

## 4.3 AESTHETICS

The aesthetic quality of the Megonigal property is determined by its visual character, consisting of elements such as natural and man-made features, vegetation and topography, and prominent views of and from the site. In addition, surrounding urban and natural features comprise the visual setting within which the project site takes on a given degree of importance.

Both natural and artificial features contribute to perceived visual images and the aesthetic value of a view. The aesthetic value of a site or feature may be influenced by geologic, hydrologic, botanical, wildlife, recreational, and urban features associated with it. Visual images and their perceived visual quality can vary substantially by season and even hourly as weather, light, shadow, and elements that comprise the viewscape change. Judgments of visual quality must also be made based on a regional frame of reference, since the same landform or visual resource in different geographic areas could have different visual resource quality and sensitivity in each setting. For example, a small hill may be a significant visual element on a flat landscape but may have very little significance in mountainous terrain.

Evaluating changes to the project's visual setting and its effects on visual quality is often seen as a highly subjective matter, open to many interpretations and personal preferences. However, a widely diverse body of knowledge and study of the subject of natural and urban aesthetics has led to coherent and systematic methods of visual impact analysis. In the absence of a methodology prescribed by the City of Newport Beach, this analysis utilizes a series of visual simulations constructed for the proposed project that illustrate the post-development characteristics of the proposed project. A qualitative, descriptive approach is employed to describe and evaluate the visual resources of the subject site and proposed development. The existing visual setting in and around the subject property is defined by on-site and off-site features and the various views from particular vantage points (i.e., "viewsheds") that encompass those features. The on-site and off-site aesthetic character consists of urban and natural elements, and all occur within the context of a variety of urban land uses, including single-family attached and detached residential development located within the immediate vicinity of the subject property and adjacent roadways. A series of visual simulations has been prepared and serve as the basis for determining the potential impacts of the proposed project on the aesthetic character of the area.

### 4.3.1 Existing Conditions

#### Existing Setting

The subject property is currently undeveloped. The fenced property is characterized by a steeply sloping south-facing bluff. Portions of the subject property in the upper elevations located along Pacific Drive have been altered by grading or other clearance that has occurred on the site; this area is generally devoid of vegetation. Ornamental landscaping, including some trees and shrubs, exists in the lower elevations. The central portion of the site contains a small area that supports coastal bluff scrub vegetation. A large retaining wall, ranging from four feet to 15 feet in height, has been constructed along the southern property boundary. With the exception of the coastal bluff feature, which like virtually all coastal bluffs within the City, is acknowledged as an important visual element that defines the coastal portions of Newport Beach, neither the site nor the adjacent properties have been identified by the City as a visual or aesthetic resource. Furthermore, although the site supports a small area of coastal bluff scrub habitat, that area is not an environmentally sensitive habitat area (ESHA) as defined by both the City's General Plan/CLUP and the Coastal Act. Therefore, it does not represent a significant or important visual amenity due to its lack of integrity, limited variety and number of species, and its fragmented condition and degraded condition.

### Natural Resources Element of the General Plan

Figure NR3 in the Natural Resources Element identifies Begonia Park as a "Public View Point." The City has adopted several goals and policies intended to preserve and/or enhance the visual resources within Newport Beach (refer to Section 4.1). As a result, future development that may affect the Public View Point must adhere to the adopted applicable policies and programs. Pacific Drive and Begonia Avenue are not designated as "Public View Corridor" on Figure NR3 and as such, public views from these streets are not protected.

### Coastal Land Use Plan

The certified Coastal Land Use Plan (CLUP) also designates Begonia Park as a "public view point" on Map 4-3. Westerly views exist from the park to Newport Bay and the Pacific Ocean beyond. Several policies are included in the CLUP that address the preservation of important views within the City, including those from Begonia Park (refer to Section 4.1 – Land Use and Planning). Pacific Drive and Begonia Avenue are not designated as "Public View Corridor" on Map 4-3 and as such, public views from these streets are not protected.

### Light and Glare

Light sources in the project environs include those typical of a residential neighborhood such as security lighting for the homes and street lighting. No other substantial source of lighting exists within the residential neighborhood.

## 4.3.2 Significance Criteria

The proposed project will be considered to have a significant aesthetic impact if the project:

- Has a substantial adverse effect on a scenic vista.
- Substantially damages scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- Substantially degrades the existing visual character or quality of the site and its surroundings.
- Creates a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

## 4.3.3 Standard Conditions

- SC 4.3.1 Lighting shall be in compliance with applicable standards of the Zoning Code. Exterior on-site lighting shall be shielded and confined within site boundaries. No direct rays or glare are permitted to shine onto public streets or adjacent sites or create a public nuisance. "Walpak" type fixtures are not permitted.
- SC 4.3-2 Prior to issuance of the certificate of occupancy or final of building permits, the applicant shall schedule an evening inspection by the Code and Water Quality Enforcement Division to confirm control of light and glare.

#### 4.3.4 Potential Impacts

##### 4.3.4.1 Short-Term Construction Impacts

Implementation of the proposed project will result in site preparation (e.g., grading, etc.) and construction activities that could have some short-term effects, which would temporarily change the character of the area; however, it is important to note that these potential effects are similar to those which are typical of similar in-fill development projects in the City. The effects of construction will be visible during the anticipated 20-month construction phase. Other effects during the initial phase of development include dust generation associated with site grading and construction of the new structures that are proposed for the subject property. Construction staging areas, storage of equipment and supplies, and related activities will contribute to a generally "disturbed" condition, which may be perceived as a potential visual impact. However, while these activities may be unsightly, they are not considered significant impacts because they are temporary in nature and will cease upon completion of the proposed construction program.

##### 4.3.4.2 Long-Term Operational Impacts

###### Visual Simulations

Although the proposed single-family residence has been designed to be below the maximum allowable height limit imposed by the Newport Beach Zoning Code, project implementation will result in the construction of a single-family residential structure within the viewshed of Begonia Park, a "public view point" as identified on Figure NR3 in the Natural Resources Element and on Map 4.3 of the CLUP. The proposed structure, which is consistent with existing homes along Pacific Drive and Begonia Avenue, will not obstruct public views of the bay and coastline from vantage points within the park due to the location of the proposed structure relative to the park. Although the proposed project will be visible from vantage points within Begonia Park, the overall character of the view will not be significantly be altered. Public views of Newport Bay and the Pacific Ocean beyond exist from Pacific Drive and Begonia Avenue. The proposed structure will obstruct these views, depending upon the specific vantage point, but these views are not protected by policy with the omission of these streets from Figure NR3 and Map 4-3 and are therefore not considered significant. Several General Plan policies require new development to protect and, where feasible, enhance public views. Even though the project conforms to the existing building height limit, setback standards, and related development standards (except the planter in the required front yard setback area), potential public view impacts from the "public view point" at Begonia Park and/or Pacific Drive and Begonia Avenue may occur.

###### *Begonia Park Visual Simulations*

As indicated previously, several policies in the General Plan and Coastal Land Use Plan address views from "public view points" and "public view corridors." Because Begonia Park is identified as a "public view point," two visual simulations were created to illustrate the potential visual impacts that would be anticipated with the development of the single-family residence on the subject property. Exhibit 4.3-1 illustrates the view from the lower bench situated on Begonia Park north of the site. As can be seen from this vantage point, the harbor and ocean to the west are clearly visible from this location. Although the proposed single-family residential structure will extend above Pacific Drive, views of the harbor and ocean from the lower bench would not be substantially altered even though a small portion of the ocean view above the roof will be reduced; no portion of the harbor visible from this location would be significantly affected by the proposed project.





**Exhibit 4.3-1  
Visual Simulation From Begonia Park - Lower Bench**



The view of the site from the upper bench of Begonia Park (refer to Exhibit 4.3-2) reveals a similar view as that illustrated in Exhibit 4.3-1. However, from this location within the park, it is apparent that site development would not extend high enough into the viewshed to block any portion of either the harbor or ocean view; no loss of the view of either feature would occur. Similar to the project impact from the lower bench, no portion of the harbor view would be affected. As a result, no significant impacts are anticipated.

In addition to the two visual simulations from Begonia Park, a third simulation was generated to illustrate the potential visual impacts associated with the project when viewed from Pacific Drive/Begonia Avenue intersection adjacent to the site. Exhibit 4.3-3 illustrates the southerly view from this vantage point. The story poles that have been erected are intended to reflect the building envelope of the proposed single-family residence. As can be seen in this visual simulation, construction of the proposed home would virtually eliminate the entire harbor view and more distant ocean view from this vantage point. Although views to the southwest from this vantage point would be entirely blocked by development of the site, the potential impact is less than significant because this location is not recognized by either the General Plan (Natural Resources Element) or CLUP as an important view point (or view corridor). Because any development of the site would result in impacts to views from the adjacent streets, the Newport Beach Planning Commission stressed the importance of protecting the view from Begonia Park. Therefore, the proposed project was redesigned by lowering the development further down the bluff face, limiting street level development to single story, and pulling back elements of the project to lessen impacts to the Begonia Park view corridor (refer to Chapter 10.0 – Alternatives).

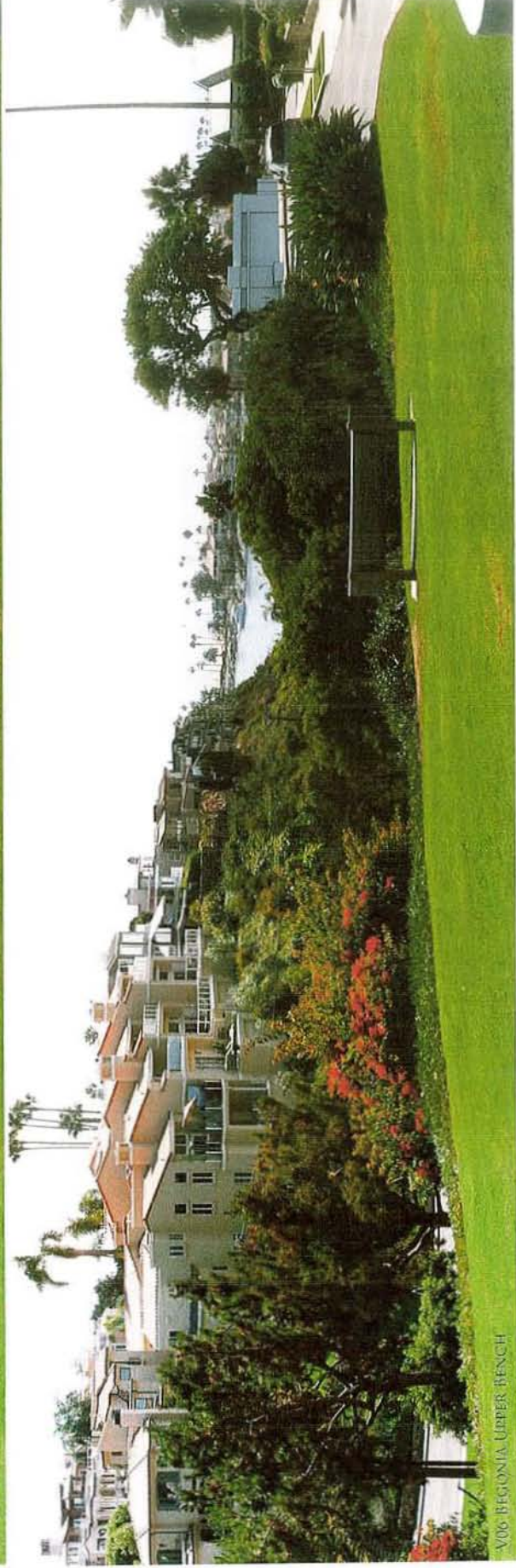
#### *Other Visual Simulations*

Additional visual simulations were also created to illustrate the aesthetic character of the proposed single-family residence as well as its relationship to views from several vantage points, in addition to those from Begonia Park. For example, Exhibit 4.3-4 reflects views of the proposed project from not only the upper elevation within Begonia Park looking south through the site (View 1) but also from the lower elevation of the park east of the site looking west (View 3) and from Bayview Drive east of the site, also looking west (View 2). As indicated in View 2 in Exhibit 4.3-4, neither the harbor nor ocean is visible from this vantage point. The simulation illustrates the character of the proposed residence and the landscaping that is proposed on the bluff face. No important view is blocked by the proposed structure. In View 3, the harbor is visible; however, the post-development simulation reveals that no portion of the proposed structure would encroach into the harbor view from this vantage point. Finally, this exhibit also provides a comparison of the proposed elevation with the maximum allowable building envelope (View 4). As indicated in the view, the proposed residence is contained within that envelope and it does not dominate the viewshed.

Exhibit 4.3-5 provides four additional visual simulations that clarify the visual context of the proposed project. Similar to Exhibit 4.3-3, View 5 in this exhibit shows that the third floor, which includes the garage, of the proposed structure would completely block views from the Begonia Avenue/Pacific Drive vantage point. View 6 is similar to View 2 in Exhibit 4.3-4; however, it was taken from a more distant location and, like View 2, reveals that no important views are blocked or otherwise affected from this vantage point. View 7, also taken from Begonia Park north of the site confirms that no portion of the view of the harbor would be affected by development of the site as proposed from this location. Finally, View 8 in Exhibit 4.3-5 illustrates the pre- and post-construction views from Bayside Drive looking north. As can be seen in that visual simulation, the portion of the bluff visible between the two existing residential dwelling units would be covered by the proposed residence. However, as previously indicated, the site has been designed to preserve the existing view from Begonia Park, consistent with direction from the Newport Beach Planning Commission. As a result, no significant visual impacts are anticipated as a result of project implementation.







V006 BEGONIA UPPER BENCH

**Exhibit 4.3-2  
Visual Simulation From Begonia Park - Upper Bench**





**Exhibit 4.3-3  
View from Pacific Drive/Begonia Avenue**





view 1



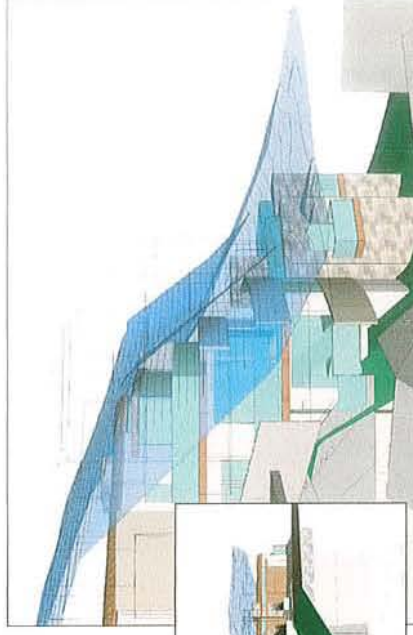
view 3



key plan



view 2



view 4 - maximum allowable building envelope study

# Exhibit 4.3-4 Visual Simulations - Views 1-4





view 5



view 7



key plan



view 6



view 8



# Exhibit 4.3-5 Visual Simulations - Views 5-8





## Light and Glare

As previously indicated, the existing residential development on Pacific Drive is characterized by lighting along the street and other interior and exterior lighting associated with residential uses. This illumination occurs along the frontage of the street and the rear portions of the residential properties. Lighting for the proposed project will also be provided for the same purpose as that which currently exists in the area (i.e., security and structure illumination). It is anticipated that the lighting will be energy efficient and will also be shielded or recessed as required by existing code, so that direct glare and reflections are contained within the boundaries of the property. As a result, implementation of the City's standard conditions (refer to Section 4.5.2) require compliance with the lighting standards and requirements, which will ensure that no significant lighting impacts occur; no mitigation measures are required.

### 4.3.5 Mitigation Measures

As previously indicated, the project has been redesigned to conform to the building and development standards prescribed in the R-1 zoning district and to avoid significant visual impacts. No important view or aesthetic amenity would be destroyed or permanently affected by project implementation. Although no mitigation measures are required, the following measure, which requires the dedication of a view easement, will ensure that views through the site would be preserved.

- MM 4.3-1        Prior to the issuance of a building permit, the applicant shall dedicate in perpetuity a view easement over the "Outdoor Room" identified on the approved plans and all open space areas on the project site that shall restrict the maximum height of landscaping and accessory structures to that of the top of the guardrails of the "Outdoor Room." The view easement shall be a three-dimensional space projected vertically from a horizontal plane at the elevation of the top of the guardrails of the "Outdoor Room" and horizontally to all property lines. The restrictions of the view easement shall not apply to the building and structures depicted on the approved project plans or to patio furniture. The form and legal description of the view easement shall be prepared by the applicant and reviewed and approved by the Planning Director.

### 4.3.6 Level of Significance After Mitigation

Incorporation of the standard conditions will effectively address the visual and aesthetic character of the area. In addition, the proposed project will be designed to be consistent with the goals and objectives articulated in the Natural Resources Element (Visual Resources) of the Newport Beach General Plan. Therefore, no potentially significant impacts will occur as a result of project implementation.

