The Project's proposed lighting plan includes fixtures, covers, and orientations that would be placed to reduce "spill over" lighting to surrounding properties. The proposed fixtures are a combination of decorative and utilitarian poles and are required to be spaced to comply with City of Newport Beach minimum light level requirements and to meet standard safety requirements. The proposed commercial automobile dealership building would remove lighting associated with the existing commercial uses and would introduce new artificial light sources, including lights inside the building and visible through windows, as well as lights mounted on the exterior walls of the building that would be visible from off-Site locations.

Under existing conditions, the Project Site is developed with commercial land uses, and features indoor lighting and limited exterior lighting. The proposed Project would result in an increase in ambient light generation, primarily associated with the proposed increase in parking lot lighting. Approximately evenly

spaced pole-mounted light fixtures are proposed along the frontage of the Project Site with West Coast Highway, as well as along the eastern boundary in order to illuminate the ground-level parking lot. Wall-mounted light emitting diodes (LED) fixtures are proposed along the southern building elevation that faces West Coast Highway, as well as along the roof parapets and appurtenances to illuminate the rooftop parking area. Rooftop lighting would be dimmed to a reduced illumination output in order to decrease potential glare experienced by the blufftop residences above the Project Site. (AutoNation, 2016)

Although an increase in lighting levels on the Project Site relative to existing conditions would be anticipated to result from Project implementation, the proposed lighting elements would be consistent with the level of lighting that occurs within the surrounding area associated with existing commercial development (including similar automobile dealerships). Furthermore, coverings, fixtures, placement, and orientation of the proposed lighting have been designed to limit spillage of light on to adjacent properties or create a substantial new source of sky glow. Interior and exterior lights would be dimmed outside of operating hours in order to further reduce any potential glare, off-Site spillage of illumination, or sky glow resulting from Project lighting. (AutoNation, 2016)

The proposed lighting elements would be subject to § 20.30.070 (Outdoor Lighting) of the City's Zoning Code, which regulates outdoor lighting, and includes standards that are intended "…to reduce the impacts of glare, light trespass, overlighting, sky glow, and poorly shielded or inappropriately directed lighting fixtures…" (City of Newport Beach, 2016b, § 20.30.070). Due to mandatory compliance with Zoning Code § 20.30.070 and the incorporation of measures to limit the amount of light generated by the Project, the lighting elements would have a less-than-significant impact on nighttime views.

The proposed Project would include large glass panels that would have the potential to create new sources of glare if the glass installed represents a high reflective value. The potential for the creation of glare associated with the development of the Project would result in a potentially significant impact. In order to ensure that the future design of the building does not include reflective materials that could cause substantial glare, Mitigation Measure MM AE-1 has been identified. With implementation of the required mitigation, impacts would be reduced to a level below significant.

Aesthetics: Mitigation Measures

MM AE-1 Prior to issuance of building permits, the Building Official shall ensure that building plans require the use of non-reflective glass on exterior windows in order to reduce the potential for glare.

Implementation of Mitigation Measures MM AE-1 would reduce the Project's potential impacts to aesthetics to below a level of significance.

### 5.4.2 Agriculture and Forestry Resources

*a) Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Finding: No Impact. The Project Site is completely developed with commercial land uses. In addition, the Project Site does not contain any soils mapped by the California Department of Conservation (CDC) as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. Accordingly, the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and

Monitoring Program of the California Resources Agency, to non-agricultural use. No impact would occur and mitigation is not required.

The City of Newport Beach is mostly built-out and does not contain any significant agricultural resources (City of Newport Beach, 2006b, Appendix A, p. 23). According to mapping conducted by the CDC as part of the Farmland Mapping & Monitoring Program (FMMP), the Project Site is identified as containing "Urban and Built-Up Land." The Project Site and surrounding areas do not contain any soils mapped by the CDC as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. (CDC, 2012a)

Accordingly, implementation of the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural use. Thus, no impact would occur and no mitigation is required.

---

*b) Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

---

Finding: No Impact. According to information available from the California Department of Conservation (CDC), there are no agricultural lands subject to a Williamson Act Contract within the City of Newport Beach. The Project has no potential to conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impact would occur and mitigation is not required.

The Project Site is zoned Commercial General (CG 0.3/0.5 FAR). Properties north and south of the Project Site are zoned as Single-Unit Residential (R-1). Properties located to the east and west of the Project Site are zoned as Commercial General (CG). There are no existing or proposed agricultural zoning designations affecting the Project Site or surrounding area. As such, the Project has no potential to conflict with agricultural zoning designations, and no impact would occur.

According to information available from the California Department of Conservation (CDC), there are no agricultural lands subject to a Williamson Act Contract within the City of Newport Beach. Accordingly, the proposed Project would not conflict with a Williamson Act contract (CDC, 2012b). No impact would occur and no mitigation is required.

---

*c) Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

---

Finding: No Impact. There are no lands within the City of Newport Beach, including the Project Site and properties surrounding the Project Site, that are zoned for forest land, timberland, or timberland zoned Timberland Production. The Project Site is developed with commercial land uses. Accordingly, the proposed Project has no potential to conflict with existing forest land, timberland, or timberland zoned Timberland Production areas. No impact would occur and mitigation is not required.

The Project Site and surrounding land areas are developed with urban uses under existing conditions. There are no forest resources on the Project Site or within the vicinity of the Project Site.

There are no lands within the City of Newport Beach, including the Project Site and properties surrounding the Project Site, that are zoned for forest land, timberland, or timberland zoned Timberland

Production (City of Newport Beach, 2016a). Accordingly, the proposed Project has no potential to impact properties zoned for forest land, timberland, or timberland zoned Timberland Production. As such, no impact would occur and no mitigation is required.

*d) Would the Project result in the loss of forest land or conversion of forest land to non-forest use?*

Finding: No Impact. The Project Site is comprised of developed commercial land uses. Accordingly, the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur and mitigation is not required.

The City of Newport Beach, including the Project Site and properties surrounding the Project Site, does not contain any forest lands (City of Newport Beach, 2006b, Table 3-2). Under existing conditions, the Project Site is developed with commercial uses and contains only limited ornamental landscaping. Accordingly, the proposed Project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur and no mitigation is required.

*e) Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

Finding: No Impact. The proposed Project would not involve any changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. No impact would occur and mitigation is not required.

As indicated in the analysis presented above under the discussion and analysis of Thresholds a) through d) of this section, the Project Site and surrounding areas do not contain any lands that are used for farmland or forest land. Accordingly, the proposed Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. Thus, no impact would occur and no mitigation is required.

Agriculture and Forestry Resources: Mitigation Measures

Implementation of the proposed Project would not result in significant impacts associated with agriculture and forestry resources and no mitigation measures are required.

### 5.4.3 Air Quality

Air Quality Impact Analysis

The information and analysis discussion provided within this Section (5.4.3) is derived from the Project-specific Air Quality Impact Analysis prepared by Urban Crossroads dated June 6, 2016 (Urban Crossroads, 2016a). The Air Quality Impact Analysis was prepared in order to evaluate the potential impacts to air quality associated with construction and operation of the proposed Project, and to recommend measures to mitigate impacts considered potentially significant in comparison to thresholds established by the South Coast Air Quality Management District (SCAQMD). The Air Quality Impact Analysis used the California Emissions Estimator Model™ (CalEEMod) to calculate construction-source and operational-source criteria pollutant emissions that would result from the Project. Criteria pollutants are pollutants that are regulated through the development of human health-based and/or environmentally-based criteria for setting permissible levels. Criteria pollutants include ozone (O3), nitrogen oxides (NOx), volatile organic

compounds (VOCs), particulate matter less than 10 microns (PM10), particulate matter less than 2.5 microns (PM2.5), sulfur dioxide (SO2), carbon monoxide (CO), reactive organic gases (ROGs), and lead.

Existing Air Quality Setting

*South Coast Air Basin (SCAB)*

As discussed in Section 3.4.1, the Project is located within the South Coast Air Basin (SCAB), a 6,745-square mile sub-region of the SCAQMD that includes all of Orange County, as well as portions of Los Angeles, Riverside, and San Bernardino Counties. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south. (Urban Crossroads, 2016a, p. 7)

*Existing Air Quality*

Existing air quality is measured at established SCAQMD air quality monitoring stations, and is evaluated in the context of ambient air quality standards—National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). Within the SCAB, the NAAQS and CAAQS were exceeded on one or more days for O3, PM10, and PM2.5 at most monitoring locations in year 2014, the most recent data available. No areas of the SCAB exceeded federal or state standards for nitrogen dioxide (NO2), SO2, CO, sulfates or lead. (Urban Crossroads, 2016a, p. 9)

The SCAQMD North Orange County monitoring station is the nearest long-term air quality monitoring station to the Project Site (located approximately 4.14 miles to the northwest of the Project Site). According to the air quality monitoring data collected at the station, O3 concentrations exceeded the State 1-hour Standard, the State 8-hour Standard, and the Federal 8-hour Standard on one or more days in 2015. No days exceeded the federal or state standards for CO or NO2 in year 2014 or year 2015 (respectively) at the North Orange County monitoring station. The Saddleback Valley Monitoring Station is the nearest air monitoring station to the Project Site (located approximately 13.5 miles northeast of the Project Site) that measures particulate matter. No air monitoring samples collected at this station exceeded the federal or state standard for PM2.5 or PM10 in year 2015. (Urban Crossroads, 2016a, pp. 12-13)

The SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet state and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions and accommodate growth. The most recent AQMP was adopted by the SCAQMD Governing Board on December 7, 2012. The 2012 AQMP incorporates the latest scientific and technological information and planning assumptions, including the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by the Southern California Association of Governments (SCAG) and updated emission inventory methodologies for various source categories. The 2012 AQMP is based on assumptions provided by both the California Air Resources Board (CARB) and SCAG in the 2014 EMFAC model for the most recent motor vehicle and demographics information, respectively. (Urban Crossroads, 2016a, p. 19)

*a) Would the Project conflict with or obstruct implementation of the applicable air quality plan?*

Finding: Less-than-Significant Impact. The proposed Project would not conflict or obstruct implementation of the SCAQMD's 2012 AQMP. Impacts would be less than significant and mitigation is not required.

The current attainment status of the SCAB is shown on Table 5-1, *SCAB Regional Criteria Pollutant Attainment Status*, below. The NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, the SCAQMD adopted the 2012 AQMP in December 2012, which provides a plan to achieve reductions in emissions while improving air quality within the SCAB. The SCAQMD has established criteria for determining consistency with their AQMP. These criteria are defined in Chapter 12, Sections 12.2 and 12.3 of the SCAQMD CEQA Air Quality Handbook and are discussed below. As indicated in the analysis below, the proposed Project would not conflict with or obstruct implementation of the 2012 AQMP.

**Table 5-1 SCAB Regional Criteria Pollutant Attainment Status**

| Criteria Pollutant | State Designation | Federal Designation |
|---|---|---|
| Ozone – 1-hour standard | Nonattainment | No Standard |
| Ozone – 8-hour standard | Nonattainment | Nonattainment |
| PM10 | Nonattainment | Attainment |
| PM2.5 | Nonattainment | Nonattainment |
| Carbon Monoxide | Attainment | Attainment |
| Nitrogen Dioxide | Attainment | Attainment |
| Sulfur Dioxide | Attainment | Attainment |
| Lead[1] | Attainment | Attainment |

1 The Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SCAB

Source: (Urban Crossroads, 2016a, Table 2-2)

- *Consistency Criterion No. 1: The Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

The violations that Consistency Criterion No. 1 refers to are the CAAQS and the NAAQS. CAAQS and NAAQS violations would occur if local significance thresholds (LSTs) were exceeded. As evaluated as part of the proposed Project's LST analysis (refer to Threshold d below), the Project's localized construction-source emissions would not exceed applicable LSTs, and a less-than-significant impact would occur. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may queue and idle at the Site for long periods of time (e.g., warehouse or transfer facilities) (SCAQMD, 2008b). The proposed Project does not include such uses; thus, long-term operation of the proposed Project would not exceed the LSTs. Cars at the proposed dealership would be parked with their engines turned off a majority of the time. There is no component of the car dealership's operation that would result in extensive vehicle idling on-site. Engines are off when vehicles are displayed, stored, washed/detailed and undergoing maintenance. As such, LSTs have no potential to be exceeded and the proposed Project's operational activities would be consistent with the first criterion; a less-than-significant impact would occur. Based on the foregoing analysis, construction and operational activities associated with the proposed Project are determined to be consistent with Criterion No. 1. (Urban Crossroads, 2016a, pp. 31, 34)

- *Consistency Criterion No. 2: The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.*

The 2012 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the SCAB are provided to SCAG, which develops regional growth forecasts, which are subsequently utilized to develop future air quality forecasts for the AQMP. A project would conflict with the AQMP if it would exceed the assumptions in the AQMP or increments based on the year of project buildout and phase. The General Plan land use designation for the Project Site is "General Commercial (CG 0.3/0.5 FAR)," which allows for a wide variety of commercial activities that primarily serve city-wide or regional needs. The Project Site's zoning designation is "Commercial General (CG 0.3/0.5 FAR)". The Project proposes to construct an auto dealership, which would be permitted under the Site's Commercial General (CG 0.3/0.5 FAR) General Plan land use designation and Commercial General (CG 0.3/0.5 FAR) zoning classification. As such, the Project would be consistent with the growth projections in the Newport Beach General Plan and is therefore consistent with the AQMP. It should also be noted that the proposed development would not exceed regional or local daily emissions thresholds and would thus have a less-than-significant impact. On the basis of the foregoing analysis, the Project is determined to be consistent with Consistency Criterion No. 2. (Urban Crossroads, 2016a, pp. 34-35)

Accordingly, the proposed Project would not conflict with or obstruct implementation of the applicable air quality plan and impacts associated with this issue would be less than significant.

*b) Would the Project violate any air quality standard or contribute to an existing or projected air quality violation?*

Finding: Less-than-Significant Impact. Construction and operation of the Project would not violate any air quality standard or contribute to an existing or projected air quality violation. As such, no mitigation measures are necessary.

The Project Site is located within the SCAB and within the jurisdiction of the SCAQMD. The SCAB does not attain State of California air quality standards for O3, PM10, or PM2.5, and does not meet federal air quality standards for O3 or PM2.5 (refer above to Table 5-1). To identify projects that will adversely affect the region's air quality through direct and indirect sources, the SCAQMD has developed regional significance thresholds for regulated pollutants, shown below in Table 5-2, *SCAQMD Maximum Regional Daily Emissions Thresholds*. The SCAQMD's CEQA Air Quality Significance Thresholds (March 2015) indicate that any projects in the SCAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact. Additionally, the SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, these are referred to as Localized Significance Thresholds (LSTs), which are shown in Table 5-2. Thus, if the proposed Project would produce air emissions that equal or exceed any of the criteria listed in Table 5-2, the emissions will be considered significant on both a direct and cumulative basis (Urban Crossroads, 2016a, p. 21).

**Table 5-2 SCAQMD Maximum Regional Daily Emissions Thresholds**

| Regional Significance Thresholds[A] | | |
|---|---|---|
| **Pollutant** | **Construction** | **Operations** |
| NOx | 100 lbs/day | 55 lbs/day |
| VOC | 75 lbs/day | 55 lbs/day |
| PM10 | 150 lbs/day | 150 lbs/day |
| PM2.5 | 55 lbs/day | 55 lbs/day |
| SOx | 150 lbs/day | 150 lbs/day |
| CO | 550 lbs/day | 550 lbs/day |
| Lead | 3 lbs/day | 3 lbs/day |

[A] Based on SCAQMD Air Quality Significance Thresholds, March 2015
Source: (Urban Crossroads, 2016a, Table 3-1)

Air quality impacts/emissions associated with a project can be placed into two categories: temporary (short-term) or long-term emissions. Temporary (short-term) emissions are generally associated with the demolition, grading, and construction activities of the project while long-term emissions are associated with the day-to-day operation, use, and area emissions from such activities as vehicle use, consumer product use, and energy generation/consumption. The following provides an analysis based on the applicable significance thresholds established by the SCAQMD (as shown above in Table 5-2).

Construction-Related Air Pollutant Emissions

In order to calculate the air pollutant emissions that would result from construction of the proposed Project, the construction schedule is based on 12 months for all construction-related activities (demolition, Site preparation, grading, building construction, paving, and architectural coating). The emissions calculations assume that the majority of the equipment is operating 5 days per week for 8 hours each day. This is an aggressive estimate because it is highly unlikely that the majority of the equipment would be operated at this assumed schedule producing the calculated emissions each day; thus, the analysis herein is conservative (overstated) in nature. (Urban Crossroads, 2016a, p. 25)

The duration of construction activity was based on CalEEMod 2013.2.2 defaults and a 2018 opening year. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA Guidelines. If the Site-specific construction fleet varies from the fleet presented herein due to specific Project needs during construction activities, emissions would not be expected to exceed those reported herein due to the conservative assumptions used in the analysis. Detailed modeling inputs/outputs are provided in Appendix 3.2 of the Air Quality Impact Analysis (*Technical Appendix B1*). A detailed summary of construction equipment assumptions by phase is provided in Table 3-2, *Construction Equipment Usage*. (Urban Crossroads, 2016a, pp. 23-24)

Construction-related emissions are expected from the following construction activities: demolition, Site preparation, grading, building construction, paving, architectural coating, construction workers commuting, and delivery of construction materials. Additionally, fugitive dust is typically a concern during rough grading activities, and fugitive dust emissions rates vary as a function of multiple parameters including silt content of the soil, soil moisture, wind speed, area of disturbance, number of vehicles, and depth of disturbance or excavation. etc. The proposed Project may also involve construction-related emissions associated with off-Site utility and infrastructure improvements. Although a specific schedule of off-Site

utility and infrastructure improvements is unknown, the installation of these improvements would not exceed the daily quantity of emissions identified for Project-related construction activities. If on-Site and off-Site construction occurs simultaneously, the maximum daily emissions reported herein also would not be exceeded because the equipment fleet would be shared and no additional pieces of construction equipment would be needed. In addition, the City has imposed a Condition of Approval on the Project to limit simultaneous ground-disturbing construction activities to no more than one acre per day. As such, no impacts beyond what has been identified in the Air Quality Impact Analysis are expected to occur. (Urban Crossroads, 2016a, pp. 23-24)

Table 5-3, *Emissions Summary of Construction (Without Mitigation),* presents the Project's projected maximum daily construction emissions for each pollutant prior to the incorporation of mitigation or compliance with mandatory regulatory requirements, such as SCAQMD Rule 1403 (Asbestos); Rule 1113 (Architectural Coatings); Rule 431.2 (Low Sulfur Fuel); Rule 403 (Fugitive Dust); and Rule 1186 / 1186.1 (Street Sweepers). Emissions from the various Project phases were calculated using the CalEEMod modeling program. (Urban Crossroads, 2016a, Table 3-4)

As shown in Table 5-3, the maximum daily construction-related emissions for the proposed Project would be below the SCAQMD's significance thresholds for all regulated air pollutants. These emissions would be short-term and cease at the completion of construction activity. As such, air quality impacts associated with construction-related emissions are less than significant, and no mitigation is necessary.

**Table 5-3 Emissions Summary of Construction (Without Mitigation)**

| Year | Emissions (pounds per day) | | | | | |
|---|---|---|---|---|---|---|
| | VOC | NOx | CO | SOx | PM10 | PM2.5 |
| 2017 | 11.03 | 62.67 | 48.56 | 0.12 | 7.06 | 3.78 |
| 2018 | 9.43 | 2.69 | 2.70 | 4.64E-03 | 0.26 | 0.22 |
| **Maximum Daily Emissions** | **11.03** | **62.67** | **48.56** | **0.12** | **7.06** | **3.78** |
| SCAQMD Regional Threshold | 75 | 100 | 550 | 150 | 150 | 55 |
| **Threshold Exceeded?** | **NO** | **NO** | **NO** | **NO** | **NO** | **NO** |

Source: (Urban Crossroads, 2016a, Table 3-4)

Operational-Related Air Pollutant Emissions

The Operations Emissions calculated in *Technical Appendix B1* are presented in Table 5-4, *Summary of Peak Operational Emissions (Summer Scenario)* and Table 5-5, *Summary of Peak Operational Emissions (Winter Scenario)*. Table 5-4 and Table 5-5 include emissions from the day-to-day operation and maintenance of the Project Site, which includes Area Source Emissions (architectural coatings, consumer products, and landscape maintenance equipment), Energy Source Emissions, and Mobile Source Emissions (vehicle operation and associated fugitive dust). No mitigation measures were employed in the modeling and calculation of the area and operational emissions. As shown in Table 5-4 and Table 5-5, Project Operational Emissions would be below the SCAQMD regional significance thresholds for all criteria pollutants prior to mitigation. Therefore, long-term area and operational air quality emissions associated with the Project would be less than significant, and no mitigation is required. (Urban Crossroads, 2016a, pp. 26-28)

**Table 5-4 Summary of Peak Operational Emissions (Summer Scenario)**

| Operational Activities – Summer Scenario | Emissions (pounds per day) | | | | | |
|---|---|---|---|---|---|---|
| | VOC | $NO_x$ | CO | $SO_x$ | $PM_{10}$ | $PM_{2.5}$ |
| Area Source | 1.63 | 1.10E-04 | 0.01 | 0.00 | 4.00E-05 | 4.00E-05 |
| Energy Source | 0.02 | 0.22 | 0.19 | 1.32E-03 | 0.02 | 0.02 |
| Mobile | 2.85 | 4.17 | 21.14 | 0.05 | 3.53 | 0.98 |
| **Total Maximum Daily Emissions** | **4.50** | **4.39** | **21.34** | **0.05** | **3.55** | **1.00** |
| SCAQMD Regional Threshold | 55 | 55 | 550 | 150 | 150 | 55 |
| **Threshold Exceeded?** | **NO** | **NO** | **NO** | **NO** | **NO** | **NO** |

Source: (Urban Crossroads, 2016a, Table 3-5, Part 1 of 2)

**Table 5-5 Summary of Peak Operational Emissions (Winter Scenario)**

| Operational Activities – Winter Scenario | Emissions (pounds per day) | | | | | |
|---|---|---|---|---|---|---|
| | VOC | $NO_x$ | CO | $SO_x$ | $PM_{10}$ | $PM_{2.5}$ |
| Area Source | 1.63 | 1.10E-04 | 0.01 | 0.00 | 4.00E-05 | 4.00E-05 |
| Energy Source | 0.02 | 0.22 | 0.19 | 1.32E-03 | 0.02 | 0.02 |
| Mobile | 3.05 | 4.37 | 22.37 | 0.05 | 3.53 | 0.98 |
| **Total Maximum Daily Emissions** | **4.70** | **4.59** | **22.57** | **0.05** | **3.55** | **1.00** |
| SCAQMD Regional Threshold | 55 | 55 | 550 | 150 | 150 | 55 |
| **Threshold Exceeded?** | **NO** | **NO** | **NO** | **NO** | **NO** | **NO** |

Source: (Urban Crossroads, 2016a, Table 3-5, Part 2 of 2)

c) *Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Finding: Less-than-Significant Impact. Construction and operation of the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Impacts would be less than significant and mitigation is not required.

As previously indicated in Table 5-1, the SCAB does not achieve the State of California standards for $O^3$, PM10, and PM2.5, and also does not achieve federal standards for O3 and PM2.5. As indicated in the discussion and analysis of Threshold b) above, and as previously presented in Table 5-3 through Table 5-5, Project-related emissions of SOx, NOx, CO, VOCs, PM2.5 and PM10 are all calculated to be below the SCAQMD's regional thresholds of significance. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable; as such, Project-specific and cumulative significance thresholds are the same (Urban Crossroads, 2016a, p. 37). Therefore, because the Project would not result in emissions that exceed the SCAQMD's regional thresholds of significance, the Project would not result in a cumulatively considerable net increase in emissions. Furthermore, Table 5-6 and Table 5-7, below under Threshold d), shows that construction activities associated with the Project would not exceed the SCAQMD's localized significance thresholds.

Implementation of the Project would not substantially contribute to a net increase of any criteria pollutant for which the Project region is non-attainment or is considered an O3 precursor; therefore, impacts would be less than significant and less than cumulatively considerable. No mitigation is required.

*d) Would the Project expose sensitive receptors to substantial pollutant concentrations?*

Finding: Less-than-Significant Impact. The Project would not expose sensitive receptors to substantial construction- or operations-related pollutant concentrations. Additionally, the Project would not result in the generation of a CO "hot spot." Impacts would be less than significant and no mitigation is required.

A "sensitive receptor" is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Sensitive receptors and associated facilities that house them in proximity to local CO sources, toxic air contaminants, or odors are of particular concern in the evaluation of potential pollutant concentrations. Sensitive receptors include children, the elderly, persons with preexisting respiratory or cardiovascular illness, and athletes and others who engage in frequent, heavy cardiovascular exercise. Sensitive receptors located nearest the Project Site include the residences located to the adjacent north and south of the Project Site. (Urban Crossroads, 2016a, p. 30)

CO Hot Spot Analysis

An adverse CO concentration is known as a "hot spot", and occurs when the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm are exceeded. The generation of CO hotspots is associated with vehicular emissions, primarily when idling at congested intersections. With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, the SCAB is currently in attainment for CO. The Air Quality Impact Analysis also provides historical emissions data indicating a steady decline of CO concentrations in the Project vicinity (Urban Crossroads, 2016a, Table 2-3).

To establish a more accurate record of baseline CO concentrations affecting the SCAB, a CO "hot spot" analysis was conducted in 2003 for four busy intersections in Los Angeles at the peak morning and afternoon time periods. This "hot spot" analysis did not find any violation of CO standards (Urban Crossroads, 2016a, Table 3-8). As such, even if the traffic volumes for the proposed Project were double or even triple of the traffic volumes generated at the study intersections that were the subject of the Los Angeles CO "hot spot" analysis (coupled with the on-going improvements in ambient air quality), the Project would not be capable of resulting in a CO "hot spot" at any study area intersections (Table 3-9 of *Technical Appendix B1* indicates the study intersections evaluated in the "hot spot" analysis). At Project buildout, the highest daily traffic volumes generated at the roadways within the vicinity of the Project are expected to generate less than the highest daily traffic volumes generated at the busiest intersection in the Los Angeles CO "hot spot" analysis that was conducted. As such, the Project would not likely exceed the most stringent 1-hour CO standard, and would not result in a CO "hot spot." (Urban Crossroads, 2016a, pp. 31-32)

Localized Significance Thresholds (LSTs) Analysis

LSTs were developed in response to environmental justice and health concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities. To address the issue of localized significance, the SCAQMD adopted LSTs that show whether a project would cause or contribute to localized air quality impacts and thereby cause or contribute to potential localized adverse health

effects. The analysis makes use of methodology included in the SCAQMD *Final Localized Significance Threshold Methodology* (LST Methodology).

The significance of localized emissions impacts depends on whether ambient levels in the vicinity of any given project are above or below State standards (CAAQS). In the case of CO and NO2, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a state or federal standard, then project emissions are considered significant if they increase ambient concentrations by a measurable amount. This would apply to PM10 and PM2.5; both of which are non-attainment pollutants in the SCAB.

For this Project, the appropriate Source Receptor Area (SRA) for the LST is the North Coastal Orange County monitoring station (SRA 18). LSTs apply to CO, NO2, PM10, and PM2.5. According to the SCAQMD's LST Methodology, if the total acreage disturbed is less than or equal to five acres per day, then the SCAQMD's screening look-up tables should be utilized to determine if a project has the potential to result in a significant impact. The look-up tables establish a maximum daily emissions threshold in pounds per day that can be compared to CalEEMod outputs. Since it was determined that Site preparation and grading activities would each result in the disturbance of up to 1 acre per day, the SCAQMD's screening look-up tables were utilized to determine if the proposed Project has the potential to result in a significant impact. Table 5-6, *Localized Significance Summary Construction - Site Preparation*, and Table 5-7, *Localized Significance Summary Construction - Onsite Grading*, summarize the results of the LST analysis. (Urban Crossroads, 2016a, pp. 28-31)

### Table 5-6 Localized Significance Summary Construction - Site Preparation

| On-Site Site Preparation Emissions | Emissions (pounds per day) | | | |
|---|---|---|---|---|
| | $NO_x$ | CO | $PM_{10}$ | $PM_{2.5}$ |
| **Maximum Daily Emissions** | **25.88** | **17.17** | **3.94** | **2.59** |
| SCAQMD Localized Threshold | 92 | 647 | 4 | 3 |
| **Threshold Exceeded?** | **NO** | **NO** | **NO** | **NO** |

Source: (Urban Crossroads, 2016a, Table 3-7 [1 of 2])

### Table 5-7 Localized Significance Summary Construction - Onsite Grading

| On-Site Grading Emissions | Emissions (pounds per day) | | | |
|---|---|---|---|---|
| | $NO_x$ | CO | $PM_{10}$ | $PM_{2.5}$ |
| **Maximum Daily Emissions** | **25.88** | **17.17** | **3.99** | **2.59** |
| SCAQMD Localized Threshold | 92 | 647 | 4 | 3 |
| **Threshold Exceeded?** | **NO** | **NO** | **NO** | **NO** |

Source: (Urban Crossroads, 2016a, Table 3-7 [2 of 2] )

As shown on Table 5-6 and Table 5-7, the Project's construction-related impacts to sensitive receptors would be less than significant because the LST emissions are all projected to be below the SCAQMD's LST significance thresholds.

With respect to Project operations, the proposed Project involves the construction of a new automobile dealership occupied by AutoNation Porsche, which would relocate into the building from its existing

location in the Newport Auto Center. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project only if the project includes stationary sources, or attracts mobile sources that may spend long periods queuing and idling at the Site (e.g., warehouse or transfer facilities) (SCAQMD, 2008b). The proposed Project does not include such uses. Cars at the proposed dealership would be parked with their engines turned off a majority of the time. There is no component of the proposed car dealership's operation that would result in extensive vehicle idling on-Site. Engines are off when vehicles are displayed, stored, washed/detailed and undergoing maintenance. Thus, due to the lack of stationary source emissions associated with the proposed Project, no long-term LST analysis is needed.

Based on the foregoing analysis, the Project would not expose sensitive receptors to substantial pollutant concentrations, and thus would have a less-than-significant impact. No mitigation is required.

e) *Would the Project create objectionable odors affecting a substantial number of people?*

Finding: Less-than-Significant Impact. Impacts associated with odors generated during the proposed Project's construction and long-term operation would be less than significant, and mitigation is not required.

Land uses that are generally associated with odor complaints include the following:

- Agricultural uses (livestock and farming)
- Wastewater treatment plants
- Food processing plants
- Chemical plants
- Composting operations
- Refineries
- Landfills
- Dairies
- Fiberglass molding facilities

The proposed Project is an automobile dealership, which is not a land use typically associated with emitting objectionable odors. Potential temporary odor sources associated with the construction of the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings. Construction-related odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phases of construction. In addition, these types of odors are common in construction activities and are not considered to be offensive or objectionable to a large portion of the population. As such, odor emissions associated with construction activities is considered less than significant. Potential odors resulting from long-term operation at the Project Site include the temporary storage of typical solid waste (refuse). Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed Project construction and operations would be less than significant and no mitigation is required. (Urban Crossroads, 2016a, p. 36)

Air Quality: Mitigation Measures

Implementation of the proposed Project would not result in potentially significant impacts to air quality; accordingly, mitigation measures are not required.

### 5.4.4 Biological Resources

*a) Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Finding: No Impact. The Project Site is developed with commercial land uses, and does not contain habitat of sufficient importance to species regulated by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

Under existing conditions, the Project Site is developed with six commercial buildings and asphalt-paved parking lots. A strip of land along the northern portion of the Project Site consists of a steep vegetated slope that is supported by a retaining wall located at the base of the slope. Existing vegetation on the slope would not be disturbed by the Project except for the proposed removal of ice plant and invasive grass species on the lower portion of the slope (approximately 0.32-acre). The Project Site's proposed disturbance area does not contain native habitat or sensitive plant species, nor does it contain vegetation that serves as habitat to sensitive animal species. Furthermore, the General Plan EIR does not identify the Project Site as being located within a biologically sensitive area (City of Newport Beach, 2006b, Figure 4.3-2). Impacts to sensitive species would not occur and no mitigation measures are necessary.

*b) Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Finding: No Impact. The Project would have no potential to impact riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW and USFWS.

The Project Site is developed with commercial land uses under existing conditions. The Project Site does not contain riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS). The only vegetation removals that would occur as part of the Project are of a mature *Eucalyptus citriodora* (lemon-scented gum) street tree, several on-Site ornamental trees located in the parking lot, ornamental landscaping, ice plant and invasive grass. The Project Site is located in an area that the City's General Plan EIR identifies as not containing sensitive biological resources, including riparian habitat (City of Newport Beach, 2006b, Figure 4.3-2). Accordingly, no impact to riparian habitat would occur.

*c) Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Finding: No Impact. The Project would have no impact on federally protected wetlands as defined by Section 404 of the Clean Water Act.

The Project Site is developed with commercial land uses and does not contain any wetlands. Accordingly, the proposed Project would have no impact on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

d) *Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites?*

Finding: No Impact. The proposed Project would not interfere with native resident or migratory fish or wildlife species movement, wildlife corridors, or native wildlife nursery sites. No impact would occur and mitigation is not required.

Under existing conditions, the Project Site is developed with six commercial buildings and associated asphalt parking lot areas and is surrounded by urban development. The lower portion of a vegetated slope occurs on the north side of the site and several ornamental trees occur on the Site. Under existing conditions, the Project Site does not provide habitat for native species, is not part of a terrestrial wildlife movement corridor, and does not serve as a native wildlife nursery site. Mandatory compliance with the federal Migratory Bird Treaty Act (MBTA) would preclude impacts to nesting birds in the unlikely event that nesting birds are present in any of the on-Site mature trees at the time of their removal. Accordingly, implementation of the proposed Project would have no potential to interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or with the use of native wildlife nursery Sites.

e) *Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Finding: Less-Than-Significant Impact. The proposed Project would not conflict with any local policies or ordinances protecting biological resources. Several on-Site ornamental trees and one street tree would be removed; however, the Project is required to comply with City Council Policy G-1. Therefore, impacts would be less than significant, and mitigation is not required.

The Project Site is developed with commercial uses under existing conditions. The only vegetation removals that would occur as part of the Project are of several on-Site ornamental trees located in the parking lot area in the central portion of the Site, one street tree, *Eucalyptus citriodora* (lemon-scented gum) located to the immediate south of the portion of the Project Site occupied by the 400 West Coast Highway property, ornamental landscaping, ice plant and invasive grass. The proposed Project would not conflict with Municipal Code Chapter 7.26 because the disturbance area does not contain any natural habitat for migratory waterfowl or other birds. Mandatory compliance with the federal MBTA would preclude impacts to nesting birds in the unlikely event that nesting birds are present in the trees at the time of their removal.

The Project Site is not located within or contiguous to any of the ESAs identified by the Newport Beach General Plan; therefore, the Project does not require any Site-specific biological surveys and analysis (City of Newport Beach, 2006b, Figure 4.3-2). The Project Site also does not contain any terrestrial or marine resources that require protection, as the Project Site is developed under existing conditions and the vegetated slope area that would be disturbed does not contain native species. Accordingly, the Project would not involve nor require any consultation with State and federal resource protection agencies or private organizations concerned with the protection of sensitive biological resources. Therefore, the proposed Project would not conflict with General Plan Policies NR 10.1 or NR 10.3.

The City Council has adopted a Policy Manual that includes Council Policy G-1, the purpose of which is to "establish and maintain appropriate diversity in tree species and age classes to provide a stable and sustainable urban forest with an inventory that the City can reasonably maintain in a healthy and non-

hazardous condition." Pursuant to Council Policy G-1 provisions for "All Other City Trees," (i.e. those not designated as Special or Problem Trees) the City Council would review the Project's conceptual landscaping plan (including the removal of the existing trees on the Project Site and the street tree located along West Coast Highway) during public hearings for the Project. Street trees are permitted to be removed as part of a new project with City Council Review under Council Policy G-1, as part of a City Council-approved City, commercial, neighborhood, or community association beautification program. However, because the Project Applicant proposes to replace removed trees with several new trees, and because the City Council would have authority to review the landscaping plan for the proposed Project to ensure overall consistency with City Council Policy G-1, impacts associated with this issue would be less than significant.

There are no other local policies or ordinances protecting biological resources that are applicable to the proposed Project; accordingly, no impact due to a conflict with any local policies or ordinances protecting biological resources would occur as a result of Project implementation.

*f) Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Finding: No Impact. The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, including the Orange County Central and Coastal Orange County Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP).

The Project Site is located within the Orange County Central and Coastal Orange County NCCP/HCP, which does not identify the Project Site and surrounding areas for conservation (County of Orange, 1996). Due to the developed nature of the Project Site, the Site does not contain any habitat for any of the plant or animal species addressed by the NCCP/HCP. Accordingly, the Project has no potential to conflict with the NCCP/HCP. There are no additional Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans applicable to the Project Site or vicinity. Accordingly, no impact would occur.

### 5.4.5 Cultural Resources

*a) Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

Finding: Less-Than-Significant Impact. No significant historic resources are located on the Project Site and no significant historic resources would be impacted by the construction or operation of the proposed Project. None of the existing structures at the Site are listed on any national, state, or local historic resource inventories and thus are not considered significant historical resources as defined by CEQA Guidelines §15064.5. Accordingly, the proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. A less-than-significant impact would occur and no mitigation is required.

Eleven properties within the City of Newport Beach are listed or designated as eligible for listing on the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR), or otherwise listed as historic or potentially historic in the California Historic Resources Information System (CHRIS) maintained by the State of California Office of Historic Preservation (City of Newport Beach, 2006b, pp. 4.4-5 to 4.4-6). In 1991, the City Council also established the Ad Hoc Historic Preservation

Advisory Committee (AHHPAC) which prepared a Historic Resource Inventory that identified a total of 61 historic resources within the City. As detailed in Figure 4.4-1, Historic Resources, of the City's General Plan EIR, no designated historical resources are located on the Project Site. The Project Site does not contain any listed California Historic Landmarks, or any properties that are contained in the California Historic Resources Information System (CHRIS) database maintained by the California Office of Historic Preservation (City of Newport Beach, 2006b, p. 4.4-6). Additionally, the Project Site does not contain any of the 61 historic resources listed on the AHHPAC's Historic Resource Inventory (AHHPAC, 1991).

The existing six commercial buildings at the Project Site were constructed in the mid to late 1950s, and are therefore considered to be of historic age (greater than 50 years of age) (JHA, 2015a). The existing buildings exhibit some architectural elements associated with the mid-century architectural design style, particularly with respect to the folded plate roof profile featured by the building located at 400 West Coast Highway, and the design of the existing building located at 600 West Coast Highway that features exposed steel beams encasing large glass window panes, and a low-pitched front facing gable roof protruding outward toward West Coast Highway. The existing buildings are not included on the National Register of Historic Places or on the California Register of Historical Resources, nor have they been identified by the City as being eligible for listing on the NRHP or CRHP. Thus, because the existing structures within the Project Site are not on federal, State, or local lists of designated historic resources and are not eligible for listing, the buildings are not historically significant as defined by CEQA Guidelines §15064.5. The Project's proposed demolition of these structures would thus be less than significant and no mitigation is required.

---

*b) Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

---

Finding: Less-than-Significant Impact with Mitigation Incorporated. Although unlikely, there is a remote possibility that archaeological resources could be encountered during grading of native soils at the Project Site. Mitigation Measure MM CR-1 would ensure that impacts to archaeological resources, if unearthed during construction activities, are reduced to a level below significance.

The City of Newport Beach is known to have been occupied by Native American groups prior to settlement by Euro-Americans. At least two and possibly three distinct cultural groups inhabited the Newport Beach area, and archeological Sites from the later period of human habitation indicate that the area, including the City of Newport Beach, was heavily populated at the time of European contact. Ethnographically, the City falls within a region in which tribal boundaries are unclear: both the Gabrieleño and the Luiseño/Juaneño lay ancestral territorial claims to the area that encompasses the City of Newport Beach (City of Newport Beach, 2006b, p. 4.4-2). The City's General Plan EIR notes that archaeological materials associated with Native American occupation may be located beneath the ground surface and have the potential to be discovered, particularly in areas that have not been previously developed with urban uses (City of Newport Beach, 2006b, pp. 4.4-15). The Project Site is developed with commercial uses, including a paved parking lot and six commercial buildings, and has therefore been subject to extensive ground disturbance activities.

As part of the Project Site's proposed redevelopment, portions of the property would be excavated. The geotechnical evaluation report prepared for the proposed Project indicates that excavations to accommodate the proposed car dealership building foundation would likely extend 7.0 feet below ground surface (bgs) (Stantec, 2015a, p. 14). Further, the geotechnical evaluation also indicates a minimum depth of 35 feet bgs for the slope retention wall proposed on the north side of the property (Stantec, 2015a, p. 17). If significant archaeological resources are unearthed during ground disturbance activities involving

undisturbed soils, a potentially significant impact would occur if the resource is not properly identified and appropriately treated; thus, mitigation is required. With implementation of Mitigation Measure MM CR-1, the Project's potential impact to archaeological resources would be less than significant.

*c) Would the Project directly or indirectly destroy a unique paleontological resource or Site or unique geologic feature?*

Finding: Less-than-Significant Impact with Mitigation Incorporated. Although unlikely, there is a remote possibility that paleontological resources could be encountered during Site grading activities. Mitigation Measure MM CR-2 would ensure that impacts to paleontological resources, if unearthed during construction activities, are reduced to a level below significance.

According to the City of Newport Beach General Plan EIR, the presence of aquatic fossils throughout the region indicates that Orange County, for much of its geological history, was underwater. During the Miocene Epoch (26 million years ago [mya] to 7 mya), tectonic forces produced uplifts that resulted in the formation of mountains and initiated movement on the nascent San Andreas Fault system, forming numerous coastal marine basins, including the Los Angeles Basin, of which Orange County is a part. As the sea retreated, the County became a shallow bay surrounded by jungle and savannah areas, as indicated by the mix of aquatic and terrestrial fossils found in rocks of Miocene age. (City of Newport Beach, 2006b, p. 4.4-4)

The Project Site is underlain by rock associated with the Monterey Formation, which is known to have yielded fossils in other locations within the City of Newport Beach. (City of Newport Beach, 2006b, p. 4.4-4) The surface and shallow subsurface of the Project Site has been previously disturbed under existing conditions and the Site is developed with commercial buildings and associated parking lots. As such, no unique geologic features or surficial paleontological resources are located on the property. Portions of the City of Newport Beach that are known to contain fossil-bearing soils or rock formations include the Vaqueros formation that underlie Newport Coast, the Newport Banning Ranch portion of the Topanga and Monterey Formations, and Fossil Canyon in the North Bluffs Area (Newport Beach, 2006b, p. 4.4-17). There is a remote potential that paleontological resources could be discovered beneath the surface of the Site during Site grading activities. Although unlikely, the potential for uncovering and impacting paleontological resources during Site grading activities represents a potentially significant impact for which mitigation is required. With implementation of Mitigation Measure MM CR-2, the Project's potential impact to paleontological resources would be less than significant.

*d) Would the Project disturb any human remains, including those interred outside of formal cemeteries?*

Finding: Less-than-Significant Impact. In the remote event that Project construction activities unearth human remains, mandatory compliance with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98(b) would ensure that impacts would be less than significant.

Under existing conditions, the Project Site is occupied by six commercial buildings and associated paved parking lots. The Project Site is not known to have ever been used as a cemetery and the possibility of uncovering human remains during Project-related grading activities is very remote. Regardless, in the unlikely event that human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made

by the Coroner. If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Mandatory compliance with these requirements would ensure that potential impacts associated with the discovery of human remains would be less than significant.

e) *Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code § 21074*

Finding: Less-than-Significant Impact with Mitigation Incorporated. Due to the potential to encounter tribal cultural resources at the Project site during ground-disturbing activities, the Project has the potential to cause a substantial adverse change in the significance of a cultural resource. However, with implementation of MM CR-3, potential impacts would be reduced to less than significant.

The provisions of Public Resources Code § 21074 were established pursuant to Assembly Bill 52 (AB 52). Pursuant to § 11(c) of AB 52, the provisions of AB 52 apply to projects that have a notice of preparation (NOP) or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015. Accordingly, the Project is subject to the provisions of AB 52.

As part of the AB 52 consultation processes required by State law, the City of Newport Beach sent notification of the proposed Project on March 16, 2016 to the two Native American tribes with possible traditional or cultural affiliation to the area: The Gabrieleño Band of Mission Indians – Kizh Nation and the Juañeno Band of Mission Indians – Acjachemen Nation. Within 30 days of the City's submittal of the tribal consultation opportunity letter, a representative of the Gabrieleño Band of Mission Indians – Kizh Nation requested participation in the AB 52 consultation process for the Project. The consultation process between the City and the Gabrieleño tribal representative yielded an agreed-upon Project mitigation measure to allow for a Native American representative from the tribe to monitor ground disturbing activities at the Site during Project-related excavation activities. This mitigation measure is included below as Mitigation Measure MM CR-3. Implementation of MM CR-3 would ensure that a designated monitor from the Gabrieleño Band of Mission Indians – Kizh Nation is permitted on-site during ground disturbing activities; monitoring by a tribal representative, although not required, would further ensure that any archaeological resources that may be uncovered are appropriately treated, including any resource that may be determined a tribal cultural resource as defined in Public Resources Code 21074. The Juañeno Band of Mission Indians – Acjachemen Nation did not respond or request consultation during the 30-day consultation period that concluded on April 15, 2016. With implementation of Mitigation Measure MM CR-3, the Project's potential impact to tribal cultural resources would be less than significant.

Mitigation for Potential Impacts to Archaeological Resources

MM CR-1 Prior to the issuance of grading permits, the City shall verify that the following note is included on the grading plan(s).

> "If suspected archaeological resources are encountered during ground-disturbing construction activities, the construction contractor shall temporarily halt work in a 100-foot radius around the find until a qualified archaeologist can be called to the Site to assess the significance of the

find, and, if necessary, develop appropriate treatment measures in consultation with the City of Newport Beach."

The grading contractor shall be responsible for complying with the note. If the archaeologist determines that the find does not meet the CEQA standards of cultural significance, construction shall be permitted to proceed. However, if the archaeologist determines that further information is needed to evaluate significance, the City of Newport Beach shall be notified and a data recovery plan shall be prepared in consultation with the City, which may include the implementation of a Phase II and/or III archaeological investigation per City guidelines. All significant cultural resources recovered shall be documented on California Department of Parks and Recreation Site Forms to be filed with the California Historical Resources Information System, South Central Coastal Information Center (CHRIS-SCCIC). The archaeologist shall incorporate analysis and interpretation of any significant find(s) into a final Phase IV report that identifies the level of significance pursuant to Public Resources Code § 21083.2(G). The Project Applicant, in consultation with the archaeologist and the City, shall designate repositories in the event that resources are recovered.

Implementation of Mitigation Measure MM CR-1 would reduce the Project's potential impacts to archaeological resources to below a level of significance.

Mitigation for Potential Impacts to Paleontological Resources

MM CR-2 Prior to the issuance of grading permits, the City shall verify that the following note is included on the grading plan(s).

"If suspected paleontological resources (fossils) are encountered during ground-disturbing construction activities, the construction contractor shall temporarily halt ground-disturbing activities within 100 feet of the find until a qualified paleontologist can be called to the Site to assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with the City of Newport Beach."

The grading contractor shall be responsible for complying with the note. At the paleontologist's discretion, the construction contractor may assist in removing rock samples for initial processing. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Newport Beach shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction.

Implementation of Mitigation Measure MM CR-2 would reduce the Project's potential impacts to paleontological resources to below a level of significance.

Mitigation for Potential Impacts to Tribal Cultural Resources

MM CR-3 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Newport Beach that Native American representatives from the Gabrieleño Band of Mission Indians – Kizh Nation shall be allowed to monitor earth-moving activities

and have received or will receive a minimum of fifteen (15) days advance notice of mass grading activities in previously undisturbed soils.

### 5.4.6 Geology and Soils

Geologic Setting

This Subsection assesses the existing surface and subsurface geologic conditions of the Project Site and determines the potential for impacts associated with geology and soils. The information in this Subsection is based on the Project-specific Geotechnical Investigation Report prepared for the Project Site by Stantec in April 2015 (*Technical Appendix C*), as well as information obtained from the City of Newport Beach Geographic Information System (GIS), and City of Newport Beach General Plan EIR. Additionally, this section also references the Water Quality Management Plan for the Project prepared by Stantec, dated December 18, 2015 (*Technical Appendix E*).

The Project Site is located in the northwestern portion of the Peninsular Range Geomorphic Province in southwestern California, a region which is separated by northwest trending valleys, subparallel to faults branching from the San Andreas Fault. The Project Site resides in the portion of the Province drained by surface runoff into Newport Bay. The Project Site is located approximately 1,100 feet northeast of the Newport Bay at an elevation of approximately 12 to 61 feet amsl. Northwest trending mountain ranges and valleys comprise the topography of the region, with the topography on the majority of the Project Site being relatively flat, with a slight slope to the southwest toward Newport Bay. The northern portion of the Project Site contains a slope, which slopes steeply upward from the flat portions of the Site, from approximately 14 to 61 feet amsl. (Stantec, 2015a, p. 7) The regional surficial geology is comprised of late Holocene deposits consisting of unconsolidated sand, silt, and clay. The sloped northern portion of the Project Site is underlain by middle Miocene age siltstone facies consisting of massive to crudely bedded and friable white to pale gray siltstone and mudstone.

Southern California is a seismically active area. The Newport Inglewood (LA Basin) Fault is located approximately 1.2 southwest of the Project Site, and is the nearest recently active fault. Other regional faults include the Newport – Inglewood (Offshore) fault (located 1.8 miles south of the Project Site), and the San Joaquin Hills Thrust Fault (located approximately 3.4 miles north of the Project Site). The Project Site is not located within an Alquist-Priolo Earthquake Fault Zone. (Stantec, 2015a, pp. 7-9)

During the Project-specific Geotechnical Investigation performed by Stantec, subsurface soils encountered at the Project Site included various mixtures and combinations of interbedded layers of sand, clay and clay with sand, and silt from the ground surface to the maximum depth of exploration (36.5 feet bgs). The sands were fine to coarse grained and generally, moist to wet and very loose to loose in density. The clays exhibited low to high plasticity and were moist to wet and very soft to hard in consistency. The highly plastic silts were moist and very stiff to hard in consistency. Groundwater was encountered at depths of approximately 6 to 7 feet bgs during the geotechnical investigation. Groundwater flow is anticipated to flow to the southwest toward Newport Bay. (Stantec, 2015a, pp. 7-8)

As discussed in the City of Newport Beach General Plan EIR, liquefaction is a geologic process that causes ground failure as the result of a seismic event. It typically occurs in loose, saturated sediments primarily of sandy composition. Areas of Newport Beach susceptible to liquefaction and related ground failure (i.e. seismically induced settlement) include areas along the coastline that includes Balboa Peninsula, in and around the Newport Bay and Upper Newport Bay, in the lower reaches of major streams, and in the floodplain of the Santa Ana River (City of Newport Beach, 2006b, p. 4.5-6). The Project Site is located within a current, mapped California Liquefaction Hazard Zone (Stantec, 2015a, p. 10).

*a) Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

*i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
*ii) Strong seismic ground shaking?*
*iii) Seismic-related ground failure, including liquefaction?*
*iv) Landslides?*

Finding: Less-than-Significant Impact. With mandatory compliance to the California Building Code and recommendations of the Site-specific geotechnical investigation, the proposed Project would not significantly expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure (including liquefaction), and landslides. Impacts would be less than significant and no mitigation is required.

a) i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault*

There are no known faults on the Project Site and the Project Site is not located within an Alquist-Priolo earthquake fault zone (Stantec, 2015a, p. 7). As such, there is no potential for ground rupture at the Site.

a) ii) *Strong seismic ground shaking*

Southern California is a seismically active area and properties in the City of Newport Beach, including the Project Site, are subject to periodic ground shaking and other effects from earthquake activity along nearby and regional faults. Faults zones in the regional vicinity (as shown on General Plan EIR Figure 4.5-1, Regional Faults (City of Newport Beach, 2006b, Figure 4.5-1)) with the potential to cause moderate ground shaking in the City of Newport Beach include the Newport-Inglewood fault zone, the San Joaquin fault zone, and the Elysian fault zone.

Similar to all other development projects within Southern California, the Project has the potential to expose people or structures to adverse effects associated with seismic events. The buildings that would be constructed on the property would be required to comply with the California Building Code (CBC), which requires the incorporation of special structural design standards into the building design to attenuate hazards associated with credible seismic ground shaking events that are anticipated in the Project area. A site-specific analysis, based on the CBC requirements, was conducted as part of the Project's geotechnical evaluation (*Technical Appendix C*). The geotechnical evaluation also incorporates site-specific recommendations to attenuate seismic hazards at the Site in accordance with the CBC requirements and standards. Compliance with applicable requirements of the CBC and the specifications listed in the site-specific geotechnical evaluation would be assured through future City review of grading and building permits, which would require that strong seismic ground shaking effects are attenuated. As such, impacts would be less than significant and mitigation is not required.

a) iii) *Seismic-related ground failure, including liquefaction*

The Project Site is located within a current mapped California Liquefaction Hazard Zone (Stantec, 2015a, p. 10; City of Newport Beach, 2016a). Liquefaction typically occurs in loose granular and cohesionless soils with shallow groundwater (within approximately 50 feet below ground surface). During an earthquake, distortion of soil mass occurs and pore pressure increases resulting in a decrease in bearing capacity. After dissipation of the excess pore pressures, the saturated soils tend to settle. The geotechnical investigation conducted at the Project Site identified conditions that may be susceptible to seismically induced liquefaction, including being located within a mapped liquefaction hazard zone, proximity to an active fault, shallow groundwater (6 to 7 feet bgs), and a lithology consisting primarily of loose sand, silty sand, silt, and clay soils. As such, Stantec conducted a quantitative evaluation of liquefaction potential on soil layers in the upper 40 feet bgs using the soil data obtained during the geotechnical investigation performed at the Project Site. Utilizing the soil and groundwater profile identified during advancement of Site borings by Stantec, and a ground acceleration of 0.8g, the results of this analysis indicated that the loose saturated sand and silty sand (in the depth interval of 2 to 7 feet bgs) appear to be susceptible to liquefaction in the event of a major earthquake. (Stantec, 2015a, pp. 10-12) However, the geotechnical investigation also identifies Site-specific measures that would reduce the potential for impacts associated with liquefaction. The implementation of the Site-specific measures to reduce the potential for impacts associated with liquefaction would be assured through Project conditions of approval and future City review of grading and building permits, which would require that building plans incorporate the measures. As such, impacts would be less than significant and mitigation is not required.

*a) iv) Landslides*

The Project Site is located at the base of an approximately 40-foot high slope which is underlain by middle Miocene age siltstone facies consisting of massive to crudely bedded and friable white to pale gray siltstone and mudstone (Stantec, 2015a, p. 7). According to the General Plan EIR, the northern portion of the Project Site that contains the slope is located within an area with landslide potential (City of Newport Beach, 2006b, Figure 4.5-2; City of Newport Beach, 2016a). A retaining wall ranging in height from approximately 2 to 12 feet currently exists at the base of the slope in the northern portion of the Project Site. The Project proposes replacing the existing retaining wall near the base of the slope with a retaining wall ranging in height from 9 to 24.5 feet in order to improve slope stability. The incorporation of the retaining wall into the Project's design assures that any landslide activity would be less than significant and not have adverse safety effects to persons on the Project site; no mitigation is required.

*b) Would the Project result in substantial soil erosion or the loss of topsoil?*

Finding: Less-than-Significant Impact. The proposed Project would not result in substantial soil erosion or the loss of topsoil. Impacts would be less than significant and no mitigation is required.

Construction-Related Activities

Proposed demolition and grading activities associated with the Project would temporarily expose underlying soils to water and air, which would increase erosion susceptibility while the soils are exposed. With the exception of the slope located on the northern portion of the Project Site, the property is relatively flat, which reduces the potential for erosion. Regardless, exposed soils would be subject to erosion during rainfall events or high winds due to the removal of structures, pavement, and/or stabilizing vegetation and exposure of these erodible materials to wind and water. Erosion by water would be greatest during the first rainy season after grading and before the Project's structure foundations are

established and paving and landscaping occur. Erosion by wind would be highest during periods of high wind speeds when soils are exposed.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area. Additionally, during grading and other construction activities involving soil exposure or the transport of earth materials, Chapter 15.10 (Excavation and Grading Code) of the City of Newport Beach, which establishes requirements for the control of dust and erosion during construction, would apply to the Project (City of Newport Beach, 2016b, Chapter 15.10). As part of the requirements of Chapter 15.10 (Excavation and Grading Code), the Project Applicant would be required to prepare an erosion control plan that would address construction fencing, sand bags, and other erosion-control features that would be implemented during the construction phase to reduce the Site's potential for soil erosion or the loss of topsoil. Requirements for the reduction of particulate matter in the air also would apply, pursuant to SCAQMD Rule 403. Mandatory compliance to the Project's NPDES permit and these regulatory requirements would ensure that water and wind erosion impacts would be less than significant and that no mitigation measures are required.

Long-Term Operational Activities

Following construction, wind and water erosion on the Project Site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces. Only nominal areas of exposed soil, if any, would occur in the Site's landscaped areas. The only potential for erosion effects to occur during Project operation would be indirect effects from storm water discharged from the property. The Project proposes a series of storm drain inlets on the southern portion of the Project Site to which storm water runoff would flow. The onsite storm drain system would be directed to a diversion structure near the west entry drive where the storm water treatment flow rate would be diverted to a Modular Wetlands storm water biofiltration system which will physically and chemically capture pollutants from the diverted storm water runoff. The treated storm water will be connected back to the onsite storm drain system that will ultimately discharge to the existing 36-inch Caltrans reinforced concrete pipe (RCP) located along West Coast Highway. Storm water runoff generated on the northern portion of the Project Site (including the on- and off-Site portions of the slope) will be captured by a proposed terrace drain aligned along the back of the proposed retaining wall, and will be conveyed eastward and subsequently southward to ultimately connected directly to the existing 36-inch Caltrans RCP located along West Coast Highway. No increased erosion effects would occur because the Project would not increase the volume or velocity of water discharged from the Site, and therefore would not increase siltation or erosional effects associated with water discharge. (Stantec, 2015b)

In addition, the Project Applicant is required to prepare and submit to the City for approval a Project-specific Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). The SWPPP and WQMP must identify and implement an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate discharge to surface water from storm water and non-storm water discharges. Adherence to the requirements noted in the Project's required WQMP (refer to *Technical Appendix E*) and Site-specific SWPPP would further ensure that potential erosion and sedimentation effects would be less than significant.

c) *Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-Site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Finding: Less-than-Significant Impact. With mandatory compliance with the CBC requirements and the recommendations of the Project-specific geotechnical investigation, the proposed Project would not be located on a geologic unit or soil that is unstable that would potentially result in on-or off-Site landslide, lateral spreading, subsidence, liquefaction or collapse. Impacts would be less than significant and no mitigation is required.

Potential landslide, lateral spreading, and liquefaction hazards are addressed above under the discussion and analysis of Thresholds a) and b). As discussed under Thresholds a) and b), with mandatory compliance with applicable requirements and standards of the CBC and the specifications listed in the Project's site-specific geotechnical investigation, impacts due to landslides and liquefaction would be less than significant and mitigation is not required.

Based on the analysis conducted by Stantec, seismically induced settlements in the event of the design earthquake contemplated by the geotechnical investigation are on the order of 4.2 inches total (Stantec, 2015a, p. 18). Although such settlement has the potential to affect building foundations, the site-specific geotechnical report (*Technical Appendix C*) incorporates design measures to attenuate potential damage from settlement of the supporting subgrade. Compliance with the recommendations contained in the Site-specific geotechnical evaluation would be assured through future City review of building and grading permits, and would reduce impacts due to potential ground subsidence or collapse to a level below significance.

The site-specific geotechnical evaluation identified the potential for lateral spreading to be considered moderate (Stantec, 2015a, p. 12). Based on the foregoing analysis, and with mandatory compliance with the CBC requirements and the recommendations of the Site-specific geotechnical evaluation, the proposed Project would result in less-than-significant impacts due to unstable soil conditions that could result in on- or off-Site landslides, lateral spreading, subsidence, liquefaction, and collapse.

d) *Would the Project be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Finding: No Impact. The Project would not be subject to substantial risks to life or property associated with expansive soils. No impact would occur and mitigation is not required.

On-Site soil testing conducted by the Project geotechnical engineer (Stantec; *Technical Appendix C*) concludes that the near surface soils at the Site exhibit a low expansion potential (Stantec, 2015a, p. 13). Accordingly, the Project would not create a substantial risk to life or property associated with expansive soils, and no impact would occur.

e) *Would the Project have soils incapable of adequately supporting the use septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

Finding: No Impact. No septic tanks or alternative waste water disposal systems are located on the Site or proposed as part of the Project; accordingly, no impact due to soils incapable of supporting such systems have the potential to occur. Mitigation is not required.

The proposed Project would be served by the City's existing sanitary sewer system. No septic tanks or alternative waste water disposal systems are proposed as part of the Project; accordingly, no impact would occur.

Geology and Soils: Mitigation Measures

No Mitigation Measures are required.

### 5.4.7 Greenhouse Gas Emissions

*Greenhouse Gas Impact Analysis*

A Project-specific Greenhouse Gas (GHG) Impact Analysis was prepared by Urban Crossroads, and is dated June 6, 2016 (Urban Crossroads, 2016b). The information and analysis discussion contained in this section is derived from this GHG Impact Analysis, and is included as *Technical Appendix B2*. The purpose of the GHG Impact Analysis is to evaluate Project-related construction and operational emissions and determine the level of GHG impacts to result from constructing and operating the proposed Project. The GHG Impact Analysis used the latest version of CalEEMod to calculate air quality and GHG impacts that would result from construction and operation of the Project.

*Global Climate Change*

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. These historical changes to the Earth's climate have occurred naturally without human influence, as in the case of an ice age. However, many scientists believe that the climate shift taking place since the industrial revolution (1900) is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in the Earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of GHGs resulting from human activity and industrialization over the past 200 years. (Urban Crossroads, 2016b, p. 7)

An individual project like the proposed Project cannot generate enough GHG emissions to effect a discernible change in global climate. However, the proposed Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC. Because these changes may have serious environmental consequences, the GHG Impact Analysis evaluated the potential for the proposed Project to have a significant effect upon the environment as a result of its potential contribution to the greenhouse effect. (Urban Crossroads, 2016b, p. 7)

*Greenhouse Gases*

GHGs are gases that trap heat in the atmosphere, and are released into the atmosphere by both natural and anthropogenic (human) activity. For the purposes of the GHG Impact Analysis, emissions of carbon dioxide (CO2), methane (CH4), and nitrous oxide (N20) were evaluated because these gases are the primary contributors to GCC from development projects. Although other substances such as fluorinated gases also contribute to GCC, sources of fluorinated gases are not well-defined and no accepted emissions factors or methodology exist to accurately calculate these gases. GHGs have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere. Carbon dioxide is utilized as the reference gas for GWP, and thus has a GWP of 1. (Urban Crossroads, 2016b, p. 9)

*Determination of Significance Thresholds*

In 2008, the SCAQMD provided guidance to lead agencies on the determination of significance of GHG project emissions. As part of the process, the SCAQMD assembled a GHG Significance Threshold Working Group with the goal to develop and reach a consensus on acceptable significance thresholds to be used in CEQA analyses for GHG emissions on an interim basis until CARB (or another state agency) develops statewide guidance on assessing the significance of GHG emissions under CEQA.

Initially, SCAQMD staff presented the GHG Significance Threshold Working Group with a significance threshold that could be applied to various types of projects (residential, non-residential, industrial, etc.). However, the threshold is still under development. In December 2008, staff presented the SCAQMD Governing Board with a significance threshold for stationary source projects for which SCAQMD is the lead agency. This threshold uses a tiered approach to determine a project's significance, with 10,000 metric tons of carbon dioxide equivalent (MTCO2e) as a screening numerical threshold for stationary sources. It should be noted that when setting the 10,000 MTCO2e threshold, the SCAQMD did not consider mobile sources (vehicular travel), but rather stationary source generators such as boilers, refineries, power plants, etc. Therefore, it would be misleading to apply a threshold that was developed without consideration for mobile sources to a project where the majority of emissions are related to mobile sources. Thus, there is no SCAQMD threshold that can be applied to the proposed Project.

In September 2010, the Working Group released additional revisions that consist of the following recommended tiered approach in determining the significance of residential and commercial projects as indicated in draft guidance issued by the SCAQMD 2012 which includes:

- Tier 1: If the project is exempt under existing statutory or categorical exemptions there is a presumption of "less-than-significant" impacts with respect to climate change.

- Tier 2: If the project's GHG emissions are within the GHG budgets in an approved regional plan (plans consistent with CEQA sections 15064(h)(3), 15125(d), or 15152(s)), there is a presumption of "less-than-significant" impacts with respect to climate change.

- Tier 3: Consists of screening values at the discretion of the lead agency; however, they should be consistent for all projects within its jurisdiction. Project-related construction emissions should be amortized over 30 years and should be added back the project's operational emissions. The following thresholds are proposed for consideration:

    - 3,000 MTCO2e per year for all land use types; or
    - 3,500 MTCO2e per year for residential; 1,400 MTCO2e per year for commercial; or 3,000 MTCO2e per year for mixed-use projects.

- Tier 4: Does the project meet one of the following performance standards? If yes, there is a presumption of "less-than-significant" impacts with respect to climate change.

    - Option 1: Reduce emissions from business as usual by a certain percentage (currently undefined);
    - Option 2: Early implementation of applicable AB 32 Scoping Plan measures; or
    - Option 3: A project-level efficiency target of 4.8 MTCO2e per service population as a 2020 target and 3.0 MTCO2e per service population as a 2035 target. The recommended plan-level target for 2020 is 6.6 MTCO2e and the plan level target for 2035 is 4.1 MTCO2e.

- Tier 5: Involves mitigation offsets to achieve target significance thresholds.

(Urban Crossroads, 2016b, p. 29)

The SCAQMD has also adopted Rules 2700, 2701, and 2702 that address GHG reductions. However, these rules address boilers and process heater, forestry, and manure management projects, none of which are required by the Project. (Urban Crossroads, 2016b, p. 30)

According to the SCAQMD's proposed GHG screening threshold for stationary source emissions described in the SCAQMD's *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans* ("SCAQMD Interim GHG Threshold"), a screening threshold of 3,000 MTCO2e per year to determine if additional analysis is required is an acceptable approach for small non-industrial projects. The City of Newport Beach has not adopted its own numeric threshold of significance for determining impacts with respect to GHG emissions, and relies upon the SCAQMD draft screening level threshold. Therefore, for purposes of analysis herein, the proposed Project may have a significant adverse impact on GHG emissions if it would generate GHG emissions that exceed the SCAQMD's 3,000 MTCO2e per year screening threshold. (Urban Crossroads, 2016b, pp. 30-31)

---

*a) Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

---

Finding: Less-than-Significant Impact. The Project would result in GHG emissions that are below the significance screening threshold of 3,000 MTCO2e/year. Thus, the Project's emissions of GHGs would be less-than-significant and mitigation is not required.

The GHG Impact Analysis used CalEEMod to calculate Project-related GHG emissions based on the modeling assumptions described under the topic of Air Quality in Section 5.4.3 of this document. The calculated Project-related GHG emissions (unmitigated) are presented below in Table 5-8, *Total Project Greenhouse Gas Emissions (Annual)*. The emissions presented in Table 5-8 include emissions from construction activities amortized over a 30-year period (per the SCAQMD's recommendation), as well as operational emissions. Operational activities associated with the proposed Project will result in emissions of $CO_2$, $CH_4$, and $N_2O$ from the following primary sources: Area Source Emissions; Energy Source Emissions; Mobile Source Emissions; Solid Waste; and Water Supply, Treatment and Distribution. As shown in Table 5-8, the proposed Project would produce approximately 816.2 MTCO2e/year from operational and amortized construction GHG emissions. The proposed Project's estimated GHG emissions of 816.2 MTCO2e/year would be less than the SCAQMD's interim threshold of 3,000 MTCO2e/year. Therefore, the proposed Project would result in a less-than-significant impact to GHG emissions, and mitigation is not required. (Urban Crossroads, 2016b, pp. 33-35)

**Table 5-8 Total Project Greenhouse Gas Emissions (Annual)**

| Emission Source | Emissions (metric tons per year) | | | |
|---|---|---|---|---|
| | $CO_2$ | $CH_4$ | $N_2O$ | Total $CO_2E$ |
| Annual construction-related emissions amortized over 30 years | 11.23 | 1.96E-03 | -- | 11.27 |
| Area [A] | 2.90E 03 | 1.00E-05 | 0.00E+00 | 3.07E-03 |
| Energy [B] | 125.58 | 5.60E-03 | 1.79E-03 | 126.26 |
| Mobile Sources [C] | 591.72 | 0.02 | 0.00 | 592.23 |
| Waste | 29.43 | 1.74 | 0.00 | 65.95 |
| Water Usage | 17.11 | 0.12 | 2.94E-03 | 20.49 |
| **Total CO2e (All Sources)** | **816.20** | | | |
| **SCAQMD Threshold** | **3,000** | | | |
| **Significant?** | **NO** | | | |

Note: Totals obtained from CalEEMod™ and may not total 100% due to rounding.
Table results include scientific notation "e" is used to represent *times ten raised to the power of* (which would be written as x 10*b*") and is followed by the value of the exponent
[A] Includes emissions of GHGs from landscape maintenance equipment.
[B] Includes combustion emissions associated with natural gas and electricity.
[C] includes emissions from operation of motor vehicles by employees and customers.
Source: (Urban Crossroads, 2016b, Table 3-1)

*b) Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Finding: No Impact. The proposed Project would comply with all applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions; accordingly, no impact due to a conflict with any plans, policies, or regulations adopted for the purpose of reducing GHG emissions would occur. Mitigation is not required.

As discussed in Threshold a) above, the Project would generate GHG emissions calculated at 816.20 MTCO2e/year, which is well below the SCAQMD draft screening level threshold of 3,000 MTCO2e/year that is utilized by the City of Newport Beach for evaluating the significance of a small non-industrial project's GHG emissions. (Urban Crossroads, 2016b)

Additionally, activities associated with the Project would be subject to all applicable federal, state, and regional requirements adopted for the purpose of reducing GHG emissions, including, but not limited to: CBSC Title 24 Energy Standards (also known as CalGreen); California Assembly Bill (AB) 1493; Executive Order S-3-05; AB 32; Senate Bill (SB) 1368; SB 97; and the applicable policies of the City's General Plan that reduce GHG emissions. There are no other plans, policies, or regulations adopted for the purpose of reducing GHG emissions that are applicable to the Project area; therefore, the Project would have no potential to conflict with such plans, policies, or regulations. Although Executive Order (EO) B-30-15 was signed by Governor Edmund Brown Jr. in April 2015, no plans, policies, or regulations have been yet put in place to achieve its GHG reduction targets for years 2030 and 2050. The EO seeks to establish a California GHG reduction target of 40 percent below 1990 levels by 2030 which would help the State meet targets of reducing GHG emissions to 80 percent below 1990 levels by 2050 covered under EO S-3-05. EO B-30-15 establishes a policy goal and it does not require local agencies to take any action to meet its reduction targets. No statutes or regulations have been adopted to translate the 2030 and 2050

GHG reduction goals into comparable, scientifically-based emission reduction targets. In other words, rendering a significance determination relative to EO B-30-15 and EO S-3-05 would be speculative because they establish goals 14 and 34 years into the future; no agency with GHG subject matter expertise has adopted regulations to achieve these statewide goals at the project-level; and, available analytical models cannot presently quantify all project-related emissions in those future years. Further, due to the technological shifts anticipated and the unknown parameters of the regulatory framework in 2030 and 2050, available GHG models and the corresponding technical analyses are subject to limitations for purposes of quantitatively estimating the Project's emissions in 2030 and 2050. Accordingly, any conclusion as to the significance of the Project's contribution to cumulative, statewide GHG emissions in years 2030 and 2050 would be speculative (CEQA Guidelines § 15145). Further, the Project would not interfere with implementation of any of the State's GHG reduction goals for 2030 or 2050.

Based on the foregoing analysis, the Project would not have a less-than-significant impact with respect to Threshold b), and no mitigation is necessary.

Greenhouse Gas Emissions: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts due to GHG emissions; therefore, mitigation measures would not be required.

### 5.4.8 Hazards and Hazardous Materials

a) *Would the Project create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?*

b) *Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Finding: Less-than-Significant Impact with Mitigation Incorporated. Based on the findings of the Phase I and II Environmental Site Assessments (ESAs), there is the potential for a UST to have existed or currently exist at the Project Site based on the absence of UST removal records. Accordingly, the potential exists that USTs may be uncovered during grading activities. In addition, the existing buildings on the property that would be demolished may contain friable asbestos materials and materials coated with lead-based paint, both of which have the potential to expose construction workers and/or nearby sensitive receptors to health risks during demolition activities though impacts associated with asbestos-containing materials and lead based paints would be avoided through compliance with mandatory regulatory requirements.

Impacts Due to Existing Site Conditions

The analysis herein is based on a Site-specific Phase I ESA and a Phase II ESA conducted by JHA Environmental. The reports are attached as *Technical Appendix D* to this document, and should be referred to for additional information.

The Phase I ESA prepared by JHA did not identify any recognized environmental conditions (RECs) at the Project Site, except for the potential presence of a 1,000-gallon underground storage tank (UST) at 320 West Coast Highway (JHA, 2015a, p. i). The potential UST was identified through a review of historical building records for the Project Site, the installation of which appears to be associated with a previous boat sales operation. Subsequently, JHA performed a Phase II ESA to further investigate the potential UST, which consisted of performing a geophysical survey and soil and groundwater sampling in the

reported location of the UST at the 320 West Coast Highway property. The results of the subsurface geophysical survey did not identify evidence indicating a UST exists at the Project Site. Additionally, results of the soil and groundwater sampling did not detect contaminants (petroleum hydrocarbons or VOCs) in those media, and thus no evidence of a previous release associated with the UST was identified. Although the soil and groundwater beneath the property was not found to be impacted, the potential still exists that USTs may be uncovered during grading activities. Accordingly, grading activities may result in a potentially significant impact should an UST is discovered during excavation; therefore, mitigation is required. (JHA, 2015a; JHA, 2015b)

Impacts During Construction and Demolition Activities

According to the Phase I ESA prepared for the Project Site in March 2015, on-Site buildings may contain asbestos-containing materials (ACMs) due to the age of the structures (JHA, 2015a, p. 11). Accordingly, during demolition of the buildings, there is a potential that construction workers could be exposed to friable asbestos materials, which are known to cause human health problems, including cancer. ACMs also have the potential to become airborne during demolition activities, potentially affecting nearby sensitive receptors. The demolition of structures containing ACMs is regulated by Air Quality Management District (AQMD) Rule 1403, which identifies requirements that must be adhered to during demolition of buildings containing ACMs. Mandatory compliance with the provisions of Rule 1403 would ensure that Project demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with ACMs. Because the Project would be required to comply with AQMD Rule 1403 during demolition activities, impacts due to asbestos would be less than significant.

According to the Phase I ESA prepared for the Project Site in March 2015, on-Site buildings may contain lead-based paint (LBP) due to the age of the structures (JHA, 2015a, p. 11). Accordingly, there is a potential to expose construction workers to health hazards associated with lead during demolition activities. The Project would be required to comply with Title 17, California Code of Regulations (CCR), Division 1, Chapter 8, which includes requirements such as employer provided training, air monitoring, protective clothing, respirators, and hand washing facilities. In addition, there are standard work practices required such as the use of wet methods and HEPA vacuums. Mandatory compliance with Title 17, California Code of Regulations (CCR), Division 1, Chapter 8 would ensure that construction workers are not exposed to significant LBP health hazards during demolition, and impacts would be reduced to less than significant.

Heavy equipment would be used during construction of the proposed Project, which would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would be located on the Project Site during construction. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the proposed Project than would occur on any other similar construction site, and such impacts would be less than significant.

There are no other components of the Project's proposed construction or demolition characteristics that have the potential to create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials.

Impacts During Long-Term Operation

Under long-term operational conditions, the Project Site would be occupied by an automobile dealership. Project operations would include vehicle servicing and washing, which would entail the use, storage, and disposal of relatively small quantities of hazardous substances such as batteries, paint, solvents, motor oil, lubricants, sealants, antifreeze, hydraulic/brake fluid, and other automotive chemicals. Additionally, use and storage of small quantities of hazardous substances associated with routine cleaning, building maintenance and landscaping would also occur at the Project Site. All hazardous materials would be contained, stored, and used in accordance with manufacturer's instructions and in compliance with applicable and mandatory federal, State, and local standards and regulations (including Newport Beach Fire Department, CalOSHA, and OSHA requirements). Accordingly, there would be a less-than-significant impact during long-term operation of the proposed Project.

---

*c) Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

---

Finding: No Impact. The nearest school is located approximately 0.27-mile from the Project Site. The proposed Project would therefore have no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Accordingly, no impact would occur and mitigation is not required.

The Project Site is not located within one-quarter mile of an existing or proposed school. The nearest school to the Project Site is Horace Ensign Intermediate School located approximately 0.27-mile northwest of the Project Site. Accordingly, the proposed Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur and no mitigation is required.

---

*d) Would the Project be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

---

Finding: No Impact. The Project Site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5. Accordingly, the Project would not create a significant hazard to the public or the environment. No impact would occur and mitigation is not required.

The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List." The Project Site was not listed on any of the data resources associated with the Cortese List. Additionally, the Project-specific Phase I ESA (refer to *Technical Appendix D*) did not identify the Project Site on a list of hazardous material Sites complied pursuant to Government Code Section 65962.5. Accordingly, the proposed Project would not create a significant hazard to the public or the environment. No impact would occur and no mitigation is required.

---

*e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

---

Finding: No Impact. The Project Site is not located within an airport land use plan or within two miles of a public airport or public use airport. Accordingly, the Project would not result

in an airport safety hazard for people residing or working in the Project area. No impact would occur and mitigation is not required.

The nearest airport to the Project Site is the John Wayne Airport (JWA) which is located approximately 3.9 miles northeast of the Project Site. According to the Airport Environs Land Use Plan (AELUP) for JWA, the Project Site is not located within the Airport Planning Area or the Airport Impact Zones, the AELUP Notification Area for JWA, or the Airport Safety Zones (OCALUC, 2008, Figure 1). The Project Site does, however, occur within the JWA Obstruction Imaginary Surfaces zone established pursuant to Federal Aviation Regulations Part 77, although review by the ALUC only would apply if a project is proposed that exceeds the height limits established by Federal Aviation Regulations Part 77 (OCALUC, 2008). The Project proposes the construction of a 46.8-foot tall building, which would be similar to the height of nearby development and would not result penetrate the Imaginary Surface zone. Accordingly, no airport safety impacts would occur and no mitigation is required.

*f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

Finding: No Impact. The Project is not located within the vicinity of a private airstrip. Accordingly, the Project would not result in an airstrip safety hazard for people residing or working in the Project area. No impact would occur and mitigation is not required.

There are no private airstrips within the Project vicinity. Accordingly, the proposed Project would not result in a safety hazard for people residing or working in the Project area. No impact would occur and no mitigation is required.

*g) Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Finding: No Impact. The proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur and mitigation is not required.

The City of Newport Beach Emergency Operations Plan (EOP) provides guidance for the City of Newport Beach's response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations in both war and peacetime (City of Newport Beach, 2006b, pp. 4.6-29). The EOP identifies tsunami evacuation routes, tsunami inundation zones, tsunami evacuation sites, and response plans, and utilizes an outdoor emergency siren system to provide people with advance warnings of potential tsunami emergencies. According to the City of Newport Beach EOP, the Project Site is located within a Tsunami Inundation Evacuation Zone (City of Newport Beach, 2011a, p. 100). The EOP does not identify the Project Site or the adjacent West Coast Highway as part of an emergency evacuation route (City of Newport Beach, 2011a, p. 101).

Accordingly, the proposed redevelopment of the Project Site with a car dealership would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur and mitigation is not required.

*h) Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

Finding: No Impact. The Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. No impact would occur and mitigation is not required.

According to the City's General Plan Figure S4, *Wildfire Hazards*, the Project Site is not located within a fire susceptibility area (City of Newport Beach, 2006a, Figure S4). In addition, the Project Site is located within and is surrounded by urban built-up land, with the exception of the vegetated slope that occurs on the northern portion of the Site and abuts the Site to the north. The slope is primarily vegetated with fire retardant plant species such as ice plant; as such the potential for wildfires to occur along the slope is considered low. Accordingly, the proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No impact would occur and no mitigation is required.

Hazards and Hazardous Materials: Mitigation Measures

Mitigation for hazards associated with the potential presence of hazardous materials that would be removed from the property is as follows:

MM HM-1 Prior to any excavation and grading activities at the Project Site, the construction contractor shall ensure that the location of the former UST on the 320 West Coast Highway property (as identified by JHA Environmental) is potholed using heavy equipment to confirm the presence or absence of a UST. During grading activities, the contractor shall also observe for signs of impacted soil and USTs (i.e., soil staining, odors, or other visual anomalies). If evidence of USTs is discovered, the construction contractor shall cease grading activities and contact the appropriate regulatory agencies (i.e., City of Newport Beach Fire Department) and certified environmental consultants to ensure that the UST(s) and potentially impacted soils are properly removed and disposed of per applicable local, State, and federal guidelines to the satisfaction of the City of Newport Beach Fire Department.

Implementation of Mitigation Measure MM HM-1 would reduce the Project's potential hazardous materials impacts to below a level of significance.

## 5.4.9 Hydrology and Water Quality

*a) Would the Project violate any water quality standards or waste discharge requirements?*

Finding: Less-Than-Significant Impact. The Project would not violate any water quality standard or waste discharge requirement. Impacts would be less than significant and mitigation is not required.

Construction-Related Water Quality Impacts

Construction of the proposed Project would involve the demolition of the existing structures and parking lot areas on-Site and substantial ground disturbance, resulting in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect

water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana RWQCB and the City of Newport Beach, the Project would be required to obtain a NPDES Municipal Storm Water Permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP would specify the Best Management Practices (BMPs) that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern (including sediment) are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Mandatory compliance with the SWPPP would ensure that the Project does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

Post Development Water Quality Impacts

The proposed Project would not substantially alter the character of storm water runoff discharged from the subject property as compared to existing conditions. Storm water pollutants commonly associated with the land use proposed by the Project (i.e., a commercial car dealership) include tire-wear residues, petroleum products such as oil and grease, metals, landscaping fertilizer and pesticides, bacteria and viruses, as well as litter and other types of wastes. These urban types of storm water pollutants are also characteristic of the commercial land uses that occupy the Project Site under existing conditions (i.e., commercial retail/offices and surface parking lots).

According to the Water Quality Management Plan (WQMP) prepared for the Project, implementation of the proposed Project would result in an increase in impervious surface area at the property from 66% (existing) to 84% (proposed) (Stantec, 2015b, p. 4). This increase in impervious surface area of approximately 0.32-acre would result in a commensurate increase in storm water runoff. The WQMP was prepared for the proposed Project in accordance with the requirements of the City's NPDES permit, and serves as a post-construction management program that ensures the on-going protection of the watershed basin by requiring structural and programmatic controls. The Project's WQMP (*Technical Appendix E*) identifies structural controls, which includes the installation of an on-Site storm drain system connected to a modular wetlands storm water biofiltration system, and programmatic controls (including educational materials for tenants, irrigation system and landscape maintenance, and BMP maintenance guidelines) to minimize, prevent, and/or otherwise appropriately treat storm water runoff flows before they are discharged from the Site. Mandatory compliance with the WQMP would ensure that the Project does violate any water quality standards or waste discharge requirements during long-term operation. Therefore, water quality impacts associated with post-development activities would be less than significant and no mitigation measures would be required.

*b) Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Finding: Less-than-Significant Impact. Although the Project would result in an increase in the amount of impervious surface area at the Site, the potential for the Project to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level is considered less than significant. Therefore, a less-than-significant impact would occur and mitigation is not required.

No groundwater wells are located on the Project Site or proposed as part of the Project. Therefore, implementation of the proposed Project would not deplete groundwater supplies associated with water well withdraw.

According to the City's General Plan EIR Figure 4.7-1, *Water Resources*, the Project Site is located within the Coastal Plain of the Orange County Groundwater Basin (City of Newport Beach, 2006b, Figure 4.7-1). During the Project geotechnical investigation, groundwater was encountered beneath the Project Site at depths of approximately 6 to 7 feet bgs (Stantec, 2015a, p. 8). The proposed Project entails an increase in impervious surface area at the property from approximately 66% (existing) to 84% (proposed), which may result in a nominal decrease in groundwater recharge potential (Stantec, 2015b, p. 4). Due to the limited size of the Project Site (1.79 acres) and the small increase of impervious surface (approximately 0.32-acre), any reduction of groundwater supply recharge would be nominal and would not interfere substantially with groundwater recharge to a degree that would result in a net deficit in aquifer volume or a lowering of the local groundwater table level. Based on the foregoing analysis, a less-than-significant impact would occur and no mitigation is required.

*c) Would the Project substantially alter the existing drainage pattern of the Site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-Site?*

Finding: Less-than-Significant Impact. The Project Site's drainage pattern would not be substantially altered from existing conditions. Accordingly, the proposed Project would not substantially alter the existing drainage pattern of the Site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-Site. Impacts would be less than significant and mitigation is not required.

The Project Site is generally flat and currently drains towards the south out of existing entrance driveways and into the public street gutter in the West Coast Highway right-of-way. Storm water runoff flows westward in the street gutter where it is intercepted by a catch basin located near 600 West Coast Highway, which conveys runoff to an existing Caltrans 36" concrete pipe in West Coast Highway. Under existing conditions, no storm drain system occurs on-Site. The existing slope that occurs on the northern portion of the Project Site and to the abutting north also generates off-site run-on, which primarily percolates into the ground. With implementation of the Project, the Site's existing hydrological characteristics would not be substantially altered. Under the proposed conditions, runoff would continue to drain southward to proposed storm drain inlets. The storm drain system would direct flows to a diversion structure near the west entry drive which would divert storm water to a modular wetlands storm water biofiltration system. Following storm water treatment, flows would be discharged to the

36" Caltrans storm drain line within West Coast Highway via the on-Site storm drain system. Storm water generated on the slope located on the northern portion of the Project Site to the adjacent north of the Site would either percolate into the ground or would be discharged to a proposed terrace drain aligned along the back of the proposed retaining wall located to the north of the proposed car dealership building. The runoff would be intercepted by intermediate inlets and conveyed eastward to the terrace drain low point where the storm drain pipe will angle to the south and connect directly to the 36" Caltrans pipe at the east entry drive. The 36" Caltrans pipe in West Coast Highway ultimately conveys storm water flows to Lower Newport Bay.

As described above, the Project would utilize a storm water treatment system (modular wetlands) which would result in a reduction in the volume and rate of the storm water flows compared to existing conditions. Furthermore, no streams or rivers are located on-Site, and thus would not be altered as a result of Project implementation. Therefore, with buildout of the Project, there would be no significant alteration of the Site's existing drainage pattern and there would not be any significant increases in the rates of erosion or siltation on- or off-site. Impacts would be less than significant and no mitigation would be required. (Stantec, 2015b)

---

*d) Would the Project substantially alter the existing drainage pattern of the Site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-Site?*

---

Finding: Less-than-Significant Impact. The Project Site's drainage pattern would not be substantially altered from existing conditions and the Project would not increase the rate or amount of surface runoff. Accordingly, the Project would not substantially alter the existing drainage pattern of the Site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-Site. Impacts would be less than significant and mitigation is not required.

As described under the above Thresholds b) and c), the Project Site's drainage pattern would not be substantially altered from existing conditions. Under proposed conditions, runoff would continue to flow in a southerly direction (as it does under existing conditions) and discharge to the existing 36" Caltrans storm drain line within West Coast Highway. As discussed in the Project-specific WQMP included as *Technical Appendix E* to this document, no on-site storm drain system or other BMPs are currently present at the Site under existing conditions. The proposed Project would construct a storm drain system and modular wetlands storm water biofiltration system to capture and treat storm water before it is discharged to the Caltrans 36" storm drain line within West Coast Highway. As a result, the Project would reduce the runoff rate of volume as compared to the existing condition, thereby reducing the volume of storm water runoff discharged. In addition, the Project would implement BMPs and/or treatment control BMPs that would filter sediments from surface runoff as described in *Technical Appendix E*. Accordingly, the Project would not substantially alter the existing drainage pattern of the Project Site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant and no mitigation is required. (Stantec, 2015b)

---

*e) Would the Project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

---

Finding: Less-than-Significant Impact. The proposed Project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage

systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant and mitigation is not required.

As discussed above under Thresholds c) and d) of this Section, the Project is designed to ensure that post-development runoff rates and volumes are reduced compared to under existing conditions. Under existing conditions, storm water runoff generally sheets flows towards southern portion of the Site and discharges to the public street gutter in the West Coast Highway right-of-way where it discharges to an existing catch basin near 600 West Coast Highway, and is ultimately conveyed to a 36" Caltrans concrete pipe in West Coast Highway. Because the existing 36" Caltrans pipe has sufficient capacity to convey runoff from the Project Site under existing conditions, and because the rate and volume of runoff would not substantially increase with buildout of the Project (and associated storm water treatment system and BMPs), the Project would not create or contribute runoff which would exceed the capacity of any existing or planned storm water drainage system. Impacts would be less than significant and no mitigation would be required.

As discussed under the analysis of Threshold a) of this section, the Project would be required to comply with a future SWPPP and the Project's WQMP (*Technical Appendix E*), which would identify BMPs to be incorporated into the Project to ensure that near-term construction activities and long-term post-development activities of the Project would not result in substantial amounts of polluted runoff. Therefore, with mandatory compliance with the Project's SWPPP and WQMP, the Project would not create or contribute substantial additional sources of polluted runoff, and impacts would be less than significant. No mitigation would be required.

*f) Would the Project otherwise substantially degrade water quality?*

Finding: Less-than-Significant Impact. The Project would not substantially degrade water quality.

As discussed above under Threshold a) of this Section, mandatory compliance with the Project's SWPPP during near-term construction activities and WQMP during long-term post-development activities would reduce the Project's potential to generate substantial amounts of polluted runoff, including runoff containing pollutants of concern for downstream impaired waters to a level below significant. Other than surface storm water runoff from the Project Site, there are no other known sources of pollutants that could adversely affect or degrade water quality. Accordingly, impacts would be less than significant and mitigation is not required.

*g) Would the Project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

Finding: No Impact. The Project Site is not located in a 100-year flood hazard area and the Project would not place housing on the Project Site. Thus, the proposed Project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. No impact would occur and mitigation is not required.

The Project does not propose to place housing on the Project Site. Thus, the Project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. No impact would occur and no mitigation is required.

*h) Would the Project place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

Finding: No Impact. The Project would not place any structure within a designated 100-year flood hazard area which would impede or redirect flood flows.

No portion of the Project Site is located within a designated 100-year flood hazard area (City of Newport Beach, 2006a, Figure S-3). Accordingly, the Project would not place any structure within a 100-year flood hazard area that could impede or redirect flood flows. No impact would occur.

*i) Would the Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

Finding: No Impact. The Project Site is not located within an area subject to significant flood hazard risks, and would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

As discussed under Thresholds g) and h) of this section, the Project is not located within a designated 100-year flood hazard zone; therefore, flood flows would not pose a substantial safety risk to people or structures on the Project Site. The entire Project Site is located within FEMA Flood Zone "X (Unshaded)." Flood Zone X (Unshaded) is an area that is determined to be outside the 0.2% annual chance flood plain (FEMA, 2009); thus, the Project would not subject future building occupants to either 100-year or 500-year flood hazards. For this reason, building occupants would not be exposed to a significant risk of loss, injury, or death as a result of flooding. This flooding risk is the same risk posed to the Site and surrounding land uses under existing conditions.

Portions of Newport Beach are designated as occurring within the flood inundation areas for Prado Dam, Santiago Creek Reservoir, Villa Park Reservoir, San Joaquin Reservoir, Big Canyon Reservoir, and Harbor View Reservoir (City of Newport Beach, 2011, p. 62). The Big Canyon Reservoir is the nearest dam to the Project Site. As identified in the Dam Failure Inundation Map in the City of Newport Beach Emergency Operations Plan, the Project Site is not identified as being within any of the dam failure areas. Additionally, the City's General Plan EIR does not identify the Project location as being within an area subject to potential flooding due to dam or levee failure (City of Newport Beach, 2006b, p. 4.7-40). Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding including flooding from the failure of a levee or dam, and a less-than-significant impact would occur.

*j) Would the Project expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?*

Finding: Less-than-Significant Impact. With compliance with the provisions of the flood damage provisions in the City's Municipal Code, impacts from inundation by seiches and tsunamis would be less than significant and mitigation is not required. Impacts associated with inundation by mudflow would be less than significant with the proposed construction of the retaining wall system designed in accordance with the recommendations presented in the Project-specific geotechnical evaluation.

A seiche is a standing wave oscillating in a large semi- or fully-enclosed body of water such as a bay or lake, and is typically generated as a result of strong winds, rapid changes in atmospheric pressure, earthquakes, or tsunamis (NOAA, 2015). The General Plan EIR identifies the Mariner's Mile planning

subarea as an area that would be at risk of inundation resulting from seiche in Newport Harbor (City of Newport Beach, 2006b, p. 4.7-41). The probability that damaging seiches would develop in the water bodies located within Newport Harbor are considered low (City of Newport Beach, 2006b, p. 4.7-41). Additionally, the General Plan EIR concludes that new development in the City occurring in areas subject to flood hazards would be subject to the flood damage prevention provisions of the City's Municipal Code, and therefore risks associated with inundation by seiche are considered to be less than significant in the Planning Area. Moreover, the Mariner's Mile area would have the same level of seiche risk with or without the implementation of the improvements proposed by the Project and the proposed Project does not include any components that would expose building occupants to any more or less risk associated with seiche when compared to other commercial developments in the Project area. Therefore, with compliance with the provisions of the flood damage provisions in the City's Municipal Code, impacts associated with the risk of inundation by seiche are considered less than significant.

According to Figure S-1, *Coastal Hazards*, of the City of Newport Beach General Plan, the Project Site is not located within a 100-year or 500-year tsunami inundation zone (City of Newport Beach, 2006a, Figure S-1). Newport Beach is generally protected from most distantly generated tsunamis by the Channel Islands and Point Arguello, except for those generated in the Aleutian Islands, off the coast of Chile, and possibly off the coast of Central America. Since the 1800's, more than thirty tsunamis have been recorded in Southern California, and at least six (6) caused damage in the area, although not necessarily in Newport Beach. Locally generated tsunamis caused by offshore faulting or landsliding immediately offshore from Newport Beach are possible, and these tsunamis have the potential to be worst-case scenarios for the coastal communities in Orange County (City of Newport Beach, 2006b, p.4.7-16). The City has prepared an Emergency Management Plan, which identifies tsunami evacuation routes, tsunami evacuation Sites, response plans, and utilizes an outdoor emergency siren system to provide residents with advance warnings of potential tsunami emergencies. The Project Site is located within the coverage area of the outdoor emergency siren within Veterans Memorial Park at 15th Street and Bay Avenue on the Balboa Peninsula (City of Newport Beach, 2011, p. 100). The proposed Project would not change the potential for exposure of people or structures to water inundation in the rare instance of a tsunami. The Project Site would have the same level of tsunami risk with or without the implementation of the improvements proposed by the Project. Therefore, the impact is less than significant and mitigation is not required.

Due to the presence of the slope on the northern portion of the Project Site and to the adjacent north of the Project Site, there is the potential for the occurrence of mudflows that may impact the Site. As discussed in Section 5.4.7, *Geology and Soils*, the Project proposes the replacement of the existing retaining wall near the base of the slope with a retaining wall ranging in height from 9 to 24.5 feet in order to increase slope stability. The proposed construction of the retaining wall system that would be designed in accordance with the recommendations presented in the geotechnical report prepared by Stantec (*Technical Appendix C*) would ensure that impacts associated with mudflows would be less than significant. (Stantec, 2015a)

Hydrology and Water Quality: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts due to hydrology and water quality considerations; accordingly, mitigation measures are not required.

## 5.4.10 Land Use and Planning

*a) Would the Project physically divide an established community?*

Finding: No Impact. The Project Site would not physically divide any established communities. No impact would occur and mitigation is not required.

The Project Site is located along West Coast Highway in the area of Newport Beach referred to as Mariner's Mile, which is characterized by commercial land uses. As previously shown on Figure 2-4, *Existing and Surrounding Land Uses*, the Project Site is bounded on the north by coastal bluff that ranges in height from approximately 49.5 feet to 64.4 feet, atop of which a residential neighborhood (referred to as "Newport Heights") is located; on the east by commercial development including restaurants, office buildings, retail shops, car dealerships, and associated parking lots; on the south by West Coast Highway and a residential neighborhood (referred to as "Bayshores"; and on the west by a shopping center ("Mariner's Pointe") and Dover Drive. Although residential uses occur to the north and south, these neighborhoods are currently separated from one another by a coastal bluff and West Coast Highway. Accordingly, redevelopment of the Project Site with a proposed car dealership has no potential to physically divide any existing established communities, and no impact would occur.

b) *Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

Finding: Less-Than-Significant Impact. The land use plans, policies, and regulations applicable to the proposed Project include the City's General Plan, Zoning Code/Municipal Code, as well as the AELUP for the JWA, and the Orange County NCCP/HCP. The proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact. Accordingly, impacts would be less than significant.

The land use plans, policies, and regulations applicable to the proposed Project include the City's General Plan, the Zoning Code/Municipal Code, the AELUP for the JWA, and the Orange County Central and Coastal Orange County NCCP/HCP. Each of these plans, policies, and regulations is discussed below.

Analysis of Consistency with the City of Newport Beach General Plan

The City's General Plan designates the Project Site "General Commercial (CG 0.3/0.5 FAR)", which is intended to provide a wide variety of commercial activities oriented primarily to serve citywide or regional needs (City of Newport Beach, 2006a, p. 3-12). The proposed Project would redevelop the 1.79-acre Site with an automobile dealership structure consisting of 37,347 s.f. of usable floor space, with a resulting floor area ratio (FAR) of 0.48. Policy LU 6.19.13 of the City's General Plan permits development intensities in areas on the inland side of West Coast Highway designated as CG 0.3/0.5 FAR to be increased to a floor area ratio of 0.5 where parcels are consolidated to accommodate larger commercial development projects that provide sufficient parking (City of Newport Beach, 2006a, p. 3-128). The proposed Project entails merging 11 contiguous lots into one larger lot to support a commercial development, and provides adequate parking (79 parking stalls, which complies with the 1 parking space per 1,000 square feet of lot area required by Section 20.40.040 of the Newport Beach Municipal Code) (AutoNation, 2016; City of Newport Beach, 2016b, Section 20.40.040, Table 3-10). As such, the proposed Project would not conflict with the current CG 0.3/0.5 FAR General Plan land use designation, and thus would not require a change of land use designation or General Plan amendment.

During the City's review of the Project applications, the Planning Division reviewed the proposed development for consistency with all applicable policies of the General Plan, and found that there would be no conflict with any applicable General Plan policies resulting from redevelopment of the Project Site with a car dealership. Land Use Element policies applicable to the Project's proposed General Plan Amendment are as follows:

*Policy LU 5.1.2* *Compatible Interfaces: Require that the height of development in nonresidential and higher-density residential areas transition as it nears lower-density residential areas to minimize conflicts at the interface between the different types of development.*

Consistency Analysis. The Project Site is bordered by residential uses to the north (beyond an intervening bluff) and south (on the opposite side of West Coast Highway), and commercial land uses to the east and west. The proposed car dealership building would be consistent with the 35-foot maximum height limit allowed through discretionary approval (City of Newport Beach, 2016b, Section 20.30.060). Additionally, the height of the proposed building would be generally consistent with existing building heights in the surrounding area, including the Mariner's Pointe shopping center structure to the adjacent east which is approximately 35 to 40 feet tall. In addition, the proposed car dealership building would provide architectural variation that would be compatible with the McDonald's restaurant (abuts the Project Site to the west) and the Mariner's Pointe Shopping Center (abuts the Project Site to the east). Furthermore, the bluff to the adjacent north of the Project Site ranges in height from approximately 49.5 feet to 64.4 feet; as such, the proposed building height (35 feet) would not impede views of the Lower Newport Bay enjoyed from the bluff-top residences due to its lower height than the slope. Based on this analysis, the Project would not conflict with Land Use Element Policy LU 5.1.2.

*Policy LU 5.2.2* *Buffering Residential Areas:* Require that commercial uses adjoining residential neighborhoods be designed to be compatible and minimize impacts through such techniques as:

Incorporation of landscape, decorative walls, enclosed trash containers, downward focused lighting fixtures, and/or comparable buffering elements;

Attractive architectural treatment of elevations facing the residential neighborhood;

Location of automobile and truck access to prevent impacts on neighborhood traffic and privacy.

Consistency Analysis. The Project Site is located to the south of an adjacent residential neighborhood ("Newport Heights", separated by a bluff). The Bayshores residential neighborhood is also located south of the Project Site, across West Coast Highway. The proposed Project design would be compatible with the surrounding residential uses to the north atop the bluff and south across West Coast Highway. Proposed Site design elements include a comprehensive landscape and lighting plan, and an on-site parking and circulation plan. The proposed Project would exhibit a contemporary architectural design, with the building exterior characterized by black smooth corrugated metal panels, black anodized screen mesh, and butt joint glazed glass panels. Views of the rooftop parking areas from the residences above would be partially screened by decorative landscaping and metal trellises. Rooftop mechanical equipment would be enclosed, and equipment enclosure vents would be louvered and oriented toward West Coast Highway to minimize visual and noise impacts on the residences to the adjacent north. Proposed exterior lighting at the Project Site would be shielded and directed toward the interior of the property in order to minimize off-Site spillage of illumination, and would also comply with Section 20.30.070 of the Newport Beach Municipal Code regulating outdoor lighting. Based on this analysis,

the Project has incorporated appropriate design elements to minimize impacts with adjoining residential neighborhoods; accordingly, the Project would not conflict with Land Use Element Policy LU 5.2.2.

*Policy LU 6.19.6* *Corridor Identity and Quality: Implement landscape, signage, lighting, sidewalk, pedestrian crossing, and other amenities consistent with the Mariners' Mile Specific Plan District and Mariners' Mile Strategic Vision and Design Framework.*

Consistency Analysis. Since the City's adoption of a comprehensive update to the Zoning Code in 2010, the Mariner's Mile Specific Plan District is no longer applicable. The Project proposes a comprehensive landscape plan which would be consistent with the Mariner's Mile Strategic Vision and Design Framework. Specifically, the Project landscape plan proposes a continuous 5-foot wide landscaped area along the entire portion of the property that fronts West Coast Highway consisting of a hedge and equally spaced palm trees (as required in Section 3.20 of the Mariner's Mile Strategic Vision and Design Framework) (City of Newport Beach, 2000, p. 41). The Project also proposes to remove existing ice plant and other invasive plant species from the on-Site portion of the bluff, as is recommended by Section 3.70 of the Mariner's Mile Strategic Vision and Design Framework (City of Newport Beach, 2000, p. 44). The Project proposes two ground-mounted single-tenant monument signs at the Project Site within the landscaped strip that fronts West Coast Highway; ground-mounted single-tenant monument signage is consistent with Section 4.60 of the Mariner's Mile Strategic Vision and Design Framework (City of Newport Beach, 2000, p. 49). Per Section 5.14 of the Mariner's Mile Strategic Vision and Design Framework, the Project Applicant has prepared a photometric study, which is included in *Technical Appendix A*. The Project has been designed to minimize off-Site spillage of illumination. The Project proposes enclosing exterior equipment and roof-mounted mechanical equipment in structures to attractively screen the equipment from on-Site and off-Site view (AutoNation, 2016; City of Newport Beach, 2000, p. 62). The Project would result in the development of a building that would consist of a high architectural quality, and would utilize a minimum setback of 47 feet 7 inches from the public right-of-way to provide a relief in structural bulk along the commercial corridor, and also preserve the existing sidewalk right-of-way. Therefore, the proposed Project would not conflict with Land Use Element policy LU 6.19.6.

*Policy LU 6.19.12* *Properties Abutting Bluff Faces: Require that development projects locate and design buildings to maintain the visual quality and maintain the structural integrity of the bluff faces.*

Consistency Analysis. As discussed throughout this document, the Project Site is adjoined to the north by a steep bluff, with a small portion (approximately 0.60 acres) of the bluff located on the northern portion of the Project Site. Under existing conditions, a concrete retaining wall is located at the base of the slope. The bluff has undergone significant alternations due to the development of the blufftop residential neighborhood, as well as commercial development along Mariner's Mile. The Project proposes to construct a retaining wall along the northern boundary of the Project Site in order to enhance the structural integrity of the slope. Construction of the retaining wall, as well as grading and construction activities, would incorporate and adhere to the recommendations outlined in the Project-specific geotechnical report prepared by Stantec included as *Technical Appendix A* (Stantec, 2015a). Grading and construction activities would also comply with applicable City regulations and

standards, which would be verified through the City's development and permit review process. Through adherence to the recommendations provided in the Project-specific geotechnical report, and compliance with applicable City's site development standards and regulations, the Project would not conflict with Land Use Element Policy LU 6.19.12.

*Policy LU 6.19.13 Lot Consolidation on Inland Side of Coast Highway: Permit development intensities in areas designated as "CG (0.3)" to be increased to a floor area ratio of 0.5 where parcels are consolidated to accommodate larger commercial development projects that provide sufficient parking.*

Consistency Analysis. The proposed Project entails merging 11 contiguous lots into one larger lot to support a commercial development within an area designated as CG FAR 0.3. According to General Plan Policy LU 6.19.13, the proposed Project FAR is 0.48 is allowable under the CG FAR 0.3 designation, the 0.3 FAR may be increased to a FAR of 0.5 where parcels are consolidated to accommodate larger commercial development projects that provide sufficient parking. The Project provides adequate parking (79 parking stalls, which complies with the 1 parking space per 1,000 square feet of lot area required by Section 20.40.040 of the Newport Beach Municipal Code), and thus qualifies for the increased development intensity of 0.5 FAR. The Project does not conflict with Land Use Element Policy 6.19.13. (AutoNation, 2016; City of Newport Beach, 2016b, Section 20.40.040, Table 3-10).

Based on the foregoing analysis, the proposed Project would not conflict with the City of Newport Beach General Plan goals and policies, and impacts would be less than significant.

Analysis of Consistency with the City of Newport Beach Coastal Land Use Plan

The purpose of the City of Newport Beach Local Coastal Program Coastal Land Use Plan is to set forth goals, objectives, and policies that govern the use of land and water in the coastal zone within the City and its sphere of influence (City of Newport Beach, 2009, p. 1-1). The Project Site is located immediately outside of the boundaries of the coastal zone defined by the Local Coastal Program Coastal Land Use Plan, and thus is not subject to the Plan and would not require any approvals from the California Coastal Commission (City of Newport Beach, 2016a). Additionally, the Project does not propose any physical disturbances that would impede implementation of the Local Coastal Program Coastal Land Use Plan.

Analysis of Consistency with the City of Newport Beach Zoning Code/Municipal Code

Under existing conditions, the Project Site is zoned Commercial General (CG 0.3/0.5 FAR). The CG Zoning District is intended to implement the General Commercial General Plan land use category and provides for areas appropriate for a wide variety of commercial activities oriented primarily to serve Citywide or regional needs (City of Newport Beach, 2016b, Section 20.20.010; City of Newport Beach, 2016a). The Land Use Element policy LU 6.19.13 allows development intensities in areas on the inland side of West Coast Highway designated as CG 0.3/0.5 FAR to be increased to a FAR of 0.5 where parcels are consolidated to accommodate larger commercial development projects that provide sufficient parking the project is fully compatible with the Site's zoning designations and requirements. The Project proposes to consolidate 11 individual contiguous lots into one larger lot to accommodate a commercial development project, and provides adequate parking per the parking requirements stipulated in Section 20.40.040 of the Newport Beach Municipal Code.

Height limits established by the Zoning Code require a measurement from grade. Due to site topography, the established grade of the Project Site is approximately 26 feet higher at the northerly boundary (near the adjacent slope) than the southerly boundary of the property, near West Coast Highway. This adjustment to grade is reflected on the site plan, which specifies a base grade of 30.58 amsl. The Project's Site Development Review Application proposes a building with a flat roof that would extend to a maximum building height (including rooftop appurtenances) of 46.8 feet above the finished floor level. The tallest point of the roof is represented by the top of the parapet at the auto-lift/stair tower on the western portion of the rooftop. Per § 20.30.060.C of the Newport Beach Municipal Code, the height of a flat-roofed structure may be increased by up to a maximum of 35 feet above the base height limit of 26 feet (for a total maximum height of 61 feet) through the approval of a Site Development Permit when all applicable required findings are met in compliance with § 20.30.060.C(3) (City of Newport Beach, 2016b). As discussed in Subsection 3.4.1, the City of Newport Beach has made the required findings necessary to allow the building height to exceed the base height limit pursuant to Newport Beach Municipal Code Section 20.30.060.C.

In addition, the proposed Project would be required to comply with a variety of other provisions of the City's Municipal Code, all of which would be enforced either as conditions of Project approval or through future City review of implementing development permit applications (grading permits, building permits, etc.). Based on the foregoing analysis, and assuming approval of the lot merger and CUP to operate a general car sales establishment within the CG zoning district (City of Newport Beach, 2016b, Section 20.20.020), the proposed Project would be consistent with or otherwise would not conflict with all applicable provisions of the City's Zoning Code and Municipal Code.

Analysis of Consistency with the Airport Environs Land Use Plan for the John Wayne Airport

As indicated under the discussion and analysis provided in Section 5.4.8, *Hazards and Hazardous Materials*, the Project Site is not located within the Airport Planning Area, the Airport Impact Zones, the AELUP Notification Area for JWA, or the Airport Safety Zones (OCALUC, 2008, Figure 1 and Appendix D). Additionally, although the Project Site is located within the FAR Part 77 *Obstruction Imaginary Surfaces and Notification Area* for the JWA, the auto dealership building proposed by the Project would have a maximum height of 59.8 feet amsl, which would not penetrate the imaginary surface, and the Part 77 notification provisions would therefore not apply to the proposed Project. Accordingly, the proposed Project would not conflict with the AELUP for the JWA.

Accordingly, implementation of the proposed Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and impacts would be less than significant.

---

*c) Would the Project conflict with any applicable habitat conservation plan or natural community conservation plan?*

---

Finding: No Impact. There are no policies of the Orange County Central and Coastal Orange County NCCP/HCP that are applicable to the proposed Project. Accordingly, no impact would occur.

As indicated under the discussion of Threshold 6 in Section 5.4.4, *Biological Resources*, although the Project Site is located within the Orange County Central and Coastal Orange County NCCP/HCP areas, the Project Site and surrounding areas are not targeted for conservation (County of Orange, 1996, Figure 11). There are no policies of the NCCP/HCP that are applicable to the Project Site. Accordingly, no impact would occur.

Land Use and Planning: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts due to land use and planning considerations; accordingly, mitigation measures are not required.

## 5.4.11 Mineral Resources

*a) Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

Finding: No Impact. The proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No impact would occur and mitigation is not required.

The Project Site is developed with existing urban uses. No mines, wells, or other resource extraction activity occurs on the property or is known to have ever occurred on the property. The proposed Project Site is identified by the California Geologic Survey (CGS) as being located within Mineral Resource Zone MRZ-1, which is defined as an area where there is little or no likelihood for presence of significant mineral resources (City of Newport Beach, 2006b, Figure 4.5-4, p. 4.5-27). Accordingly, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, and no impact would occur.

*b) Would the Project result in the loss of availability of a locally-important mineral resource recovery Site delineated on a local general plan, specific plan, or other land use plan?*

Finding: No Impact. The proposed Project would not result in the loss of availability of a locally-important mineral resource recovery Site delineated on a local general plan, specific plan, or other land use plan, and no impact would occur.

The proposed Project Site is not identified as a locally-important mineral resource recovery Site delineated on a local general, specific plan, or other land use plan. Accordingly, no impact would occur.

Mineral Resources: Mitigation Measures

Implementation of the proposed Project would result in no impacts to mineral resources; accordingly, mitigation measures are not required.

## 5.4.12 Noise

The discussion in this Section is based on information provided in the Noise Impact Analysis report prepared by Urban Crossroads, dated July 7, 2016, and included as *Technical Appendix F* of this MND (Urban Crossroads, 2016c).

Existing Noise Conditions

*Existing Study Area Ambient Noise Conditions*

The Project Site occurs in an urbanized portion of the City of Newport Beach. The noise environment at the Project Site is primarily influenced by vehicular traffic along West Coast Highway. To assess the existing noise level environment, five 24-hour noise level measurements were taken during typical weekday conditions over a 24-hour period at sensitive receiver locations in the Project area as part of the

Noise Impact Analysis. The receiver locations were selected to describe and document the existing noise environment within the Project area. Exhibit 5-A of *Technical Appendix F* shows the boundaries of the Project study area and the noise level measurement locations.

The long-term noise level measurements were positioned as close to the nearest sensitive receiver locations as possible to assess the existing ambient hourly noise levels surrounding the Project Site. The following describes the locations of the five receivers:

- "Location L1": Placed approximately 195 feet north of the northerly Project boundary on Kings Road; this receiver represents the noise levels on Kings Road adjacent to existing bluff-top residences.
- "Location L2": Placed approximately 220 feet to the east-northeast of the easterly Project boundary; this receiver represents the noise levels on the hillside between the Project Site and the residences on Kings Road.
- "Location L3": Placed immediately off-Site from the southwest corner of the Project Boundary; this receiver represents the noise levels at the southwest corner of the Project Site on West Coast Highway.
- "Location L4": Placed approximately 290 feet to the southwest of the southwest corner of the Project boundary along the southerly sidewalk within the West Coast Highway right-of-way; this receiver represents the noise levels adjacent to an existing 8-foot high masonry wall that separates West Coast Highway and the Bayshore residential community located to the south of the Project Site.
- "Location L5": Placed approximately 100 feet to the south of the southerly Project boundary along the southerly sidewalk within the West Coast Highway right-of-way; this receiver represents the noise levels adjacent to an existing 8-foot high masonry wall that separates West Coast Highway and the Bayshore residential community located to the south of the Project Site.

Table 5-9, *24-Hour Ambient Noise Level Measurements*, provides the results of the noise measurements collected in the Project vicinity as part of the Noise Impact Analysis. The background ambient noise levels in the Project study area are dominated by the transportation-related noise associated with the arterial roadway network. This includes the automobile and heavy truck activities on West Coast Highway near the noise receiver locations. The 24-hour existing noise level measurements shown on Table 5-9 present the worst-case existing unmitigated ambient noise conditions.

**Table 5-9 24-Hour Ambient Noise Level Measurements**

| Location | Distance to Project Boundary | Description | Energy Average Hourly Noise Level (dBA Leq)[1] | | CNEL |
|---|---|---|---|---|---|
| | | | Daytime | Nighttime | |
| L1 | 195 ft | Located north of the Project Site on Kings Road adjacent to existing residential homes. | 57.8 | 45.6 | 57.8 |
| L2 | 220 ft | Located on the hillside between the Project Site and residential homes on Kings Road. | 59.3 | 52.7 | 61.6 |
| L3 | 0 ft | Located at the southwest corner of the Project Site on West Coast Highway. | 73.2 | 69.0 | 76.8 |
| L4 | 290 ft | Located adjacent to an existing 8-foot high wall for the Bayshore residential community south of the Project Site. | 73.3 | 67.6 | 75.8 |
| L5 | 100 ft | Located adjacent to an existing 8-foot high wall for the Bayshore residential community south of the Project Site. | 77.7 | 72.3 | 80.5 |

[1] dBA Leq = Energy (logarithmic) average hourly levels. The long-term 24-hour measurement printouts are included in Appendix 5.2 of *Technical Appendix F*.
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.
CNEL = Community Noise Equivalent Level, a weighted average of the intensity of a sound with corrections for time of day and averaged over 24 hours.
Source: (Urban Crossroads, 2016c, Table 5-1)

*Existing Groundborne Vibration*

Based on the operational characteristics of the existing commercial uses on the Site under current conditions, there are no sources of substantial groundborne vibration generated by uses on the Project Site; no heavy machinery is used on the Site. With the exception of barely perceptible groundborne vibration generated by roadway vehicle traffic, no sources of groundborne vibration occur in the Project Site's vicinity because the primarily commercial/retail land uses that exist in the vicinity of the Project Site do not have operational characteristics that would generate groundborne vibration.

*Airport Noise and Vibration*

The nearest airport to the Project Site is the John Wayne Airport (JWA) which is located approximately 3.9 miles northeast of the Project Site. According to the Airport Environs Land Use Plan (AELUP) for JWA, the Project Site is not located within the Airport Planning Area or the Airport Impact Zones, the AELUP Notification Area for JWA, or the Airport Safety Zones (OCALUC, 2008, Figure 1). As shown on Figure N1 of the City's General Plan, the Project Site is outside of the 60 Community Noise Equivalent Level (CNEL) Airport Environs Land Use Plan (AELUP) zone for John Wayne Airport. Being outside of the 60 CNEL zone for the airport means that the Project Site is not subjected to substantial airport noise from JWA (City of Newport Beach, 2006, Figure N1). Therefore, airport activities are not considered a source of substantial noise or vibration in the Project area in the existing condition.

*a) Would the Project result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Finding: Less-than-Significant Impact. With mandatory adherence to the City's Municipal Code Noise Ordinance standards, the proposed Project would not expose persons to or generate noise levels in excess of standards established in the City's Municipal Code, General Plan Noise Element, or any other applicable regulatory standards. As such, the Project would result in less-than-significant impacts with respect to exposure of persons to or generation of excessive noise levels, and no mitigation is required.

Neither the City's General Plan or Municipal Code establish numeric maximum acceptable construction source noise levels. According to the City of Newport Beach Municipal Code §10.28.040, construction activities are limited to the hours of 7:00 a.m. to 6:30 p.m. on Mondays to Fridays, and 8:00 a.m. to 6:00 p.m. on Saturdays, with no activity allowed on Sundays or national holidays (City of Newport Beach Muncipal Code, 2015, §10.28.040). The Project proposes to conduct construction activities within these permitted hours. Therefore, construction-related activities have no potential to generate noise in excess of established standards. Less-than-significant impacts would occur and mitigation is not required. For additional evaluation of temporary construction noise, refer to Threshold d) below.

The City of Newport Beach has not identified or adopted any vibration standards. Therefore, construction-related and operational-related activities have no potential to generate vibration in excess of established standards. Less-than-significant impacts would occur and mitigation is not required. For additional evaluation of vibration, refer to Threshold b) below.

Regarding Project-related operational activities, noise level standards applicable to the Project include those provided in the Noise Element of the City of Newport Beach General Plan and the Newport Beach Municipal Code, as described below.

*City of Newport Beach General Plan Noise Element*

The City of Newport Beach General Plan Noise Element identifies noise sensitive land uses and noise sources, and defines areas of noise impact for the purpose of developing policies to ensure that Newport Beach residents are protected from excessive noise intrusion (City of Newport Beach, 2006, p. 12-2). Sensitive land uses are generally defined as locations where people reside or where the presence of noise could adversely affect the use of the land. Sensitive land uses include but are not limited to uses such as schools, hospitals, residences, libraries, and recreation areas. The nearest sensitive receptors to the Project Site are the bluff-top residential neighborhood located north of the Project Site at the top of the bluff (along Kings Road) and the Bayshore residential community located to the south of the Project Site across West Coast Highway.

The City's Land Use Noise Compatibility Matrix is provided as Table N2 of the City's General Plan (City of Newport Beach, 2006, Table N2). According to Table N2, noise-sensitive land uses, such as residential, are clearly compatible with exterior noise levels at or below 60 dBA CNEL and normally compatible with noise levels at or below 65 dBA CNEL. The proposed commercial auto dealership land use at the Project Site is considered clearly acceptable with exterior noise levels at or below 70 dBA CNEL and normally compatible with exterior noise levels up to or greater than 80 dBA CNEL. As shown in Table 5-9, *24-Hour Ambient Noise Level Measurements*, the existing measured noise level at the Project site (location L3) is 76.8 CNEL, which falls within the clearly compatible to normally compatible range for commercial uses.

*City of Newport Beach Municipal Code*

The City of Newport Beach Municipal Code Chapter 10.26, Community Noise Control, establishes exterior noise limits that may intrude into a neighboring property. Table 5-10, *Municipal Code Operational Noise Standards*, provides operational-related base exterior noise standards applicable to the Project Site and properties surrounding the Project site. According to Municipal Code §10.26.025(C), if the existing ambient noise level exceeds the base noise level standards, the ambient shall be the standard. As part of the Project-specific noise study (*Technical Appendix F*), 58 dBA Leq was the lowest measured daytime ambient noise level at the nearby sensitive receiver locations. Because this measurement exceeds the daytime noise level standard of 55 dBA Leq, the base noise level standard is adjusted to the ambient noise level of 58 dBA Leq during the daytime hours. (Urban Crossroads, 2016c, p. 18)

**Table 5-10 Municipal Code Operational Noise Standards**

| Land Use | Time Period | Base Exterior Noise Level Standards (dBA Leq)[1, 2] |
|---|---|---|
| Residential (Noise Zone I) | Daytime: 7:00 a.m. to 10:00 p.m. | 55 |
| | Nighttime: 10:00 p.m. to 7:00 a.m. | 50 |
| Commercial (Noise Zone II) | Daytime: 7:00 a.m. to 10:00 p.m. | 65 |
| | Nighttime: 10:00 p.m. to 7:00 a.m. | 70 |

[1] Leq represents a steady state sound level containing the same total energy as a time varying signal over a given sample period.
[2] Based on Section 10.26.025 (A) of the City of Newport Beach Municipal Code, when the ambient noise level exceeds the noise level standard, the ambient shall be the standard.
Source: (City of Newport Beach, 2016b)

Sources of stationary operational-related noise associated with implementation of the Project include: service bay activities, car wash/detailing, car horns, car transport deliveries, parking lot car movements, car alarms, roll-up doors, and roof-top mechanical ventilation equipment. Eight receiver locations ("R1" through "R8"; shown on Exhibit 8-A of *Technical Appendix F*) were identified as representative locations for focused analysis due to the presence of a noise-sensitive land use (single-family residential). The nearest sensitive receiver is represented by location R1 (represents existing residential homes on Kings Road), located at a distance of approximately 37 feet to the north of the Project Site boundary. The Project-specific Noise Impact Analysis analyzed the Project's potential stationary-source operational noise impacts on the off-Site sensitive receiver locations (R1 through R8) through the development of a noise prediction model using the CadnaA (Computer Aided Noise Abatement) computer program. CadnaA analyzes the noise level of multiple types of noise sources and calculates the noise levels at any location using the Project's Site plan. The CadnaA noise model results are provided in Appendix 9.1 of *Technical Appendix F*.

As shown in Table 5-11, *Project Operational Noise Levels*, typical hourly Project noise levels are calculated to range from 45.6 to 58.0 dBA Leq at the sensitive receiver locations. None of the Project-generated noise levels are calculated to exceed the City of Newport Beach Municipal Code daytime noise level standard, which is 58 dBA Leq based on the lowest measured daytime ambient noise level at nearby sensitive receivers; as such, the Project would result in less-than-significant impacts with respect to Municipal Code compliance for operational noise, and no mitigation is required. Although no mitigation is required for operational stationary noise, a standard mitigation measure has been identified to further

reduce the potential for employees operating vehicles to use horns for safety signaling within the Project Site during routine operation, which could generate nuisance noise at nearby residences.

**Table 5-11 Project Operational Noise Levels**

| Receiver Location | Total Project-Only Noise Levels (dBA Leq) | Noise Level Standard (dBA Leq) | Threshold Exceeded? |
|---|---|---|---|
| R1 | 52.2 | 58 | No |
| R2 | 57.5 | 58 | No |
| R3 | 58.0 | 58 | No |
| R4 | 51.8 | 58 | No |
| R5 | 49.4 | 58 | No |
| R6 | 55.6 | 58 | No |
| R7 | 50.4 | 58 | No |
| R8 | 45.6 | 58 | No |

Source: (Urban Crossroads, 2016c, Table 9-2)

Based on the foregoing analysis, the Project would not result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. As such, impacts would be less than significant with respect to Threshold a), and mitigation is not required.

b) *Would the Project result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Finding: Less-than-Significant Impact. People would not be exposed to excessive groundborne vibration or groundborne noise levels during Project construction or operation. Impacts would be less than significant and mitigation is not required.

Groundborne vibration is an oscillatory motion which can be described in terms of displacement, velocity, or acceleration. It is expected that ground-borne vibration from Project construction activities would cause intermittent, localized intrusion through the operation of heavy construction equipment (e.g., bulldozers) and trucks. As shown on Table 5-12, *Construction Equipment Vibration Levels*, a large bulldozer represents the peak source of vibration with a reference velocity of 87 VdB at a distance of 25 feet. At distances ranging from 63 to 273 feet from the Project construction activities, construction vibration velocity levels are expected to approach 75.0 VdB, as shown on Table 5-12. Based on FTA vibration standards, the construction at the Project Site will not include or require equipment, facilities, or activities that would result in a *barely perceptible* human response (annoyance) for infrequent events. Additionally, any exposure of nearby sensitive receivers to nominal vibration would be temporary and only occur when heavy equipment is operating close to the Project Site perimeter. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. According to the Project-specific Noise Impact Analysis, truck haul deliveries transiting onto the Site will be travelling at very low speeds; therefore, vibration levels for the AutoNation heavy truck activity at normal traffic speeds will not exceed 65 VdB, and impacts would be less than significant (Urban Crossroads, 2016c, p. 75). There would be no sources of vibration associated with Project operation. Based on the foregoing analysis, vibration levels associated with the Project are considered less-than-significant, and no mitigation is necessary.

**Table 5-12 Construction Equipment Vibration Levels**

| Receiver | Distance to Construction Activity (Feet) | Receiver Vibration Levels (VdB) | | | | | Threshold Exceeded?[1] |
|---|---|---|---|---|---|---|---|
| | | Small Bulldozer | Jackhammer | Loaded Trucks | Large Bulldozer | Peak Vibration | |
| R1 | 76 ft | 43.5 | 64.5 | 71.5 | 72.5 | 72.5 | No |
| R2 | 65 ft | 45.6 | 66.6 | 73.6 | 74.6 | 74.6 | No |
| R3 | 68 ft | 45.0 | 66.0 | 73.0 | 74.0 | 74.0 | No |
| R4 | 129 ft | 36.6 | 57.6 | 64.6 | 65.6 | 65.6 | No |
| R5 | 273 ft | 26.9 | 47.9 | 54.9 | 55.9 | 55.9 | No |
| R6 | 65 ft | 45.6 | 66.6 | 73.6 | 74.6 | 74.6 | No |
| R7 | 63 ft | 46.0 | 67.0 | 74.0 | 75.0 | 75.0 | No |
| R8 | 94 ft | 40.7 | 61.7 | 68.7 | 69.7 | 69.7 | No |

[1] FTA vibration threshold of 80 VdB used.
Source: (Urban Crossroads, 2016c, Table 10-10)

*c) Would the Project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Finding: Less-than-Significant Impact. The Project would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. Impacts would be less than significant and mitigation is not required.

*Construction-Related Noise Impacts*

Construction-related noise impacts would be short-term, and would take place between the hours of 7:00 a.m. to 6:30 p.m. on Mondays through Fridays, and 8:00 a.m. to 6:00 p.m. on Saturdays, with no activity allowed on Sundays or national holidays, as is permitted by the City of Newport Beach Municipal Code §10.28.040 (City of Newport Beach Muncipal Code, 2015, §10.28.040). Therefore, because the Project would comply with the City's Municipal Code in relation to construction noise, and construction noise would be temporary, construction-related noise would not result in a substantial permanent increase in ambient noise levels in the Project vicinity, and would represent a less-than-significant impact with no mitigation required.

*Operation-Related Noise Impacts*

Table 5-13, *Significance Criteria Summary*, contains the significance criteria used in the Noise Impact Analysis (*Technical Appendix F*) to evaluate the significance of Project-related noise impacts. In order to evaluate Project-related noise impacts, Urban Crossroads applied standards and guidelines established by the Federal Interagency Committee on Noise (FICON) to determine if noise increases would be considered substantial.

## Table 5-13 Significance Criteria Summary

| Analysis | Condition(s) | Significance Criteria | |
|---|---|---|---|
| | | Daytime | Nighttime |
| Off-Site Traffic Noise[1] | if ambient is < 60 dBA CNEL | ≥ 5 dBA CNEL Project increase | |
| | if ambient is 60 - 65 dBA CNEL | ≥ 3 dBA CNEL Project increase | |
| | if ambient is > 65 dBA CNEL | ≥ 1.5 dBA CNEL Project increase | |

Source: (Urban Crossroads, 2016c, Table 4-2)
[1] FICON-established standard

As shown in Table 5-13, impacts would be considered significant if the existing ambient noise levels at the noise-sensitive receivers near the Project Site:

- Are less than 60 dBA and the Project creates a readily perceptible 5 dBA or greater Project-related noise level increase; or
- Range from 60 to 65 dBA and the Project creates a barely perceptible 3 dBA or greater Project-related noise level increase; or
- Already exceed 65 dBA, and the Project creates a CNEL impact of greater than 1.5 dBA.

To assess the Project's operational noise level contributions to ambient noise levels, the modeled Project operational noise levels were combined with the existing ambient noise levels measurements (recorded at measurement locations L1 through L5) associated with the off-Site receiver locations (R1 through R8). As indicated below in Table 5-14, *Daytime Operational Noise Level Contributions*, the Project would contribute an operational noise level increase of up to 3.1 dBA Leq during the daytime hours at the existing sensitive receiver locations potentially impacted by the operation of the Project. Since the Project-related operational noise level contributions will not exceed the significance criteria (as provided in the bullet points above and shown in Table 5-13), the increases at the sensitive receiver locations are considered to be less than significant. As such, Project operational stationary-source noise would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. No mitigation is required.

## Table 5-14 Daytime Operational Noise Level Contributions

| Receiver Location | Total Project Operational Noise Level (dBA Leq) | Measurement Location | Reference Ambient Noise Levels (dBA Leq) | Combined Project and Ambient (dBA Leq) | Project Contribution | Threshold Exceeded? |
|---|---|---|---|---|---|---|
| R1 | 52.2 | L1 | 57.8 | 58.9 | 1.1 | No |
| R2 | 57.5 | L1 | 57.8 | 60.7 | 2.9 | No |
| R3 | 58.0 | L1 | 57.8 | 60.9 | 3.1 | No |
| R4 | 51.8 | L2 | 59.3 | 60.0 | 0.7 | No |
| R5 | 49.4 | L4 | 73.3 | 73.3 | 0.0 | No |
| R6 | 55.6 | L5 | 77.7 | 77.7 | 0.0 | No |
| R7 | 50.4 | L5 | 77.7 | 77.7 | 0.0 | No |
| R8 | 45.6 | L5 | 77.7 | 77.7 | 0.0 | No |

Source: (Urban Crossroads, 2016c, Table 9-3)

*Off-Site Transportation Noise*

Using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model (FHWA-RD-77-108) and inputs from the Project-specific Traffic Impact Analysis prepared by Kunzman Associates, Inc. (*Technical Appendix G*), the Noise Impact Analysis (*Technical Appendix F*) generated noise contours representing the levels of noise exposure along 17 roadway segments surround the Project. Noise contours were developed for the following traffic scenarios:

- Existing Without/With Project Conditions: This scenario refers to the existing present-day noise conditions, without and with buildout of the proposed Project.

- Traffic Phasing Ordinance (TPO) Year 2019 Without / With Project Conditions: This scenario refers to the background noise conditions at future TPO Year 2019 without and with the proposed Project. In accordance with the City of Newport Beach Traffic Phasing Ordinance (TPO), the Traffic Impact Analysis evaluated traffic impacts for one year after project completion in year 2019. This scenario corresponds to Year 2019 conditions, and includes all cumulative projects identified in the Traffic Impact Analysis.

- Cumulative Year 2019 Without / With Project: This scenario refers to the background noise conditions at Cumulative Year 2019 without and with the proposed Project. This scenario corresponds to Year 2019 conditions, and includes all cumulative projects identified in the Traffic Impact Analysis.

To quantify the Project's traffic noise impacts on the surrounding areas, the changes in traffic noise levels on 17 roadway segments surrounding the Project were calculated based on the changes in the average daily traffic volumes. The noise contours were used to assess the Project's incremental traffic-related noise impacts at land uses adjacent to roadways conveying Project traffic. The significance of incremental increases in off-Site traffic noise level impacts associated with the Project in each of the three traffic scenarios were evaluated using the significance criteria shown in Table 5-13, *Significance Criteria Summary*. The results of this evaluation of traffic impacts during each of the three traffic scenarios are discussed below.

- Existing Without/With Project Conditions: A comparison of the *Existing Without* and *With Project Conditions* CNEL noise levels is presented in Table 5-15, *Existing Off-Site Project-Related Traffic Noise Impacts*. As shown, the *Existing with Project conditions* noise level contours are expected to range from 63.6 to 71.7 dBA CNEL. The Project not is expected to generate an exterior noise level increase, and therefore, will satisfy the significance thresholds identified in Table 5-13 for the study area roadway segments. Therefore, the off-site Project-related traffic noise level increases are considered less than significant under the *Existing Without/With Project Conditions* scenario, and no mitigation is required.

## Table 5-15 Existing Off-Site Project-Related Traffic Noise Impacts

| ID | Road | Segment | Adjacent Land Use | CNEL at Adjacent Land Use (dBA) | | | Threshold Exceeded? |
|---|---|---|---|---|---|---|---|
| | | | | Without Project | With Project | Project Addition | |
| 1 | Newport Bl. | n/o West Coast Hwy. | Residential | 66.0 | 66.0 | 0.0 | No |
| 2 | Irvine Av. | n/o 19th St. | Residential | 67.4 | 67.4 | 0.0 | No |
| 3 | Dover Dr. | n/o Westcliff Dr. | Residential | 67.0 | 67.0 | 0.0 | No |
| 4 | Dover Dr. | s/o Westcliff Dr. | Residential | 67.7 | 67.7 | 0.0 | No |
| 5 | Dover Dr. | s/o 16th St. | Residential | 68.2 | 68.2 | 0.0 | No |
| 6 | Jamboree Rd. | n/o East Coast Hwy. | Residential | 70.4 | 70.4 | 0.0 | No |
| 7 | MacArthur Bl. | n/o East Coast Hwy. | Commercial/Office | 68.5 | 68.5 | 0.0 | No |
| 8 | 17th St. | w/o Irvine Av. | Residential | 64.4 | 64.4 | 0.0 | No |
| 9 | Westcliff Dr. | e/o Irvine Av. | Commercial | 63.6 | 63.6 | 0.0 | No |
| 10 | West Coast Hwy. | w/o Newport Bl. | Private Institutions | 67.3 | 67.3 | 0.0 | No |
| 11 | West Coast Hwy. | e/o Newport Bl. | Commercial | 69.0 | 69.0 | 0.0 | No |
| 12 | West Coast Hwy. | e/o Tustin Av. | Commercial | 68.9 | 68.9 | 0.0 | No |
| 13 | West Coast Hwy. | e/o Dover Dr. | Recreation/Marine Comm. | 69.8 | 69.8 | 0.0 | No |
| 14 | West Coast Hwy. | e/o Bayside Dr. | Residential | 71.7 | 71.7 | 0.0 | No |
| 15 | East Coast Hwy. | e/o Jamboree Rd. | Residential | 70.3 | 70.3 | 0.0 | No |
| 16 | East Coast Hwy. | w/o MacArthur Bl. | Residential | 69.0 | 69.0 | 0.0 | No |
| 17 | East Coast Hwy. | e/o MacArthur Bl. | Commercial | 66.2 | 66.2 | 0.0 | No |

Source: (Urban Crossroads, 2016c, Table 7-7)

- Traffic Phasing Ordinance (TPO) Year 2019 Without / With Project Conditions: A comparison of the *Traffic Phasing Ordinance (TPO) Year 2019 Without* and *With Project Conditions* CNEL noise levels is presented in Table 5-16, *TPO Year 2019 Off-Site Project-Related Traffic Noise Impacts*. As shown on Table 5-16, the *TPO Year 2019 With Project Conditions* noise level contours are expected to range from 63.9 to 72.0 dBA CNEL. The Project is expected to generate an exterior noise level increase of up to 0.1 dBA CNEL, which is below the significance thresholds identified in Table 5-13 for all *Without Project* ambient noise conditions. Therefore, the Project-related offsite traffic noise level increases are considered less than significant for *TPO Year 2019 Conditions*, and no mitigation is required.

## Table 5-16 TPO Year 2019 Off-Site Project-Related Traffic Noise Impacts

| ID | Road | Segment | Adjacent Land Use | CNEL at Adjacent Land Use (dBA) | | | Threshold Exceeded? |
|---|---|---|---|---|---|---|---|
| | | | | Without Project | With Project | Project Addition | |
| 1 | Newport Bl. | n/o West Coast Hwy. | Residential | 66.3 | 66.4 | 0.1 | No |
| 2 | Irvine Av. | n/o 19th St. | Residential | 67.6 | 67.6 | 0.0 | No |
| 3 | Dover Dr. | n/o Westcliff Dr. | Residential | 67.2 | 67.3 | 0.1 | No |
| 4 | Dover Dr. | s/o Westcliff Dr. | Residential | 67.9 | 67.9 | 0.0 | No |
| 5 | Dover Dr. | s/o 16th St. | Residential | 68.5 | 68.5 | 0.0 | No |
| 6 | Jamboree Rd. | n/o East Coast Hwy. | Residential | 70.8 | 70.8 | 0.0 | No |
| 7 | MacArthur Bl. | n/o East Coast Hwy. | Commercial/Office | 68.7 | 68.7 | 0.0 | No |
| 8 | 17th St. | w/o Irvine Av. | Residential | 64.6 | 64.6 | 0.0 | No |
| 9 | Westcliff Dr. | e/o Irvine Av. | Commercial | 63.9 | 63.9 | 0.0 | No |
| 10 | West Coast Hwy. | w/o Newport Bl. | Private Institutions | 67.8 | 67.8 | 0.0 | No |
| 11 | West Coast Hwy. | e/o Newport Bl. | Commercial | 69.2 | 69.2 | 0.0 | No |
| 12 | West Coast Hwy. | e/o Tustin Av. | Commercial | 69.3 | 69.3 | 0.0 | No |
| 13 | West Coast Hwy. | e/o Dover Dr. | Recreation/Marine Comm. | 70.2 | 70.2 | 0.0 | No |
| 14 | West Coast Hwy. | e/o Bayside Dr. | Residential | 72.0 | 72.0 | 0.0 | No |
| 15 | East Coast Hwy. | e/o Jamboree Rd. | Residential | 70.7 | 70.7 | 0.0 | No |
| 16 | East Coast Hwy. | w/o MacArthur Bl. | Residential | 69.2 | 69.2 | 0.0 | No |
| 17 | East Coast Hwy. | e/o MacArthur Bl. | Commercial | 66.3 | 66.4 | 0.1 | No |

Source: (Urban Crossroads, 2016c, Table 7-8)

- Cumulative Year 2019 Without / With Project: A comparison of the *Cumulative Year 2019 Without* and *With Project Conditions* CNEL noise levels is presented in Table 5-17, *Cumulative Year 2019 Off-Site Project-Related Traffic Noise Impacts*. As shown on Table 5-17, the Project is expected to generate an exterior noise level increase of up to 0.1 dBA CNEL, which is below the significance thresholds identified in Table 5-13 for all without Project ambient noise conditions. Therefore, the Project-related off-Site traffic noise level increases are considered less than significant for *Cumulative Year 2019 Conditions*, and no mitigation is required.

**Table 5-17 Cumulative Year 2019 Off-Site Project-Related Traffic Noise Impacts**

| ID | Road | Segment | Adjacent Land Use | CNEL at Adjacent Land Use (dBA) | | | Threshold Exceeded? |
|---|---|---|---|---|---|---|---|
| | | | | Without Project | With Project | Project Addition | |
| 1 | Newport Bl. | n/o West Coast Hwy. | Residential | 66.4 | 66.4 | 0.0 | No |
| 2 | Irvine Av. | n/o 19th St. | Residential | 67.6 | 67.6 | 0.0 | No |
| 3 | Dover Dr. | n/o Westcliff Dr. | Residential | 67.2 | 67.3 | 0.1 | No |
| 4 | Dover Dr. | s/o Westcliff Dr. | Residential | 68.0 | 68.0 | 0.0 | No |
| 5 | Dover Dr. | s/o 16th St. | Residential | 68.5 | 68.6 | 0.1 | No |
| 6 | Jamboree Rd. | n/o East Coast Hwy. | Residential | 71.2 | 71.2 | 0.0 | No |
| 7 | MacArthur Bl. | n/o East Coast Hwy. | Commercial/Office | 69.1 | 69.1 | 0.0 | No |
| 8 | 17th St. | w/o Irvine Av. | Residential | 65.0 | 65.0 | 0.0 | No |
| 9 | Westcliff Dr. | e/o Irvine Av. | Commercial | 64.4 | 64.4 | 0.0 | No |
| 10 | West Coast Hwy. | w/o Newport Bl. | Private Institutions | 68.4 | 68.4 | 0.0 | No |
| 11 | West Coast Hwy. | e/o Newport Bl. | Commercial | 69.5 | 69.5 | 0.0 | No |
| 12 | West Coast Hwy. | e/o Tustin Av. | Commercial | 69.5 | 69.6 | 0.1 | No |
| 13 | West Coast Hwy. | e/o Dover Dr. | Recreation/Marine Comm. | 70.4 | 70.4 | 0.0 | No |
| 14 | West Coast Hwy. | e/o Bayside Dr. | Residential | 72.3 | 72.3 | 0.0 | No |
| 15 | East Coast Hwy. | e/o Jamboree Rd. | Residential | 71.1 | 71.1 | 0.0 | No |
| 16 | East Coast Hwy. | w/o MacArthur Bl. | Residential | 70.1 | 70.1 | 0.0 | No |
| 17 | East Coast Hwy. | e/o MacArthur Bl. | Commercial | 67.2 | 67.2 | 0.0 | No |

Source: (Urban Crossroads, 2016c, Table 7-9)

Based on the foregoing analysis, the Project would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. Therefore, impacts would be less than significant, and no mitigation is required.

*d) Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Finding: Less-than-Significant Impact. With mandatory adherence to the timing provisions of Municipal Code § 10.28 during construction activities, Project impacts due to a temporary or periodic noise increase associated with construction activities would be reduced to below a level of significance. Operation of the Project would not result in increases to ambient noise levels that exceed applicable thresholds. Impacts are less than significant, and no mitigation is required.

The only potential sources of substantial temporary or periodic increases in noise levels are temporary and intermittent noise associated with the Project's construction process. Noise would be produced from construction activity associated with the Project during daytime hours over a period of approximately 12 months in total, from demolition of the existing improvements to final Project completion. Temporary and intermittent construction-related noise levels are disclosed for each construction phase in the Noise Impact Analysis attached to this document as *Technical Appendix F*. As shown on Table 5-18, *Unmitigated Construction Equipment Noise Level Summary*, the peak construction noise

levels at the potentially impacted receiver locations, assuming that all pieces of construction equipment are simultaneously operating, are calculated to range from 59.8 to 72.3 dBA Leq, which is not considered substantial.

Municipal Code Section 10.26.035 exempts construction noise from quantified noise standards, and impacts associated with short-term construction noise would be considered significant only if the construction activity violates the standards contained in Municipal Code Section 10.28.040 (Construction Activity – Noise Regulations). The Project would fully comply with Municipal Code Section 10.28.040, which limits construction activities to between the hours of 7:00 a.m. and 6:30 p.m. Mondays through Saturdays (except holidays), and prohibits construction activities on Sundays and federal holidays. Because construction activities would be compliant with the City's Municipal Code noise ordinance standards, impacts would be less than significant and mitigation is not required. Although construction noise impacts would be less than significant, standard construction noise mitigation measures have been identified to further reduce the potential for construction noise generation.

### Table 5-18 Unmitigated Construction Equipment Noise Level Summary

| Construction Noise Levels (dBA Leq) | |
|---|---|
| **Receiver Location** | **Peak Activity** |
| R1 | 70.9 |
| R2 | 72.3 |
| R3 | 71.9 |
| R4 | 66.3 |
| R5 | 59.8 |
| R3 | 72.3 |
| R4 | 72.6 |
| R5 | 69.1 |

Source: (Urban Crossroads, 2016c, Table 10-9)

Based on the foregoing analysis, the Project would result in less-than-significant noise impacts with respect to Threshold d). No mitigation is required.

e) *For a project located within an airport land use land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

Finding: No Impact. The proposed Project is not located within the noise contours of an airport land use plan or where such a plan has been adopted, or within two miles of a public airport or public use airport. No impact would occur and mitigation is not required.

As discussed under Hazards and Hazardous Materials Threshold e), the nearest airport to the Project Site is the John Wayne Airport (JWA) which is located approximately 3.9 miles northeast of the Project Site. According to the Airport Environs Land Use Plan (AELUP) for JWA, the Project Site is not located within JWA noise impact contours. Thus, no impact would occur and no mitigation is required.

*f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

Finding: No Impact. The Project is not located within a vicinity of an airstrip. Accordingly, no impact would occur and mitigation is not required.

As discussed under Hazards and Hazardous Materials Threshold f) there are no private airstrips within the Project vicinity. Accordingly, the proposed Project would not expose people residing or working in the Project area to excessive noise levels. No impact would occur and no mitigation is required.

Noise: Mitigation Measures

MM N-1 During all Project Site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project Site.

MM N-2 During construction, the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the Project Site (i.e., to the center) during all Project construction activities.

MM N-3 During construction, the construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 6:30 p.m. on Mondays to Fridays, and 8:00 a.m. to 6:00 p.m. on Saturdays, with no activity allowed on Sundays or national holidays). The contractor shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.

MM N-4 During construction and operation of the proposed car dealership, the use of car horns as a warning device shall be restricted, and convex circular mirrors shall be used at any on-Site locations with sight distance limitations (blind corners) in order to further reduce the exposure of nearby sensitive receivers to noise levels associated with operation of the automobile dealership.

### 5.4.13 Population and Housing

*a) Would the Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Finding: No Impact. The Project proposes General Commercial land uses in accordance with the City's General Plan and would not induce substantial population growth, either directly or indirectly. No impact would occur and mitigation is not required.

The Project Site is designated General Commercial (CG 0.3/0.5 FAR) by the City's General Plan. The CG 0.3/0.5 FAR designation is intended to provide a wide variety of commercial activities oriented primarily to serve citywide or regional needs (City of Newport Beach, 2006a). The proposed Project would redevelop the property with an automobile dealership in accordance with the City's General Plan General Commercial land use designation. An automobile dealership is a commercial use and has no potential to induce substantial population growth in the area, either directly or indirectly. The occupant of the

dealership is proposed to be AutoNation Porsche, which would relocate into the building from its existing location in the Newport Auto Center. No impact would occur and no mitigation is required.

*b) Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

Finding: No Impact. Under existing conditions, the Project Site does not contain any residential structures. Accordingly, the Project would not displace substantial numbers of existing housing, necessitating the construction of housing elsewhere. No impact would occur and mitigation is not required.

Under existing conditions, the Project Site does not contain any residential structures and is not designated for residential land use by the City's General Plan, and is not zoned for residential uses. Therefore, there is no potential for the Project to displace housing. No impact would occur and no mitigation is required.

*c) Would the Project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Finding: No Impact. Under existing conditions, the Project Site does not contain any residential structures; therefore, no people reside on the Project Site. Accordingly, the Project would not displace substantial numbers of people, necessitating the construction of housing elsewhere. No impact would occur and mitigation is not required.

Under existing conditions, the Project Site does not contain any residential structures. Therefore, there is no potential for the Project to displace substantial numbers of people. No impact would occur and no mitigation is required.

Population and Housing: Mitigation Measures

Implementation of the proposed Project would not impact Population and Housing. Thus, no impact would occur and no mitigation measures are required.

### 5.4.14 Public Services

*Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: a) Fire protection; b) Police protection; c) Schools, or d) Other public facilities?*

Finding: No Impact. Public services are currently provided to the Site for operation of the existing commercial land uses; therefore, the proposed Project would not measurably increase public service demands or result in the need to physically alter or cause the construction of new public service facilities. No impacts would occur and mitigation is not required.

Under existing conditions, fire protection, police protection, and other public services are provided to the commercial land uses at the Project Site. The Project proposes to construct a new automobile dealership building that would be occupied by AutoNation Porsche. The dealership is currently operating in the Newport Auto Center and would relocate to the Project Site as part of the Project. The

redeveloped Project Site and relocated automobile dealership would not create a measurable demand for increased fire or police protection services because the Site (as well as the existing dealership in the Newport Auto Center) is already receiving these services. There is no component of the Project that would lead to increased demand for fire and police services. The Project would not create a direct demand for public school services, as the land use that would occupy the Project Site (i.e., a relocated auto dealership) would not generate any school-aged children requiring public education. No component of the Project would measurably increase public service demands or result in the need to physically alter or cause the construction of new public service facilities caused by an increased demand for services. Because no physically expanded or new public facilities would be required, no impact would occur and mitigation is not required.

Public Services: Mitigation Measures

Implementation of the proposed Project would not increase Public Services demand such that new or physically altered public service facilities would need to be constructed or expanded to meet the demand. Thus, no impact would occur and no mitigation measures are required.

### 5.4.15 Recreation

*a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Finding: No Impact. Redevelopment of the Project Site with a new automobile dealership (relocation of the existing dealership in the Newport Auto Center) would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. No impact would occur and mitigation is not required.

The Project Site is designated General Commercial (CG 0.3/0.5 FAR) by the City's General Plan. The CG designation is intended to provide a wide variety of commercial activities oriented primarily to serve citywide or regional needs (City of Newport Beach, 2006a, p. 3-12). The proposed Project development of the property with a new automobile dealership building would be consistent with the City's General Plan. Additionally, the dealership is currently operating in the Newport Auto Center and would relocate to the Project Site as part of the Project. The redeveloped Project Site and relocated automobile dealership would not create a measurable demand for increased recreational facilities because the Site (as well as the existing dealership in the Newport Auto Center) is already utilizing such facilities. The Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. No impact would occur, and mitigation is not required.

*b) Does the Project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment?*

Finding: No Impact. The proposed Project would redevelop the Project Site with an automobile dealership (relocation of the existing dealership in the Newport Auto Center), which would not result in the need to construct new or expand existing off-Site recreational facilities. No additional impacts would occur and mitigation is not required.

The Project proposes to redevelop the Project Site with an automobile dealership, which is a relocation of the existing dealership from the Newport Auto Center. The Project has been evaluated throughout this document for its physical effects on the environment. Under subject areas to which significant effects

would occur, mitigation measures are presented to reduce the impacts to below levels of significance. The redeveloped Project Site and relocated automobile dealership would not create a measurable demand for increased recreational facilities because the Site (as well as the existing dealership in the Newport Auto Center) is already utilizing such facilities. The Project would not result in the expansion of any off-Site recreational facilities. The Project would not result in impacts with respect to Threshold b), and mitigation is not required.

Recreation: Mitigation Measures

Implementation of the proposed Project would have no impact to Recreation. Thus, no mitigation measures are required.

### 5.4.16 Transportation/Traffic

The following analysis is based, in part, on a traffic impact analysis prepared by Kunzman Associates, Inc. (KAI), titled "Traffic Impact Analysis: AutoNation Porsche Dealership," dated May 24, 2016, and included as *Technical Appendix G* to this MND (KAI, 2016). Based on expected traffic patterns to and from the Project Site, the study evaluated the following 13 study intersections (with the applicable jurisdiction[s] shown in parentheses):

1. Newport Boulevard Southbound Ramps at West Coast Highway (City of Newport Beach/Caltrans)
2. Riverside Avenue at West Coast Highway (City of Newport Beach/Caltrans)
3. Tustin Avenue at West Coast Highway (City of Newport Beach/Caltrans)
4. Irvine Avenue at 19th Street/Dover Drive (Cities of Newport Beach/Costa Mesa)
5. Irvine Avenue at 17th Street/Westcliff Drive (Cities of Newport Beach/Costa Mesa)
6. Dover Drive at Westcliff Drive (City of Newport Beach)
7. Dover Drive at 16th Street (City of Newport Beach)
8. Dover Drive at West Coast Highway (City of Newport Beach/Caltrans)
9. Bayside Drive at East Coast Highway (City of Newport Beach/Caltrans)
10. Jamboree Road at East Coast Highway (City of Newport Beach/Caltrans)
11. Newport Center Drive at East Coast Highway (City of Newport Beach)
12. Avocado Avenue at East Coast Highway (City of Newport Beach)
13. MacArthur Boulevard at East Coast Highway (City of Newport Beach)

The study intersections were analyzed in accordance with the methodologies and significance criteria required by the respective jurisdictions and under the following scenarios:

- *Existing Conditions;*
- *Existing Plus Project Conditions;*
- *TPO Year 2019 Without Project Conditions;*
- *TPO Year 2109 With Project Conditions;*
- *Cumulative Year 2019 Without Project Conditions;* and
- *Cumulative Year 2019 With Project Conditions*.

The City of Newport Beach and the City of Costa Mesa both utilize the Intersection Capacity Utilization (ICU) methodology to assess the operation of signalized intersections. The ICU methodology compares the volume of traffic using the intersection to the capacity of the intersection. The resulting calculation is expressed as a decimal value known as the volume to capacity (V/C) ratio, which is then correlated to a

roadway facility performance measure known as Level of Service (LOS), which ranges from LOS A to LOS F.

In order to estimate the number of daily trips generated by the Project, trip generation rates obtained from the Institute of Transportation Engineers (ITE) *Trip Generation Manual (9th Edition)* which were then multiplied by the land use quantity. The ITE land use codes used to determine trip generation rates for existing conditions were "Specialty Retail" (ITE 826) and "Automobile Sales" (ITE 841), while the ITE land use code used to determine trip generation rates for the proposed Project was "Automobile Sales" (ITE 841). The traffic impact assessment assumed the proposed Project would result in the construction of 37,954 s.f. of automobile sales land use, which was derived from the total useable area of the proposed Project. The usable square footage assumed by the traffic impact assessment exceeds that which is shown on the proposed Site plan (37,347 s.f.; Figure 3-1) in order to provide a more conservative estimate of traffic impacts forecasted to result from the Project. In addition, the analysis overstates trip generation because no credit or redistribution of trips were assumed by the relocation of the Porsche dealership currently located at 445 East Coast Highway.

The Project applicant provided KAI with customer zip code information for sales and service transactions that occurred within the past six months at the existing Porsche dealership located in the Newport Auto Center at 445 East Coast Highway to be used to determine typical trip distribution for automobile maintenance activities. KAI determined Project trip distribution patterns by evaluating transaction frequency and likely travel paths while considering surrounding land uses and the local and regional roadway facilities. Additional information about the methodology and criteria used to evaluate traffic impacts on each of the study intersections is provided below in Threshold a).

Existing Conditions

*Site Access*

Primary roadway access to the Project Site is provided in the existing condition by four (4) driveways on West Coast Highway, located along the southern Project boundary. Local access to the Project vicinity is provided by Dover Drive, located east of the Project Site, and Tustin Avenue and Newport Boulevard located to the west of the Project Site. These local streets provide access to State Route 1 (SR-1) also known as West Coast Highway, which abuts the southern boundary of the Project Site. SR-1 provides access to Newport Boulevard/ State Route 55 (SR-55). SR-1 also provides access to Jamboree Road which provides access to California State Route 73 (SR-73), located approximately 3.7 miles northeast of the Project Site.

*Existing Trip Generation*

According to the Project's Traffic Impact Analysis, the specialty retail and automobile sales land uses that currently occupy the Project Site generate 554 daily trips (KAI, 2016, p. 19).

*Existing Mass Transit*

The Project study area is within the service areas of the OCTA, a public transit agency serving Orange County. The Newport Transportation Center/Park-and-Ride, located at the intersection of Avocado Avenue and San Nicholas, provides access to the following OCTA bus routes: 1, 55, 57, 76, and 79 (KAI, 2016, Figure 10). An OCTA bus stop is located immediately to the east of the Project Site (approximately 50 feet) along West Coast Highway, and is served by OCTA Bus routes 1 and 55 (Google Earth Pro, 2016; KAI, 2016, Figure 10).

*Existing Pedestrian and Bicycle Facilities*

With regard to pedestrian movement around the Project Site, sidewalks are located along West Coast Highway, along the Project Site's frontage with West Coast Highway as well as on the south side of West Coast Highway. Crosswalks are located at the intersection of Dover Drive and West Coast Highway and provide pedestrian access between nearby businesses and residences. (Google Earth Pro, 2016)

A Class III bikeway (signed bike route shared with motor vehicles) runs along both sides of West Coast Highway to the immediate south of the Project Site. (KAI, 2016, Figure 8)

*Existing Airport Facilities*

The John Wayne Airport (JWA) is located approximately 3.9 miles northeast of the Project Site and is the nearest public airport to the Project Site. As discussed above in Section 5.4.8, *Hazards and Hazardous Materials*, and 5.4.10, *Land use and Planning*, the Project Site is located within the FAR Part 77 Obstruction Imaginary Surfaces and Notification Area for the JWA. However, because buildings proposed by the Project are not of a height that would penetrate the imaginary surface, and the Part 77 notification provisions would therefore not apply to the proposed Project, and the proposed Project would not conflict with the AELUP for the JWA.

Regulatory Setting

*Orange County Congestion Management Program (CMP)*

The Orange County Congestion Management Plan (CMP) was prepared by the OCTA in accordance with Proposition 111. In June 1990, Proposition 111 was passed, which made additional funding available for transportation projects through a nine cent increase in the state gas tax and mandated that each county with 50,000 or more residents develop a CMP (OCTA, 2015, p. 5). The nearest CMP Highway System to the Project Site is West Coast Highway, which abuts the southern boundary of the Project Site (OCTA, 2015, Figure 2). The closest CMP intersection to the Project Site is Newport Boulevard Southbound Ramps at West Coast Highway (SR-1), located approximately 1.2-mile west of the Project Site, which has a CMP AM Level of Service (LOS) of B and a PM LOS of A (OCTA, 2015, Figure 3).

*City of Newport Beach General Plan*

The General Plan for the City of Newport Beach contains a Circulation Element (Chapter 7) that governs the long term mobility system of the City of Newport Beach. The goals and policies in the Circulation Element are closely correlated with the Land Use Element and are intended to provide the best possible balance between the City's future growth and land use development, roadway size, traffic service levels, and community character (City of Newport Beach, 2006a, p. 7-2). Pursuant to the Circulation Element of the Newport Beach General Plan, the Newport Beach Municipal Code, and the Master Plan of Arterial Highways (MPAH), the City is requiring the Project Applicant construct a third westbound lane in West Coast Highway. As part of the widening of West Coast Highway, the Project would construct new street improvements including the additional westbound travel lane, curb and gutter, sidewalk, drive approaches, and landscaping across the frontage of the Project Site and the lots that abut the Project Site to the east (Mariner's Pointe) and west (McDonald's restaurant). The widening of West Coast Highway would also include a 170-foot long median in West Coast Highway that would effectively prohibit left turns to and from the easterly Project access driveway. Figure 3-6, *General Area to be Disturbed by Proposed West* Coast Highway Widening, shows the proposed widening of West Coast Highway.
*City of Newport Beach Municipal Code*

Chapter 15.40 (Traffic Phasing Ordinance) of the City's Municipal Code requires the phasing of development in accordance with circulation system improvements to accommodate project-generated traffic. Projects are exempt from the applicable provisions of the Traffic Phasing Ordinance if the project would generate no more than 300 average daily trips (ADT). The proposed Project generates 1,226 daily trips and therefore would not be exempt from the provisions of the Traffic Phasing Ordinance. As such, the Project-specific Traffic Impact Analysis (KAI, 2016) analyzed traffic impacts for one year after project completion in year 2019, which is discussed in the analysis below.

a) *Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

Finding: Less-than-Significant Impact. Project-generated trips would not increase by 1% or more at any study area intersection operating at worse than Level of Service D (LOS D) during the morning/evening peak hours in any of the scenarios analyzed. Accordingly, the Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. A less-than-significant impact would occur and mitigation is not required.

Applicable plans, policies, and ordinances related to performance of the circulation system and applicable to the proposed Project are the City of Newport Beach General Plan and Municipal Code. The Orange County Congestion Management Plan is discussed below under Threshold b.

City of Newport Beach General Plan

The City of Newport Beach General Plan establishes LOS D as the standard for most intersections. LOS "E" is the established standard for a limited number of intersections (City of Newport Beach, 2006a, p. 7-6).

City of Newport Beach Municipal Code

Guidelines and provisions related to transportation are addressed in the following sections of the Municipal Code: Title 12 (Vehicles and Traffic); Chapter 15.38 (Fair Share Traffic Contribution Ordinance); Chapter 15.40 (Traffic Phasing Ordinance); and Chapter 20.64 (Transportation Demand Management Ordinance). Each of these sections of the Municipal Code is briefly discussed below.

- *Title 12, Vehicles and Traffic.* Title 12 addresses traffic and parking enforcement, as well as safety programs, trails programs, bicycle use, skateboarding use, and other temporary traffic and parking protocols.
- *Chapter 15.38, Fair Share Traffic Contribution Ordinance.* Chapter 15.38 was established by the City Council to establish a fee, based upon the unfunded cost to implement the Master Plan of Streets and Highways, to be paid in conjunction with the issuance of a building permit. The ordinance sets forth procedures for calculating the fair-share amounts for residential projects, hotel/motels, and office/retail/commercial uses, which are adopted by City Council resolution.
- *Chapter 15.40, Traffic Phasing Ordinance.* Section 15.40 was established by the City Council to ensure that the effects of new development projects are mitigated by developers as they occur. Specifically, the ordinance was established to provide a uniform method of analyzing and evaluating the traffic impacts of projects that generate a substantial number of average daily trips and/or trips during the morning or evening peak hour period; to identify the specific and near-term impacts of

project traffic as well as circulation system improvements that will accommodate project traffic and ensure that development is phased with identified circulation system improvements; to ensure that project proponents, as conditions of approval, make or fund circulation system improvements that mitigate the specific impacts of project traffic on primary intersections at or near the time the project is ready for occupancy; and to provide a mechanism for ensuring that a project proponent's cost of complying with traffic related conditions of project approval is roughly proportional to project impacts. Section 15.40.030 (Standards for Approval – Findings – Exemptions) specifically exempts the following project types from compliance with the Traffic Phasing Ordinance: a) projects that generate three hundred (300) or fewer average daily trips; b) projects that do not increase trips by one percent or more on any leg of any primary intersection during any evening or morning peak hour; and c) any project that meets certain other criteria as specified in the Ordinance.

- *Chapter 20.64, Transportation Demand Management Requirements.* The Transportation Demand Management requirements apply to all new, nonresidential development projects that are estimated to employ a total of one hundred (100) or more persons, or the current limit set forth by the South Coast Air Quality Management District (SCAQMD) in Rule 2202, whichever is lower at the time of project submittal. Chapter 20.64 is not applicable to the proposed Project because it is not expected that 100 or more people would be employed on-Site.

Analysis of the Proposed Project

Using the ITE Trip Generation Handbook, the proposed Project is calculated to generate a total of approximately 1,226 daily vehicle trips, 73 of which would occur during the morning (AM) peak hour and 99 of which would occur during the evening (PM) peak hour as shown in Table 5-19, *Project Trip Generation*. Under existing conditions, the commercial land uses at the Project Site generate 544 daily trips, which would be eliminated with implementation of the Project. Thus, the proposed Project would result in a net increase of 672 daily trips, 73 of which would occur during the morning (AM) peak hour, and 64 of which would occur during the evening (PM) peak hour. Trip distribution pattern information is contained in *Technical Appendix G*.

The intersection significance criteria for the City of Newport Beach is based on an increase of 1% or more at a study area intersection operating at worse than a LOS D during the morning/evening peak hours. (City of Newport Beach, 2006a, p. 6)

*Existing Plus Project Traffic Conditions*

For existing year (Year 2016) traffic conditions, the study area intersections currently operate at LOS D or better during the morning/evening peak hours (KAI, 2016, Table 1). As shown on Table 5-20, the study area intersections are calculated to operate at LOS D or better during the morning/evening peak hours for *Existing Plus Project* traffic conditions. Thus, a less-than-significant impact would occur and no mitigation is required.

*TPO Year 2019 Traffic Conditions*

If approved, it is expected the proposed Project would be completed in year 2018. In accordance with the City of Newport Beach Traffic Phasing Ordinance (TPO), the Traffic Impact Analysis evaluated traffic impacts for one year after project completion in year 2019. In order to account for ambient traffic growth, existing traffic volumes were increased by one percent per year over a three-year period along the applicable arterial highways (Coast Highway, Irvine Avenue, Jamboree Road, MacArthur Boulevard, and Newport Boulevard) in accordance with the latest City of Newport Beach Regional Traffic Annual Growth

Rate. Additionally, a list of 23 approved projects within the study area was provided by the City of Newport Beach staff for use in the TPO analysis. The approved project list consists of future developments that have been approved, but have not been fully constructed and occupied, an d is provided in the Traffic Impact Analysis (*Technical Appendix G*).

## Table 5-19 Project Trip Generation

| Land Use | Source[1] | Quantity | Units[2] | Peak Hour | | | | | | Daily |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Morning | | | Evening | | | |
| | | | | Inbound | Outbound | Total | Inbound | Outbound | Total | |
| Trip Generation Rates | | | | | | | | | | |
| Specialty Retail | ITE 826 | - | TSF | n/a | n/a | n/a | 1.19 | 1.52 | 2.71 | 44.32 |
| Automobile Sales | ITE 841 | - | TSF | 1.44 | 0.48 | 1.92 | 1.05 | 1.57 | 2.62 | 32.30 |
| Existing Land Uses to be Displaced | | | | | | | | | | |
| Specialty Retail Automobile | ITE 826 [3] | 11.660 | TSF | - | - | - | 14 | 18 | 32 | 517 |
| Sales | ITE 841 [3] | 1.152 | TSF | - | - | - | 1 | 2 | 3 | 37 |
| Existing Trips Subtotal | | | | - | - | - | 15 | 20 | 35 | 554 |
| Proposed Project | | | | | | | | | | |
| Automobile Sales | ITE 841 | 37.954 | TSF | 55 | 18 | 73 | 40 | 59 | 99 | 1,226 |
| **Net Project Trips Generated** | | | | **55** | **18** | **73** | **25** | **39** | **64** | **672** |

[1] Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, 9th Edition, 2012, Land Use Categories 826 and 841.

[2] TSF = Thousand Square Feet

[3] Based on the current hours of operation for the existing land uses, trips generated by the existing land uses during the morning peak hours are assumed to be nominal. This provides a conservative analysis since no credit is applied towards the proposed project trip generation for the displacement of existing trips during the morning peak hour. Source: (KAI, 2016, Table 2)

## Table 5-20 Existing (Year 2016) + Project Intersection Capacity Utilization and Levels of Service

| Intersection | Jurisdiction[1] | Traffic Control[2] | Peak Hour ICU-LOS[3] | | | | ICU Increase | | Significant Impact? |
|---|---|---|---|---|---|---|---|---|---|
| | | | Existing | | Existing Plus Project | | | | |
| | | | Morning | Evening | Morning | Evening | Morning | Evening | |
| Newport Boulevard SB Ramps (NS) at: West Coast Highway (EW) - #1 | CNB/Caltrans | TS | 0.890-D | 0.672-B | 0.891-D | 0.672-B | +0.001 | 0.000 | No |
| Riverside Avenue (NS) at: West Coast Highway (EW) - #2 | CNB/Caltrans | TS | 0.785-C | 0.799-C | 0.789-C | 0.801-D | +0.004 | +0.002 | No |
| Tustin Avenue (NS) at: West Coast Highway (EW) - #3 | CNB/Caltrans | TS | 0.775-C | 0.620-B | 0.780-C | 0.622-B | +0.005 | +0.002 | No |
| Irvine Avenue (NS) at: 19th Street/Dover Drive (EW) - #4 | CNB/CCM | TS | 0.679-B | 0.734-C | 0.684-B | 0.737-C | +0.005 | +0.003 | No |
| 17th Street/Westcliff Drive (EW) - #5 | CNB/CCM | TS | 0.495-A | 0.628-B | 0.496-A | 0.629-B | +0.001 | +0.001 | No |
| Dover Drive (NS) at: Westcliff Drive (EW) - #6 16th | CNB | TS | 0.414-A | 0.477-A | 0.418-A | 0.480-A | +0.004 | +0.003 | No |
| Street (EW) - #7 | CNB | TS | 0.492-A | 0.511-A | 0.494-A | 0.512-A | +0.002 | +0.001 | No |
| West Coast Highway (EW) - #8 | CNB/Caltrans | TS | 0.649-B | 0.626-B | 0.652-B | 0.631-B | +0.003 | +0.005 | No |
| Bayside Drive (NS) at: East Coast Highway (EW) - #9 | CNB/Caltrans | TS | 0.692-B | 0.616-B | 0.694-B | 0.618-B | +0.002 | +0.002 | No |
| Jamboree Road (NS) at: East Coast Highway (EW) - #10 | CNB/Caltrans | TS | 0.567-A | 0.581-A | 0.570-A | 0.584-A | +0.003 | +0.003 | No |
| Newport Center Drive (NS) at: East Coast Highway (EW) - #11 | CNB | TS | 0.327-A | 0.426-A | 0.330-A | 0.427-A | +0.003 | +0.001 | No |
| Avocado Avenue (NS) at: East Coast Highway (EW) - #12 | CNB | TS | 0.429-A | 0.461-A | 0.432-A | 0.462-A | +0.003 | +0.001 | No |
| MacArthur Boulevard (NS) at: East Coast Highway (EW) - #13 | CNB | TS | 0.518-A | 0.559-A | 0.521-A | 0.561-A | +0.003 | +0.002 | No |

[1] CNB = City of Newport Beach; CCM = City of Costa Mesa
[2] TS = Traffic Signal
[3] ICU-LOS = Intersection Capacity Utilization - Level of Service (see *Technical Appendix G*).

Source: (KAI, 2016, Table 3)

Table 5-21, *TPO One-Percent Threshold Analysis*, summarizes the City of Newport Beach TPO one-percent threshold analysis. In accordance with the City of Newport Beach TPO requirements, if Project-generated peak hour approach volumes are higher than one-percent of the projected peak hour volumes on any approach of an intersection, then further analysis is required using the Intersection Capacity Utilization methodology. As shown in Table 5-21, seven of the study intersections are forecast to exceed the TPO one-percent threshold and therefore required Intersection Capacity Utilization analysis.

An Intersection Capacity Utilization analysis was performed for the seven study intersections that were forecast to exceed the TPO one-percent threshold; the Intersection Capacity Utilization and Level of Service for *TPO Year 2019 Without Project* and *TPO Year 2019 With Project* traffic conditions are shown in Table 5-22, *TPO Year 2019 Intersection Capacity Utilization and Levels of Service*. As shown in Table 5-22, the study intersections requiring Intersection Capacity Utilization analysis are projected to operate within

acceptable Levels of Service during the peak hours for *TPO Year 2019 Without Project* and *TPO Year 2019 With Project* scenarios, with the exception of the Newport Boulevard Southbound Ramps/West Coast Highway intersection, which is forecast to operate at LOS E during the morning peak hour in both scenarios. As also shown in Table 5-22, the proposed Project is forecast to result in less-than-significant traffic impacts for *TPO Year 2019 With Project* traffic conditions based on the City-established thresholds of significance.

*Cumulative Year 2019 Traffic Conditions*

For existing + growth (Year 2019) + approved projects traffic conditions, the study area intersections are projected to operate at LOS D or better during the morning/evening peak hours with the exception of the following study intersections:

Newport Boulevard Southbound Ramps (NS) at:

- West Coast Highway (EW) – (Morning Peak Hour Only; LOS E)

Riverside Avenue (NS) at:

- West Coast Highway (EW) – (Evening Peak Hour Only; LOS E)

As shown in Table 5-23, *Year 2019 + Project Intersection Capacity Utilization and Levels of Service*, for *Existing + Growth (Year 2019) + Approved Projects + Project* traffic conditions, the Project-generated trips would not increase the utilization by 1% or more at a study area intersections operating at worse than LOS D during the morning/evening peak hours. Thus, a less-than-significant impact would occur and no mitigation is required.

*Construction-Related Traffic Impacts*

Temporary traffic impacts are forecast to result from construction activity at the Project Site. Construction activities for the proposed Project would occur between 7:00 AM and 6:30 PM. Construction crew parking will occur at an off-Site lot (location to be determined) and workers will be shuttled to/from the Project Site. Peak construction activity is anticipated to occur during the demolition phase, which is scheduled to occur over a 10-day period. According to the Project-specific Traffic Impact Analysis (*Technical Appendix G*), approximately 80 daily trips (40 truckloads per day) are expected to be generated during the demolition phase in order to haul building and Site debris from the Site. Haul routes would occur along West/East Coast Highway to/from SR-55 and/or Jamboree Road. It is estimated an average of 2-3 truck deliveries per day would be required for delivery of materials during the construction phase. The Project is forecast to generate more trips during its operational phase than during the construction phase; therefore, Project construction-related traffic impacts at the study intersections would be less than those associated with Project operations. As such, construction-related traffic impacts were not quantified in the Project-specific Traffic Impact Analysis, because the operational analysis presents the worst-case condition.

## Table 5-21 TPO One-Percent Threshold Analysis

| Intersection | Peak Hour | Project Trips Exceed One Percent?[1] | | | |
|---|---|---|---|---|---|
| | | Northbound | Southbound | Eastbound | Westbound |
| Newport Boulevard SB Ramps (NS) at: | | | | | |
| West Coast Highway (EW) - #1 | AM | No | **YES** | No | No |
| | PM | No | No | No | No |
| Riverside Avenue (NS) at: | | | | | |
| West Coast Highway (EW) - #2 | AM | No | No | No | No |
| | PM | No | No | No | No |
| Tustin Avenue (NS) at: | | | | | |
| West Coast Highway (EW) - #3 | AM | No | No | No | No |
| | PM | No | No | No | No |
| Irvine Avenue (NS) at: | | | | | |
| 19th Street/Dover Drive (EW) - #4 | AM | No | No | No | No |
| | PM | No | No | No | No |
| 17th Street/Westcliff Drive (EW) - #5 | AM | No | No | No | No |
| | PM | No | No | No | No |
| Dover Drive (NS) at: | | | | | |
| Westcliff Drive (EW) - #6 | AM | No | **YES** | No | No |
| | PM | No | No | No | No |
| 16th Street (EW) - #7 | AM | No | No | No | No |
| | PM | No | No | No | No |
| West Coast Highway (EW) - #8 | AM | No | No | No | **YES** |
| | PM | No | No | **YES** | No |
| Bayside Drive (NS) at: | | | | | |
| East Coast Highway (EW) - #9 | AM | No | No | No | **YES** |
| | PM | No | No | **YES** | No |
| Jamboree Road (NS) at: | | | | | |
| East Coast Highway (EW) - #10 | AM | No | **YES** | No | **YES** |
| | PM | No | No | **YES** | No |
| Newport Center Drive (NS) at: East | | | | | |
| Coast Highway (EW) - #11 | AM | No | No | No | **YES** |
| | PM | No | No | No | No |
| Avocado Avenue (NS) at: | | | | | |
| East Coast Highway (EW) - #12 | AM | No | No | No | **YES** |
| | PM | No | No | No | No |
| MacArthur Boulevard (NS) at: | | | | | |
| East Coast Highway (EW) - #13 | AM | No | No | No | No |
| | PM | No | No | No | No |

[1] If Project-generated trips are forecast to be equal to or greater than 1% of projected peak hour traffic volume, then Intersection Capacity Utilization analysis is required.
Source: (KAI, 2016, Table 4)

## Table 5-22 TPO Year 2019 Intersection Capacity Utilization and Levels of Service

| Intersection | Jurisdiction[1] | Traffic Control[2] | Peak Hour ICU-LOS[3] | | | | ICU Increase | | Significant Impact? |
|---|---|---|---|---|---|---|---|---|---|
| | | | TPO Year 2019 Without Project | | TPO Year 2019 With Project | | | | |
| | | | Morning | Evening | Morning | Evening | Morning | Evening | |
| Newport Boulevard SB Ramps (NS) at: | | | | | | | | | |
| West Coast Highway (EW) - #1 | CNB/Caltrans | TS | **0.95-E** | 0.72-C | **0.95-E** | 0.72-C | 0.00 | 0.00 | No |
| Dover Drive (NS) at: Westcliff | | | | | | | | | |
| Drive (EW) - #6 | CNB | TS | 0.43-A | 0.50-A | 0.43-A | 0.50-A | 0.00 | 0.00 | No |
| West Coast Highway (EW) - #8 | CNB/Caltrans | TS | 0.69-B | 0.69-B | 0.70-B | 0.70-B | +0.01 | +0.01 | No |
| Bayside Drive (NS) at: | | | | | | | | | |
| East Coast Highway (EW) - #9 | CNB/Caltrans | TS | 0.75-C | 0.76-C | 0.76-C | 0.76-C | +0.01 | 0.00 | No |
| Jamboree Road (NS) at: | | | | | | | | | |
| East Coast Highway (EW) - #10 | CNB/Caltrans | TS | 0.62-B | 0.64-B | 0.63-B | 0.64-B | +0.01 | 0.00 | No |
| Newport Center Drive (NS) at: | | | | | | | | | |
| East Coast Highway (EW) - #11 | CNB | TS | 0.34-A | 0.45-A | 0.35-A | 0.45-A | +0.01 | 0.00 | No |
| Avocado Avenue (NS) at: | | | | | | | | | |
| East Coast Highway (EW) - #12 | CNB | TS | 0.46-A | 0.48-A | 0.46-A | 0.49-A | 0.00 | +0.01 | No |

[1] CNB = City of Newport Beach; CCM = City of Costa Mesa
[2] TS = Traffic Signal
[3] ICU-LOS = Intersection Capacity Utilization - Level of Service (see *Technical Appendix G*).
Source: (KAI, 2016, Table 5)

## Table 5-23 Year 2019 + Project Intersection Capacity Utilization and Levels of Service

| Intersection | Jurisdiction[1] | Traffic Control[2] | Peak Hour ICU-LOS[3] | | | | ICU Increase | | Significant Impact? |
|---|---|---|---|---|---|---|---|---|---|
| | | | Cumulative Year 2019 Without | | Cumulative Year 2019 With | | | | |
| | | | Mornin | Evening | Morning | Evening | Morning | Evening | |
| Newport Boulevard SB Ramps (NS) at: West Coast Highway (EW) - #1 | CNB/Caltrans | TS | **0.982-E** | 0.774-C | **0.983-E** | 0.774-C | +0.001 | 0.000 | No |
| Riverside Avenue (NS) at: West Coast Highway (EW) - #2 | CNB/Caltrans | TS | 0.883-D | **0.908-E** | 0.887-D | **0.910-E** | +0.004 | +0.002 | No |
| Tustin Avenue (NS) at: West Coast Highway (EW) - #3 | CNB/Caltrans | TS | 0.873-D | 0.704-C | 0.877-D | 0.706-C | +0.004 | +0.002 | No |
| Irvine Avenue (NS) at: 19th Street/Dover Drive (EW) - #4 | CNB/CCM | TS | 0.702-C | 0.762-C | 0.707-C | 0.765-C | +0.005 | +0.003 | No |
| 17th Street/Westcliff Drive (EW) - #5 | CNB/CCM | TS | 0.549-A | 0.700-B | 0.550-A | 0.701-C | +0.001 | +0.001 | No |
| Dover Drive (NS) at: Westcliff Drive (EW) - #6 16th | CNB | TS | 0.444-A | 0.507-A | 0.448-A | 0.509-A | +0.004 | +0.002 | No |
| Street (EW) - #7 | CNB | TS | 0.529-A | 0.548-A | 0.532-A | 0.550-A | +0.003 | +0.002 | No |
| West Coast Highway (EW) - #8 | CNB/Caltrans | TS | 0.718-C | 0.736-C | 0.720-C | 0.741-C | +0.002 | +0.005 | No |
| Bayside Drive (NS) at: East Coast Highway (EW) - #9 | CNB/Caltrans | TS | 0.777-C | 0.785-C | 0.780-C | 0.787-C | +0.003 | +0.002 | No |
| Jamboree Road (NS) at: East Coast Highway (EW) - #10 | CNB/Caltrans | TS | 0.687-B | 0.754-C | 0.690-B | 0.758-C | +0.003 | +0.004 | No |
| Newport Center Drive (NS) at: East Coast Highway (EW) - #11 | CNB | TS | 0.416-A | 0.504-A | 0.419-A | 0.506-A | +0.003 | +0.002 | No |
| Avocado Avenue (NS) at: East Coast Highway (EW) - #12 | CNB | TS | 0.529-A | 0.536-A | 0.532-A | 0.537-A | +0.003 | +0.001 | No |
| MacArthur Boulevard (NS) at: East Coast Highway (EW) - #13 | CNB | TS | 0.631-B | 0.671-B | 0.633-B | 0.673-B | +0.002 | +0.002 | No |

[1] CNB = City of Newport Beach; CCM = City of Costa Mesa; Caltrans = California Department of Transportation
[2] TS = Traffic Signal
[3] ICU-LOS = Intersection Capacity Utilization - Level of Service (see *Technical Appendix G*)
Source: (KAI, 2016, Table 6)

*b) Would the Project conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

Finding: No impact. The proposed Project would generate approximately 1,226 gross daily vehicle trips, and 672 net daily vehicle trips. Based on the Orange County Congestion Management Plan (CMP) thresholds, the proposed Project would not conflict with the Orange County CMP including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. No impact would occur and mitigation is not required.

The Orange County CMP requires that a traffic impact analysis be conducted for any projects generating 2,400 or more daily trips, or 1,600 or more daily trips for projects that directly access the CMP Highway System. Per the CMP guidelines, this number is based on the desire to analyze any impacts that will be 3% or more of the existing CMP highway system facilities capacity (KAI, 2016, pp. 42-43). As shown on Table 5-19 above, the proposed Project would generate approximately 1,226 gross daily vehicle trips and 672 net daily vehicle trips. Based on the CMP thresholds, the proposed Project would not conflict with the Orange County CMP including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. No impact would occur and no mitigation is required.

*c) Would the Project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

Finding: No Impact. The nearest airport to the Project Site is John Wayne Airport which is located approximately 3.9 miles northeast of the Project Site. The Project Site is not located within an Airport Environs Land Use Plan (AELUP) Planning Area, Airport Impact Zone, AELUP Notification Area or an Airport Safety Zone. The height of the proposed Project's automobile dealership building would not result in air traffic safety hazards. No impact would occur and mitigation is not required.

The nearest airport to the Project Site is the John Wayne Airport (JWA) which is located approximately 3.9 miles northeast of the Project Site. The Project proposes to redevelop an existing commercial retail property with similar commercial land uses, and thus is not expected to generate substantial additional demand for air travel that could result in an increase air traffic levels. According to the AELUP for JWA, the Project Site is not located within the Airport Planning Area or the Airport Impact Zones, the AELUP Notification Area for JWA, or the Airport Safety Zones (OCALUC, 2008, Figure 1). The Project Site does, however, occur within the JWA Obstruction Imaginary Surfaces zone established pursuant to Federal Aviation Regulations Part 77, although review by the ALUC only would apply if a project is proposed that exceeds the height limits established by Federal Aviation Regulations Part 77 (OCALUC, 2008). Accordingly, no impact would occur and no mitigation is required.

*d) Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Finding: Less-than-Significant Impact. The Project proposes to construct two driveways to access the Project Site from West Coast Highway, and the widening of West Coast Highway along the Site frontage and the frontages of the abutting lots to the east and west. Final Project grading, landscaping, and street improvement plans must demonstrate that City

of Newport Beach and Caltrans sight distance standards are met, and must be reviewed and approved by the City prior to issue of grading permits to ensure compliance with such standards. Compliance with these standards would ensure the Project would not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). A less-than-significant impact would occur and mitigation is not required.

The Project proposes to modify access to the Project Site from West Coast Highway, by consolidating the existing four access driveways to two 35-foot wide driveways located along the southeast and southwest portions of the Site that front West Coast Highway. The westerly Project driveway would be full access and the east Project driveway would be right-in/right-out only. Sight distance at project access points would comply with applicable sight distance standards established by the City of Newport Beach and Caltrans. Additionally, the existing parking lot would be demolished, and the parking lot would be re-established in a modified configuration containing drive aisles, parking spaces, landscaping, a service drive entrance, and pole-mounted lighting (Figure 3-1). The existing parking lot would be reconfigured to provide internal circulation and parking to accommodate the proposed development, with the overall layout of the parking lot reconfigured to improve circulatory access through the Site.

The Project also proposes to widen West Coast Highway along the Project Site frontage and the frontages of the abutting lots to the east and west (see Figure 3-6, *General Area to be Disturbed by Proposed West Coast Highway Widening*). The Project would construct a third westbound lane in the northernmost portion of West Coast Highway which would include the addition of a 12-foot wide vehicular lane, 7-foot wide shoulder with bike lane, and 8-foot wide sidewalk. The third westbound through lane proposed to be constructed would extend from the Dover Drive / West Coast Highway intersection westward through the Project frontage and merge to two lanes at the western boundary of the neighboring McDonald's property. As part of the widening of West Coast Highway, the Project would construct new street improvements including the additional westbound travel lane, curb and gutter, sidewalk, drive approaches, and landscaping across the frontage of the Project Site and the lots that abut the Project Site to the east (Mariner's Pointe) and west (McDonald's restaurant). The widening of West Coast Highway would also include a 170-foot long median in West Coast Highway that would effectively prohibit left turns to and from the easterly Project access driveway. The purpose of the widening of West Coast Highway is to improve traffic flow near the intersection of Dover Drive / West Coast Highway, and would be undertaken pursuant to the Circulation Element of the Newport Beach General Plan, the Newport Beach Municipal Code, and the Master Plan of Arterial Highways.

All final grading, landscaping, and street improvement plans for the Project must demonstrate that sight distance standards and all other roadway design safety requirements are met, and must be approved by the City of Newport Beach. All plans pertaining to modification of public roadways must be reviewed and approved by Caltrans and the City of Newport Beach prior to issuance of grading permits to ensure compliance with such standards. A Construction Management and Traffic Control Plan which conforms to the applicable City of Newport Beach and Caltrans requirements would be required to be prepared by the Project Applicant and approved by the City of Newport Beach and Caltrans prior to issuance of building permits and encroachment permits that affect West Coast Highway. The Construction Management and Traffic Control Plan would identify specific measures intended to minimize safety hazards and traffic disruptions along public roadways during the temporary closures of roadways, bikeways, and sidewalks. Accordingly, mandatory compliance with these requirements would ensure that the Project would not increase hazards due to a design features, and less-than-significant impacts would occur.

e) *Would the Project result in inadequate emergency access?*

Finding: Less-than-Significant Impact. The Project proposes to construct a third westbound lane in the northernmost portion of West Coast Highway between the Dover Drive / West Coast Highway and the westerly boundary of the McDonald's property. During short-term construction activities, the temporary restriping and/or closure of the northernmost westbound lane of West Coast Highway may occur, though no complete roadway closures would be required. The preparation of a City- and Caltrans-approved Construction Management and Traffic Control Plan would ensure that street traffic is not obstructed and emergency access is maintained during construction activities. The proposed Site design includes two 35-foot drive approaches and a 20-foot fire lane on the southern portion of the Project Site that would accommodate the City Fire Department's need for emergency access to the Site. Thus, a less-than-significant impact would occur and mitigation is not required.

As described above, the Project proposes to construct a third westbound lane in the northernmost portion of West Coast Highway between the Dover Drive / West Coast Highway and the westerly boundary of the McDonald's property (see Figure 3-6). The proposed Project design includes two 35-foot wide drive approaches along the Site's frontage with West Coast Highway, as well as a 20-foot wide fire lane that traverses the Site in an east-west orientation from each of the proposed drive approaches. The proposed drive approaches and fire lane on the southern portion of the Project Site would accommodate the City Fire Department's need for emergency access to the Site.

Under existing conditions, emergency roadway access is provided via West Coast Highway. During the construction period, roadway lane closures may be required for brief durations in order to implement the widening of West Coast Highway; construct utility connections beneath the roadway surfaces along West Coast Highway; accommodate the unloading of construction materials from the street; to accommodate crane erection/dismantling, lifting of mechanical pack units; and to allow for construction of public street and right-of-way improvements such as curb, asphalt, sidewalk and landscaping. These partial roadway closures would only require the closure of up to one traffic lane at any given time; no complete roadway closures would be required.

Temporary lane closures would not extend beyond two weeks in duration for any specific lane closure. A temporary street and sidewalk closure permit would be required for the closure of any portion of the public right-of-way. Additionally, a Construction Management and Traffic Control Plan which conforms to City of Newport Beach and Caltrans requirements would be required to be prepared by the Project Applicant and approved by the City of Newport Beach and Caltrans prior to any roadway lane closures. The Construction Management and Traffic Control Plan would identify specific measures intended to minimize safety hazards and traffic disruptions along public roadways during temporary roadway lane closures, as well as to ensure maintenance of emergency access to the Project Site and Site vicinity. Traffic control during lane closures would be coordinated with the Police Department and Public Works Department, Traffic and Development Services Division, in order to further ensure that street traffic is not obstructed. Thus, short-term construction activities would not impede emergency vehicles from accessing the Project Site or vicinity.

The Project would not result in inadequate emergency access. A less-than-significant impact would occur and no mitigation is required.

*f) Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities?*

Finding: No Impact. The Project would be consistent with or would not otherwise conflict with the City's alternative transportation policies. No impacts would occur and mitigation is not required.

The City of Newport Beach General Plan Circulation Element includes a number of goals and policies related to public transit, bicycle, and pedestrian facilities. These include the policies identified under CE 5.1 (Alternative Transportation Modes). A brief discussion of Circulation Element Policies pertaining to public transit, bicycle or pedestrian facilities that are applicable to the Project is provided below.

Policy CE 5.1.2: *Pedestrian Connectivity. Link residential areas, schools, parks, and commercial centers so that residents can travel within the community without driving.*

Policy CE 5.1.3: *Pedestrian Improvements in New Development Projects. Require new development projects to include safe and attractive sidewalks, walkways, and bike lanes in accordance with the Master Plan, and, if feasible, trails.*

Under existing conditions, a Class III bike lane (signed bike route shared with motor vehicles) and public sidewalk exists along both sides of West Coast Highway to the immediate south of the Project Site. Additionally, OCTA bus routes 55 and 1 travel along West Coast Highway to the immediate south of the Project Site, and a bus stop is located to the southeast of the Project Site in front of the neighboring Mariner's Pointe development.

As described throughout this MND and shown on Figure 3-6, the Project proposes to add a third westbound vehicular lane on the north side of West Coast Highway that would include a 12-foot wide vehicular lane, 7-foot wide shoulder with bike lane, and 8-foot wide sidewalk. The third westbound through lane would extend from the Dover Drive / West Coast Highway intersection westward through the Project Site frontage and merge to two lanes at the western boundary of the neighboring McDonald's property. The Project would require temporary closures to portions of the roadway, bike lane, and sidewalk located on the north side of West Coast Highway. A Construction Management and Traffic Control Plan which conforms to the applicable City of Newport Beach and Caltrans requirements would be required to be prepared by the Project Applicant and approved by the City of Newport Beach and Caltrans prior to issuance of building permits and encroachment permits. The Construction Management and Traffic Control Plan would specify routing of pedestrian and bike traffic during sidewalk and bike lane closures, which may include routing pedestrian and bike traffic to the existing sidewalk along the south side of West Coast Highway, or providing a minimum width walkway and/or bike path through the Project Site that would likely include the installation of a K-rail barrier and construction fences.

As shown on Figure 3-1, *Proposed Site Plan*, the Project would accommodate an 8-foot wide sidewalk and Class II bike lane along the southerly edge of the Project Site to be constructed as part of the widening of West Coast Highway. The Project also proposes to construct a pedestrian path (north-south orientation) on the south-central portion of the Site that would provide pedestrian access to the Project Site from West Coast Highway. Thus, pedestrian and bike facilities physically affected by the Project would be reconstructed to provide access to the Project Site from sidewalks and bike lanes in the Project Vicinity.

Temporary closure of the OCTA bus stop located near the southeasterly Project Site boundary would occur during construction of the proposed additional westbound lane in West Coast Highway. During preparation of the Construction Management and Traffic Control Plan, the Project Applicant would solicit input from OCTA regarding temporary closure and/or relocation of the bus stop. Detailed information and procedures pertaining to temporary closure of the existing sidewalk and bike lane within the West Coast Highway ROW would be outlined in the Construction Management and Traffic Control Plan prepared for the Project. As shown on Figure 3-6, the Project would physically impact the existing OCTA bus stop located to the southeast of the Project Site. The affected OCTA bus stop would be reconstructed in compliance with the applicable requirements and standards of OCTA, Caltrans, and the City of Newport Beach.

The remaining Circulation Element policies related to public transit, bicycle, and pedestrian facilities provide general direction to City staff and/or decision-makers, or are otherwise not applicable to the Project. Additionally, through the Project would not impede with operation of the existing Class III bike lane, and accommodates the future construction and operation of a Class II bike lane within West Coast Highway along its southerly edge, and therefore would not conflict with implementation of the City's Bicycle Master Plan. There are no other adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Accordingly, the Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, and no impact would occur.

As concluded above, the Project would be consistent with or would not otherwise conflict with the City's alternative transportation policies. No impacts would occur and mitigation is not required.

Transportation/Traffic: Mitigation Measures:

Implementation of the proposed Project would have a less-than-significant impact to Transportation/Traffic. Thus, no mitigation measures are required.

### 5.4.17 Utilities and Service Systems

*a) Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Finding: Less-than-Significant Impact. The proposed Project would not increase the need for wastewater treatment beyond the wastewater treatment requirements under existing conditions. Thus, the proposed Project would not exceed wastewater treatment requirements of the Santa Ana Regional Water Quality Control Board. A less-than significant-impact would occur and mitigation is not required.

The majority of the City of Newport Beach (approximately 13.5 square miles), including the Project Site, receives wastewater service from the City of Newport Beach. The City of Newport Beach has a Sewer System Management Plan and Sewer Master Plan that project future wastewater demands, plan for physical improvements to the wastewater collection system, and detail how wastewater is planned to be collected and treated. Wastewater from the City of Newport Beach's sewer system is treated by the Orange County Sanitation District (OCSD). In 2015, Orange County Sanitation District Reclamation Plant No. 1, located in the City of Fountain Valley, treated an average of 115 million gallons per day (mgd) and Treatment Plant No. 2, located in the City of Huntington Beach, treated an average of 69 mgd during 2015 (OCSD, 2016, p. 1). Thus in 2015, the two treatment facilities treated an average total of 184 mgd. Reclamation Plant No. 1 and Treatment Plant No. 2 are constructed to together treat 372 mgd of primary

treated wastewater and 332 mgd of secondary treated wastewater (OCSD, 2012, p. 6). Accordingly, the two plants have a remaining excess capacity of 188 mgd for primary treated wastewater.

Under existing conditions, the Project Site is developed with commercial uses and is served by subsurface sewer lines. The composition of wastewater generated by the proposed Project would be similar to that generated by other commercial uses in the City, with no hazardous components. The proposed building is planned to contain an auto dealership equipped with restrooms and a car detailing area with wash bay (all car detailing to be done by-hand). Based on the projected wastewater rate of 200 gallons per day (gpd) per 1,000 square feet provided in the City's General Plan EIR, the Project is anticipated to produce approximately 7,469 gallons of wastewater per day (City of Newport Beach, 2006b, Table 4.14-12, p. 4.14-31). Although this calculation of the Project's wastewater generation based on the City's General Plan EIR is likely to be an overestimate, since the Project's calculated water usage would be approximately 1,144 gallons per day. The wastewater generated from the Project would be conveyed by the City's public sewer line network to the OCSD Plant No. 2 for treatment. The Project is fully compliant with the property's General Commercial (CG 0.3/0.5 FAR) General Plan land use designation and thus within the existing capacity of Plant No. 2, which meets applicable Regional Water Quality Control Board (RWQCB) requirements. No aspect of the Project would cause the treatment plant to violate RWQCB requirements. Based on the remaining excess capacity of 178 mgd for primary treated wastewater between OCSD Reclamation Plant No. 1 (Fountain Valley) and Reclamation Plant No. 2 (Huntington Beach), the Project would have a less-than-significant impact on the wastewater treatment capacity of existing treatment facilities, and no mitigation would be required.

*b) Would the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Finding: No Impact. The proposed Project would not result in the construction or expansion of new water or wastewater treatment facilities. No impact would occur and mitigation is not required.

Under existing conditions, the Project Site is provided domestic water and sewer services by the City of Newport Beach, and is currently connected to sewer lines and domestic water lines. As discussed in Threshold a) above and Threshold d) below, water and wastewater treatment facilities have sufficient capacity to service the Project and treatment facility expansions would not be triggered by the Project. No impact would occur and mitigation is not required.

*c) Would the Project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Finding: No Impact. Implementation of the proposed Project would result in a reduced runoff volume as compared to existing conditions. No off-Site storm drain facilities would need to be installed or expanded. Thus, no impact would occur and mitigation is not required.

As discussed under Hydrology and Water Quality Threshold c), under existing conditions, storm water runoff from the Project Site generally sheet flows south out of the four (4) entrance driveways that span the length of the Project Site, and into the public street gutter. The storm water runoff flows westward in the street gutter before being intercepted by a catch basin located near 600 West Coast Highway. The runoff is then conveyed to an existing 36-inch reinforced concrete pipe located on the north side of West Coast Highway that is maintained by CalTrans and discharges to Newport Bay. There is no existing storm drain system onsite. The Project Site receives storm water run-on from the slope located to the adjacent

north of the Project Site. The slope runoff flows in the direction of the Project Site and primarily percolates into the ground.

Under proposed conditions, a series of storm drain inlets would be provided on the southern portion of the Project Site to which storm water runoff would flow. The onsite storm drain system would be directed to a diversion structure near the west entry drive where the storm water treatment flow rate would be diverted to a Modular Wetlands storm water biofiltration system which will physically and chemically capture pollutants from the diverted storm water runoff. The treated storm water will be connected back to the onsite storm drain system that will ultimately discharge to the existing 36-inch Caltrans reinforced concrete pipe (RCP) located along West Coast Highway. Storm water runoff generated on the northern portion of the Project Site (including the on- and off-Site portions of the slope) will be captured by a proposed terrace drain aligned along the back of the proposed retaining wall, and will be conveyed eastward and subsequently southward to ultimately connected directly to the existing 36-inch Caltrans RCP located along West Coast Highway.

As described the Project-specific WQMP included as *Technical Appendix E* to this document, although the proposed Project would increase impervious surface areas on the Project Site from 66% (1.19 acres) (as occurs under existing conditions) to approximately 84% (1.51 acres), the improved storm water drainage system proposed by the Project would reduce the runoff rate and volume as compared to the existing condition, thereby reducing the volume of storm water runoff discharged. Accordingly, the Project would not require or result in the construction of new storm water drainage facilities or the expansion of existing facilities. No impact would occur and mitigation is not required.

---

*d) Would the Project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

---

Finding: Less-than-Significant Impact. Operation of the Project Site with commercial uses is considered in the City's Urban Water Management Plan (UWMP), which concludes that the City has entitlements to sufficient water supplies to serve its existing and projected demand. Although the Project would increase water demand as compared to the Site's demand under existing conditions, there are sufficient water supplies available to serve the Project from existing entitlements and resources. A less-than-significant impact would occur and mitigation is not required.

A large majority of the City of Newport Beach (approximately 35.77 square miles, including the proposed Project Site) receives domestic water service from the City of Newport Beach. The City receives its water from two main sources: 1) local groundwater from the Lower Santa Ana River Groundwater basin, which is managed by the Orange County Water District (OCWD) and pumped from four active wells owned and operated by the City of Newport Beach (60%), and 2) imported water from the Metropolitan Water District of Southern California (MWD) as wholesaled to the City by the Metropolitan Water District of Orange County (MWDOC) (37%). In addition to these two main supply sources, the City also uses a small amount of recycled water for irrigation purposes (3%). Detailed information about these water supply sources are contained in the City of Newport Beach 2010 Urban Water Management Plan (UWMP), which is herein incorporated by reference and available for public review at the City of Newport Beach Public Works Department, 100 Civic Center Drive, Newport Beach, California 92660. The City's UWMP calculates that water demand in the City will increase by 11% over the 25-year period of 2010 – 2035, to 18,474 acre-feet of water demand City-wide by 2035. The UWMP also documents that the City has entitlements to sufficient water supplies to serve its existing and projected demand. (Newport Beach, 2011a)

A Water Conservation Ordinance was adopted by the Newport Beach City Council in 2009 and is included in the City's Municipal Code as Chapter 14.16, "Water Conservation and Supply Level Regulations." The Ordinance creates a Water Conservation and Supply Shortage Program that establishes four levels of water supply shortage response actions to be implemented during times of declared water shortage. Additionally, Chapter 14.17 (Water-Efficient Landscaping) of the City's Municipal Code requires the use of water efficient landscaping as part of new or rehabilitated projects. To verify compliance with the provisions of Chapter 14.17, landscape documentation packages must be submitted to the City for review and approval. The City reviews the landscape documentation packages for compliance with the provisions of the design standards set forth in Section 14.17.030 (Landscape Water Use Standards).

The proposed Project would replace existing commercial uses at the Project Site which generate a demand for domestic water in the existing condition, though it is anticipated that the proposed Project would result in an incremental increase in the demand for domestic water compared to the existing uses. It is anticipated that water usage at the Project Site would total 417,500 gallons per year (equivalent to 1,143.8 gallons per day or 1.3 acre-feet per year and based on historical water usage at the existing Porsche dealership in Newport Beach), which does not credit the existing water usage at the Site (Schaffner, 2016). Furthermore, the City's UWMP assumes build-out of the City in accordance with its General Plan, which designates the Project Site as General Commercial (CG 0.3/0.5 FAR). The proposed Project is consistent with the CG 0.3/0.5 FAR designation, and thus its water demand is planned for by the UWMP. Landscaping on the Project Site is required to comply with the water-efficient landscaping requirements of the City's Municipal Code Chapter 14.17. The City has entitlements to sufficient water supplies to serve its existing and projected demand (Newport Beach, 2011a, p. 2). Accordingly, the Project would not result in the need to expand water entitlements. A less-than-significant impact would occur and mitigation is not required.

On April 1, 2015, Governor Jerry Brown signed Executive Order B-29-15, which directs the State Water Resources Control Board (SWRCB) to implement mandatory water reductions in cities and towns across California through February 18, 2016 to reduce water usage by 25%. The SWRCB regulations identified Newport Beach as an urban water agency that would be required to reduce overall water usage by 28%. As mentioned above, the provisions of the Executive Order extend through February 18, 2016, and the Project is not expected to complete construction until 2018. Therefore, it cannot be determined if the water restrictions would be in place when the Project becomes operational. Regardless, the Project would be required by law to comply with water use reduction mandates that are in effect at the time of the Project's construction and operation. Currently, in response to the State's requirements, the Newport Beach City Council has implemented a Level Three Mandatory Water-Conservation Requirement. Because the Project would not increase the amount of potable water demand generated at the Project Site, the proposed Project would not impede Newport Beach's ability to achieve their water reduction target. If recycled water infrastructure is added within the West Coast Highway right-of-way in the future, the project will be required to connect the landscape irrigation system to this recycled water infrastructure.

e) *Would the Project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Finding: Less-than-Significant Impact. The Project would be adequately served by the OCSD. Thus, a less-than-significant impact would occur and mitigation is not required.

As discussed above under Threshold b) of this section, the Project would have a less-than-significant impact on the wastewater treatment capacity. Based on the most recent information, Reclamation Plant

No. 1, located in the city of Fountain Valley and Treatment Plant No. 2, located in the City of Huntington Beach, have a combined remaining excess capacity of 178 mgd for primary treated wastewater. Thus, the Project would not adversely affect the physical capacity of the existing wastewater infrastructure system that services the Site. OCSD Treatment Plants 1 and 2 have adequate capacity considering existing and projected commitments and the reduction in wastewater volume that would be generated from the Site.

*f) Would the Project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Finding: Less-than-Significant Impact. The Project would be served by the Frank R. Bowerman Landfill which has sufficient capacity to accommodate the Project's solid waste disposal needs. Impacts would be less than significant and mitigation is not required.

In order to construct the Project, the on-Site buildings and associated Site improvements would be demolished and cleared from the Site. In total, approximately 51,836 square feet of building area for the commercial buildings, parking lots, landscape, and hardscape areas would be removed to prepare the Site for redevelopment. Demolition debris generated as part of the Project are estimated to be 200 tons of construction debris, and approximately 9,000 cubic yards of soil. All construction and demolition debris would be disposed of at the Frank R. Bowerman Sanitary Landfill (located at 11002 Bee Canyon Access Road in Irvine), which serves the City of Newport Beach. Based on the estimated amount of construction and demolition debris that would be generated by the Project, the Frank R. Bowerman Sanitary Landfill's permitted capacity of 11,500 tons per day (Calrecycle, 2015) can accommodate the projected amount of debris estimated to be generated by the Project during the demolition and construction phases, resulting in a less-than-significant impact to landfill capacity.

Based on the solid waste generation rates presented in General Plan EIR Table 4.14-14 for commercial uses, the 72,062 s.f. automobile dealership building proposed on the Site would result in the long-term generation of approximately 360 pounds per day of solid waste (at a rate of 5.0 pounds per 1,000 square feet per day). This amount of solid waste would result in a nominal increase in the amount of solid waste conveyed to the Frank R. Bowerman Sanitary Landfill that would be met by the landfill's permitted capacity. Therefore, with implementation of the Project, there would be a less-than-significant impact on the landfill's permitted capacity of 11,500 tons per day.

*g) Would the Project comply with federal, state, and local statutes and regulation related to solid waste?*

Finding: Less-than-Significant Impact. The Project would comply with federal, state, and local statutes and regulations related to solid waste. Impacts would be less than significant and mitigation is not required.

Public Resources Code Section 40000 et seq. requires that local jurisdictions divert at least 50% of all solid waste generated. The Project would be subject to the City's Recycling Service Fee pursuant to Municipal Code Chapter 2.30, which is intended to assist the City in meeting the 50% diversion objective. Commercial waste haulers within the City are subject to Municipal Code Section 12.63.120 (Recycling Requirement), which states, "No person providing commercial solid waste handling services or conducting a solid waste enterprise shall deposit fifty (50) percent or more of the solid waste collected by the person in the City at any landfill" (City of Newport Beach, 2016b, Section 12.63.120). Furthermore, the Project would be required to comply with Municipal Code Section 20.30.120 (Solid Waste and Recyclable Materials Storage), which mandates that all nonresidential projects provide enclosed refuse and recyclable material storage areas in accordance with the minimum storage areas specified in Table 3-5 (City of

Newport Beach, 2016b, Section 20.30.120, Table 3-5). Accordingly, the Project would be fully compliant with all applicable Federal, State, and local statutes and regulations related to solid waste, resulting in a less-than-significant impact.

Utilities and Service Systems: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts to utilities and service systems and no mitigation measures are required.

### 5.4.18 Mandatory Findings of Significance

*a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?*

Finding: Less than Significant with Mitigation Incorporated. The proposed Project has no potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Mitigation Measures MM CR-1 through MM CR-3 have been imposed on the Project to ensure that the Project results in less-than-significant impacts to archaeological or paleontological resources that may be uncovered during construction of the Project. Accordingly, impacts would be less than significant, and additional mitigation measures are not required.

All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this Initial Study. The Project is a redevelopment project with no potential to impact biological resources. As indicated in the discussion and analysis of Cultural Resources in Section 5.4.5, none of the existing buildings on the Project are included on the National Register of Historic Places, California Register of Historical Resources, or a local register of historical resources, nor are they eligible for listing; accordingly, there would be no impact to historical resources resulting from Project implementation. Although the Project Site is not identified as being sensitive with respect to archaeological or paleontological resources, Mitigation Measures MM CR-1 through MM CR-3 have been imposed on the Project to ensure the proper treatment of any resources that may be uncovered during construction of the proposed Project. With implementation of the required mitigation, the Project would have a less-than-significant impact on historic and prehistoric resources.

Throughout this MND, where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less-than-significant levels. Accordingly, with incorporation of the mitigation measures imposed throughout this MND, the Project would not substantially degrade the quality of the environment and impacts would be less than significant.

*b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

Finding: Less-than-Significant Impact. The proposed Project would not result in impacts that are individually limited, but cumulatively considerable. Cumulative impacts of the proposed Project would therefore be less than significant, and mitigation measures are not required.

In order to evaluate the Project's potential to result in cumulatively significant impacts, the City of Newport Beach Planning Division compiled a list of other closely related past, present, and reasonably foreseeable probable future projects. The list of cumulative projects is provided below:

- West Newport Community Center;
- Old Newport Blvd./West Coast Hwy Widening;
- Lower Sunset View Park Bridge, Parking Lot and Park;
- Balboa Island Seawall Reconstruction;
- Arches Storm Drain Diversion;
- Bayview Heights Drainage Treatment;
- Big Canyon Rehab Project;
- Bay Crossings Water Main Replacement;
- CenterPointe Senior Living;
- Uptown Hotel;
- Museum House Residential Tower;
- 150 Newport Center;
- Little Corona Infiltration;
- Koll Newport Residential;
- Newport Place Residential;
- Newport/32nd modification;
- ExplorOcean;
- Back Bay Landing;
- Balboa Marina Expansion;
- Newport Harbor Yacht Club; and
- Newport Banning Ranch.

Based on this list of projects and the evaluation of Project impacts in this document and *Technical Appendices A through G*, the Project's impacts in every environmental subject area would be less-than-cumulatively-considerable with mitigation applied for the Project's direct impacts. Mitigation measures imposed on the Project for its direct impacts would also mitigate its contribution to cumulative effects.

*c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Finding: Less-Than-Significant Impact with Mitigation Incorporated. Where the Project would result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly (i.e., aesthetics, archaeological resources, noise, and transport, use, or disposal of hazardous materials), mitigation has been incorporated to reduce impacts to less-than-significant levels.

The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, are discussed throughout this MND. In instances where the Project has potential to result in direct or indirect adverse effects to human beings (aesthetics, archaeological resources, noise, and transport, use, or disposal of hazardous materials) mitigation measures have been applied to ensure impacts to not rise above a level of significance. With required implementation of mitigation measures identified in this MND, construction and operation of the proposed Project would not involve any activities that would result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

# 6.0 Mitigation Monitoring and Reporting Program

| | Mitigation Measures | Responsible Party / Monitoring Party | Implementation Stage | Compliance Status |
|---|---|---|---|---|
| **Aesthetics** | | | | |
| MM AE-1 | Prior to issuance of building permits, the Building Official shall ensure that building plans require the use of non-reflective glass on exterior windows in order to reduce the potential for glare. | Project Applicant / City of Newport Beach | Prior to Site Development Review Approval | |
| **Cultural Resources** | | | | |
| MM CR-1 | Prior to the issuance of grading permits, the City shall verify that the following note is included on the grading plan(s).<br>"If suspected archaeological resources are encountered during ground-disturbing construction activities, the construction contractor shall temporarily halt work in a 100-foot radius around the find until a qualified archaeologist can be called to the Site to assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with the City of Newport Beach"<br>The grading contractor shall be responsible for complying with the note. If the archaeologist determines that the find does not meet the CEQA standards of cultural significance, construction shall be permitted to proceed. However, if the archaeologist determines that further information is needed to evaluate significance, the City of Newport Beach shall be notified and a data recovery plan shall be prepared in consultation with the City, which may include the implementation of a Phase II and/or III archaeological investigation per City guidelines. All significant cultural resources recovered shall be documented on California Department of Parks and Recreation Site Forms to be filed with | Project Applicant / City of Newport Beach | Prior to Issuance of Grading Permits | |

| | MITIGATION MEASURES | RESPONSIBLE PARTY / MONITORING PARTY | IMPLEMENTATION STAGE | COMPLIANCE STATUS |
|---|---|---|---|---|
| | the California Historical Resources Information System, South Central Coastal Information Center (CHRIS-SCCIC). The archaeologist shall incorporate analysis and interpretation of any significant find(s) into a final Phase IV report that identifies the level of significance pursuant to Public Resources Code § 21083.2(G). The Project Applicant, in consultation with the archaeologist and the City, shall designate repositories in the event that resources are recovered. | | | |
| MM CR-2 | Prior to the issuance of grading permits, the City shall verify that the following note is included on the grading plan(s).<br><br>"If suspected paleontological resources (fossils) are encountered during ground-disturbing construction activities, the construction contractor shall temporarily halt ground-disturbing activities within 100 feet of the find until a qualified paleontologist can be called to the Site to assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with the City of Newport Beach."<br><br>The grading contractor shall be responsible for complying with the note. At the paleontologist's discretion, the construction contractor may assist in removing rock samples for initial processing. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Newport Beach shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction. | Project Applicant / City of Newport Beach | Prior to Issuance of Grading Permits | |

| | Mitigation Measures | Responsible Party / Monitoring Party | Implementation Stage | Compliance Status |
|---|---|---|---|---|
| MM CR-3 | Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Newport Beach that Native American representatives from the Gabrieleño Band of Mission Indians – Kizh Nation shall be allowed to monitor earth-moving activities and have received or will receive a minimum of fifteen (15) days advance notice of mass grading activities in previously undisturbed soils. | Project Applicant / City of Newport Beach | Prior to Issuance of Grading Permits | |
| **Hazards and Hazardous Materials** | | | | |
| MM HM-1 | Prior to any excavation and grading activities at the Project Site, the construction contractor shall ensure that the location of the former UST on the 320 West Coast Highway property (as identified by JHA Environmental) is potholed using heavy equipment to confirm the presence or absence of a UST at the Project Site. During grading activities, the contractor shall also observe for signs of impacted soil and USTs (i.e., soil staining, odors, or other visual anomalies) during grading activities. If evidence of USTs is discovered, the construction contractor shall cease grading activities and contact the appropriate regulatory agencies (i.e., City of Newport Beach Fire Department) and certified environmental consultants to ensure that the UST(s) and potentially impacted soils are properly removed and disposed of per applicable local, State, and Federal guidelines to the satisfaction of the City of Newport Beach Fire Department. | Project Applicant / City of Newport Beach | During excavation and grading activities | |
| **Noise** | | | | |
| MM N-1 | During all Project Site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise | Project Applicant / City of Newport Beach | Prior to and during construction activities | |

| | Mitigation Measures | Responsible Party / Monitoring Party | Implementation Stage | Compliance Status |
|---|---|---|---|---|
| | is directed away from the noise sensitive receptors nearest the Project Site. | | | |
| MM N-2 | The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the Project Site (i.e., to the center) during all Project construction activities. | Project Applicant / City of Newport Beach | Prior to and during construction activities | |
| MM N-3 | The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 6:30 p.m. on Mondays to Fridays, and 8:00 a.m. to 6:00 p.m. on Saturdays, with no activity allowed on Sundays or national holidays). The contractor shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. | Project Applicant / City of Newport Beach | Prior to and during construction activities | |
| MM N-4 | To further reduce the exposure of nearby sensitive receivers to noise levels associated with operation of the automobile dealership, the use of car horns as a warning device shall be restricted, and convex circular mirrors shall be used at any on-Site locations with sight distance limitations (blind corners). | Project Applicant / City of Newport Beach | Prior to Issuance of Building Permits | |

# 7.0 References


| Cited As | Reference |
|---|---|
| AHHPAC, 1991 | Ad Hoc Historical Preservation Advisory Committee, 1991. *Historic Resource Inventory*. Accessed March 2016. Available on-line at: http://www.newportbeachca.gov/Pln/MAP_DOCUMENTS/PLN_Historic_Sites.pdf |
| AutoNation, 2015 | AutoNation, 2015. Project application materials. |
| CalEPA, 2016 | California Environmental Protection Agency (CalEPA), 2016. *Cortese List Data Resources*. Accessed March 2016. Available on-line at: http://www.calepa.ca.gov/sitecleanup/corteselist/default.htm |
| Calrecycle, 2015 | California Department of Resources Recycling and Recovery, 2016. *Frank R. Bowerman Sanitary Landfill Facility/Site Summary Details*. Accessed March 2016. Available on-line at: http://www.calrecycle.ca.gov/SWFacilities/Directory/30-AB-0360/Detail/ |
| CDC, 2012a | California Department of Conservation, 2012a. *Orange County Important Farmland 2012*. Accessed March 2016. Available on-line at: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/ora12.pdf |
| CDC, 2012b | California Department of Conservation, 2012b. *State of California Williamson Act Contract Land*. 2012. Accessed March 2016. Available on-line at: ftp://ftp.consrv.ca.gov/pub/dlrp/WA/2012%20Statewide%20Map/WA_2012_8x11.pdf |
| City of Newport Beach, 2000 | City of Newport Beach, 2000. *Mariner's Mile Strategic Vision & Design Framework*. Accessed March 2016. Available on-line at: http://www.newportbeachca.gov/PLN/MAP_DOCUMENTS/DESIGN_GUIDELINES/Mariners_Mile_Vision_Design.pdf |
| City of Newport Beach, 2006a | City of Newport Beach, 2006a. *City of Newport Beach General Plan*. Accessed February 2016. Available on-line at: http://www.newportbeachca.gov/index.aspx?page=173 |
| City of Newport Beach, 2006b | City of Newport Beach, 2006b. *City of Newport Beach Draft Environmental Impact Report, General Plan 2006 Update (SCH No. 2006011119)*. Accessed March 2016. Available on-line at: http://www.newportbeachca.gov/index.aspx?page=196 |
| City of Newport Beach, 2009 | City of Newport Beach, 2009. *City of Newport Beach Local Coastal Program Coastal Land Use Plan*. Accessed May 2016. Available on-line at: http://www.newportbeachca.gov/index.aspx?page=1317 |
| City of Newport Beach, 2011a | City of Newport Beach, 2011a. *Emergency Operations Plan*. Accessed April 2016. Available on-line at: http://www.newportbeachca.gov/home/showdocument?id=17901 |
| City of Newport Beach, 2011b | City of Newport Beach, 2011b. *2010 Urban Water Management Plan*. Accessed May 2016. Available on-line at: |

| Cited As | Reference |
|---|---|
| | http://www.newportbeachca.gov/home/showdocument?id=10182 |
| City of Newport Beach, 2016a | City of Newport Beach, 2016a. *General Information Map*. Accessed June 2016. Retrieved from City of Newport Beach GIS Mapping. Available on-line at: http://nbgis.newportbeachca.gov/NewportHTML5Viewer/?viewer=publicsite |
| City of Newport Beach, 2016b | City of Newport Beach, 2016b. *Municipal Code*. Accessed May 2016. Available on-line at: http://www.codepublishing.com/CA/NewportBeach/ |
| County of Orange, 1996 | County of Orange, 1996. *Natural Community Conservation Plan & Habitat Conservation Plan.* Accessed May 2016. Available on-line at: https://www.wildlife.ca.gov/Conservation/Planning/NCCP/Plans/Orange-Coastal |
| FEMA, 2009 | Federal Emergency Management Agency, 2009. *Flood Insurance Rate Map No. 06059C0381J.* Accessed March 2016. Available on-line at: https://msc.fema.gov/portal |
| Google Earth Pro, 2016 | Google Earth Pro, 2016. *Aerial Imagery for Project Site and Surrounding Areas.* Accessed March 2016. Available on-line at: https://support.google.com/earth/answer/176155?hl=en&ref_topic=2376762 |
| James Campbell, 2016a | James Campbell, 2016a. E-mail correspondence from James Campbell (City of Newport) to Shawn Nevill. May 24, 2016. |
| James Campbell, 2016b | James Campbell, 2016b. E-mail correspondence from James Campbell (City of Newport) to Shawn Nevill. May 20, 2016. |
| JHA, 2015a | JHA Environmental, Inc. 2015a. Phase I Environmental Site Assessment. Dated March 30, 2015. (Appendix D) |
| JHA, 2015b | JHA Environmental, Inc. 2015b. Focused Phase II Investigation for a Possible Underground Storage Tank at 320 West Coast Highway. Dated June 18, 2015. (Appendix D) |
| KAI, 2016 | Kunzman Associates, Inc., 2016. Traffic Impact Analysis, AutoNation Porsche Dealership. Dated June 3, 2016. (Appendix G). |
| NOAA, 2015 | National Oceanic and Atmospheric Administration, 2015. What is a Seiche? Retrieved June 2016. Available on-line at: http://oceanservice.noaa.gov/facts/seiche.html |
| OCALUC, 2008 | Orange County Airport Land Use Commission, 2008. Airport Environs Land Use Plan for John Wayne Airport. Accessed May 2016. Available on-line at: http://www.ocair.com/commissions/aluc/docs/JWA_AELUP-April-17-2008.pdf |
| OCSD, 2012 | Orange County Sanitation District, 2012. NPDES Ocean Discharge Permit Monitoring & Reporting Program. Accessed May 2016. Available on-line at: http://www.ocsd.com/Home/ShowDocument?id=14234 |
| OCSD, 2016 | Orange County Sanitation District, 2016. Biosolids Management Compliance Report Year 2015 EPA 40 CFR Part 503. Accessed June 2016. Available on-line at: |

| Cited As | Reference |
|---|---|
| | http://www.ocsewers.com/Home/ShowDocument?id=17998 |
| OCTA, 2015 | Orange County Transportation Authority, 2015. Final Orange County Congestion Management Program. Accessed May 2016. Available on-line at: http://www.octa.net/pdf/Final%202015%20CMP.pdf |
| SCAG, 2016 | Southern California Association of Governments, 2016. Final 2016 Regional Transportation Plan/Sustainable Communities Strategy. Accessed April 2016. Available on-line at: http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS.pdf |
| SCAQMD, 2005 | South Coast Air Quality Management District, 2005. South Coast Air Quality Management District Rule 403 – Fugitive Dust. Accessed May 2016. Available on-line at: http://www.arb.ca.gov/DRDB/SC/CURHTML/R403.PDF |
| SCAQMD, 2008a | South Coast Air Quality Management District, 2008a. Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold. Accessed June 2016. Available on-line at: http://www.aqmd.gov/ceqa/handbook/GHG/2008/oct22mtg/GHGguidance.pdf |
| SCAQMD, 2008b | South Coast Air Quality Management District, 2008b. Final Localized Significance Threshold Methodology. July 2008. Available on-line at: http://www.aqmd.gov/ceqa/handbook/lst/Method_final.pdf |
| SCAQMD, 2013 | South Coast Air Quality Management District, 2013. Asbestos Removal and Demolition (Web Page). Accessed June 2016. Available on-line at: http://www.aqmd.gov/comply/asbestos/asbestos.html |
| Shawna Schaffner, 2016 | Shawna Schaffner, 2016. E-mail correspondence from Shawna Schaffner (CAA Planning) to Shawn Nevill. July 6, 2016. |
| Stantec, 2015a | Stantec, 2015a. Geotechnical Investigation Report, 600 West Coast Highway, Newport Beach, California. Dated April 20, 2015. (Appendix C) |
| Stantec, 2015b | Stantec, 2015b. Water Quality Management Plan. AutoNation, Porsche of Newport Beach, 550 West Coast Highway, Newport Beach, CA. Dated June 1, 2016. (Appendix E) |
| Urban Crossroads, 2016a | Urban Crossroads, 2016a. Air Quality Impact Analysis. Dated June 14, 2016. (Appendix B1) |
| Urban Crossroads, 2016b | Urban Crossroads, 2016b. Greenhouse Gas Analysis. Dated June 14, 2016. (Appendix B2) |
| Urban Crossroads, 2016c | Urban Crossroads, 2016c. Noise Impact Analysis. Dated July 7, 2016. (Appendix F) |

# 8.0 Persons Contributing to IS/MND Preparation

**City of Newport Beach (Lead Agency)**

James Campbell, Principal Planner; Community Development Department, Planning Division

**T&B Planning, Inc. (Primary CEQA Consultant and Water Supply Assessment Preparer)**

Tracy Zinn, AICP, Principal
Shawn Nevill, Senior Project Manger
Eric Horowitz, GISP, Senior Graphics/GIS Manager
Ryan Kelleher, Project Planner/Environmental Analyst