

4.1 LAND USE AND PLANNING

4.1.1 Existing Conditions

Existing Land Use

As previously described (refer to Chapter 3.0), the subject property is currently vacant. The irregularly shaped property is situated on the northern slope (i.e., south-facing) of a natural drainage canyon that has been altered by residential and park development. 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 past grading or vegetation clearance; 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 on the two abutting down slope lots.

The site is located in an area of Corona del Mar that is virtually built out. Single-family residential development on Bayside Drive exists immediately adjacent to the site along the southern property boundary. Single-family residential development also exists to the west on Pacific Drive and along Bayside Drive, which has resulted in substantial alteration of the existing coastal bluff. Begonia Park is located adjacent to the site along its northeasterly boundary. This public park operated by the City of Newport Beach and it includes both passive and active elements. Residential development also exists south and west of Bayside Drive.

Land Use Planning

Newport Beach General Plan

The City of Newport Beach completed the first comprehensive revision of the City's General Plan in over 30 years in 2006. The General Plan presents a vision for the city's future and a strategy to make that vision a reality. The General Plan recognizes that the City is primarily a residential community with diverse coastal and upland neighborhoods and is nearly fully developed. As a result, the Plan focuses on conserving the existing pattern of land uses and establishes policies for their protection and long-term maintenance. The discussion presented below provides a summary of each of the elements of the Comprehensive General Plan.

Land Use Element

The Land Use Element provides policy guidance regarding the ultimate pattern of development anticipated for full buildout of the City. It provides the basis for zoning regulations and other municipal code standards. Because the City is nearly fully developed, this element focuses on how population and employment growth can be accommodated yet still preserve its distinguishing and valued qualities. The subject property is located within the residential area of Corona del Mar south of the convergence of Pacific Drive and Begonia Avenue. Specifically, the site is located within Statistical Area F2, a triangular-shaped planning area within Corona del Mar that is bounded by Avocado Avenue on the west, Bayside Drive on the south, and the commercial corridor along Coast Highway on the north. The predominant land use designation within this statistical area is Two Unit Residential (RT). In addition, the subject property and three other small areas within Statistical Area F2, are designated Single-Unit Residential – Detached (RS-D). Other land use designations include Private Institutions (PI) and Parks and Recreation (PR), including Begonia Park located north and east of the site. Exhibit 3-4 illustrates the land use designations adopted for the subject property and the surrounding area.

Harbor and Bay Element

This element of the General Plan addresses natural resources, community identity, and economic characteristics of the City given the location of Newport Beach on the coast. Some aspects of the Harbor and Bay Element address public access, water quality, and natural environment as well as land use policies relating to the waterfront uses along Newport Harbor.

Circulation Element

The Circulation Element governs the long-term mobility systems of the City. The goals and policies in this 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. Figure CE1 in the Circulation Element reflects the City's Master Plan of Streets and Highways. With the exception of Coast Highway, no Master Plan roadways are located in the immediate vicinity of the subject property. The Circulation Element also includes the Bikeways Master Plan (refer to Figure CE4 in the Circulation Element). Although no bikeways are located immediately adjacent to the site, a Class II Bikeway (i.e., on-road striped lane) is identified north of the site that extends along Second Avenue between Fernleaf Avenue and Avocado Avenue. The City has also adopted an Equestrian and Hiking Trails Master Plan (refer to Figure CE5 in the Circulation Element). None of these existing and proposed trails, which are confined to the area north of the Upper Newport Bay and south of San Joaquin Hills Road, exist within the vicinity of the project.

Safety Element

The primary goal of the Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from natural and human-induced hazards. The Newport Beach Safety Element provides policy guidance related to coastal hazards (e.g., tsunamis, coastal erosion, etc.), geologic hazards (e.g., slope failures, adverse soils conditions, etc.), seismic hazards (e.g., liquefaction, ground shaking, etc.), flood hazards, wildland and urban fire hazards, hazardous materials (e.g., hazardous waste, leaking underground storage tanks, etc.) aviation hazards, and disaster planning.

- *Coastal Hazards*

Newport Beach is susceptible to low-probability/high risk events such as tsunamis as well as isolated hazards that include storm surges and coastal erosion. The Safety Element addresses these potential hazards, which are generally limited to the portions of the City located immediately adjacent to the coast, within and adjacent to Newport Harbor and the Upper Newport Bay areas. No portion of the subject property is located within the limits of the 100-year zone established for tsunami inundation at extreme high tide, which is confined to the areas seaward of Bayside Drive. These areas are identified in Figure S1 (Coastal Hazards) in the Safety Element.

- *Geologic Hazards*

The geologic diversity of Newport Beach is strongly related to tectonic movement along the San Andreas Fault and its broad zone of subsidiary faults. This, along with sea level fluctuations related to changes in climate, has resulted in a landscape that is also diverse in geologic hazards that have the potential to cause loss or harm to the community and/or the environment. The major geologic constraints identified in the Safety Element include slope failure, compressible soils, and expansive soils. Based on that Figure S2 (Seismic Hazards), the site is not expected to be impacted by these hazards; however, due to the site's slope, the potential for slope failure as indicated on that exhibit in the Safety Element exists.

- *Seismic Hazards*

The greatest potential for seismic activity to affect the City of Newport Beach is activity occurring along the Newport-Inglewood Fault zone, the Whittier Fault zone, the San Joaquin Hills Fault zone, and the Elysian Park Fault zone, which with the potential to cause moderate to large earthquakes that would result in ground shaking in the City and in nearby communities. Other secondary seismic effects include liquefaction and seismically-induced slope failure. However, no portion of the site is identified in the Safety Element as subject to potential liquefaction associated with seismic activity.

- *Flood Hazards*

The Safety Element also addresses potential flooding associated with significant storm events. The 100- and 500-year flood zones within the City of Newport Beach have been mapped by the Federal Emergency Management Agency (FEMA). Based on the FEMA studies, no portion of the subject property is subject to inundation resulting from either a 100- or 500-year storm event.

- *Fire Hazard*

The City's Safety Element also addresses wildland fire hazards (refer to Figure S4). The City is distinguished by three classifications of fire susceptibility, including: High, Moderate, and Low/None; the City does not contain "Very High Fire Hazard Severity Zones as defined by Government Code Section 51179. The majority of the City, including the subject site is identified to have a Low/None classification for fire susceptibility potential. The City of Newport Beach has adopted the 2007 California Fire Code with City amendments and some exceptions. These provisions include construction standards in new structures and remodels, road widths and configurations designed to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains.

- *Hazardous Materials*

The Hazardous Materials component of the Safety Element addresses several areas related to hazardous materials, including toxic release inventory, hazardous waste, leaking underground storage tanks, oil fields, methane gas mitigation districts, and hazards overlay (i.e., areas of mixed residential and commercial land use where potential hazardous materials releases may occur). The Safety Element includes programs for ensuring that the potential for the release of hazardous materials into the environment is minimized.

- *Aviation Hazards*

The City of Newport Beach borders the southeastern portion of John Wayne Airport (JWA); however, the subject property is located approximately 4.5 miles southwest of JWA, which generates nearly all of the aviation traffic affecting the City of Newport Beach. Although the accident potential zones delineated for JWA are located in the areas adjacent to and surrounding the airport, three areas within the City were found to be subject to increased vulnerability to aviation hazards due to the location and orientation of runways and flight patterns: portions of the Balboa Peninsula, Balboa Island, and Upper Newport Bay. However, no portion of the subject property has been identified as subject to potential aviation hazards.

- *Disaster Planning*

Any potential hazard occurring in the City of Newport Beach resulting from either man-made or natural disasters may require the evacuation of residents of the City. In order to facilitate such evacuation, the City employs the Standardized Emergency Management System for emergency

response. This system provides for assistance by one or more emergency response agencies as well as the potential implementation of other policies and plans from the County of Orange, State of California and/or federal government. In addition, the City has adopted an Emergency Management Plan that is implemented in the event of any emergency. This plan is prepared and updated by the Newport Beach Fire Department.

Housing Element

The Housing Element is designed to facilitate attainment of the City's Regional Housing Needs Allocation (RHNA) and to foster the availability of housing to all income levels to the extent possible given the constraints within the City. The Housing Element is a comprehensive statement of the City's housing policies and services as a specific guide for implementation of these policies and is closely correlated with the Land Use Element. The Element examines current housing needs, estimates future housing needs, and establishes goals, policies, and programs pertaining to those needs. According to the updated data presented in the Housing Element, the City had a total of 42,143 housing units in 2005, including approximately 62 percent of the homes that were single-family detached and attached, 17 percent duplex to fourplex units, 23 percent multiple-family homes, and two percent mobile homes. The site is designated as RS-D and, therefore, is intended to contribute to the supply of housing within the City of Newport Beach.

Noise Element

The Noise Element serves as a tool for including noise control in the planning process, which is intended to ensure land use compatibility. This element identifies noise sensitive land uses as well as the sources of noise, defines areas of noise impacts for the purpose of developing policies intended to protect residents and sensitive receptors from the effects of excessive noise. The most common noise sources in the City of Newport Beach include the existing freeway/highway system and the major arterial roadways extending throughout the City. In addition, aircraft operations associated with John Wayne Airport (JWA) also result in noise excessive noise levels in parts of the City. Other aircraft operations related to helicopter operations at Hoag Hospital are also a source of noise that affects residential uses in the vicinity of the hospital. Newport Beach has the largest small boat harbor in Southern California. The operations of the small motorized boats generate undesirable noise in proximity to residences. Non-transportation related noise sources include restaurant/bar/entertainment establishments, mixed-use structures, mechanical equipment, and recreational facilities. Figures N1 and N4 in the Noise Element indicate that no portion of the property is subject to either existing or future vehicular noise associated with traffic on the surface roadways in the project environs. In addition, the site is located outside of the 60 dBA CNEL noise contour established for aircraft operations at JWA. The Noise Element articulates policies that are intended to ensure that construction noise is minimized to avoid impacts to sensitive land uses through limitations on hours of truck deliveries and enforcement of the Noise Ordinance noise limits and limits on the hours of maintenance and/or construction activity in or adjacent to residential areas.

Natural Resources Element

The primary objective of the Natural Resources Element is to provide policy direction regarding the conservation, development, and utilization of natural resources. It identifies the City's natural resources and policies for their preservation, development and use. The element addresses water supply and water quality, air quality, biological resources, open space, cultural and scientific resources, mineral resources, visual resources, and energy. As indicated in Figure NR1 in the Natural Resources Element, no portion of the site is identified either as a potential resource or included within an environmental study area (refer to Figure NR2). Important biological resources are limited to the coastal areas, Newport Harbor, and Upper Newport Bay. This element of the General Plan also addresses aesthetic resources, with emphasis on coastal views. Figure NR3 in the Natural Resources Element identifies Begonia Park as a Public View Point. View of Newport Harbor and the coast are within the viewshed of the Begonia Park vantage. Although coastal bluffs are generally regarded as important visual and landform features in the City, the subject bluff has been

substantially altered by existing development to the west on Pacific Drive and along Bayside Drive. As a result of the existing development, which has altered the character of the existing bluff, it is not considered a significant natural landform. Consistent with this conclusion, the Newport Beach Planning Commission identified the preservation of views of Newport Harbor and the Pacific Ocean from vantage points within Begonia Park as the highest priority related to development of the subject property over the preservation of the degraded coastal bluff.

Historical Resources Element

This Element addresses the protection and sustainability of Newport Beach's cultural, historic and paleontological resources. Goals and policies presented within the element are intended to recognize, maintain, and protect the community's unique historical, cultural, and archaeological sites and structures. Figure HR1 (Historic Resources) in the Historical Resources Element identifies the historic resources included on the National Register of Historic Places, California Historical Landmarks, other historic sites or potentially historic sites in the California Historic Resources Information System (CHRIS) database, and other historic sites in the City's Register. As indicated above, the site is undeveloped and none of the sites identified in Figure HR1 are located on the project site.

Recreation Element

The primary purpose of the Recreation Element is to ensure that the provision of sufficient parks and recreation facilities is appropriate for the residential and business population of Newport Beach. Specific recreational issues and policies contained in the Recreation Element address parks and recreation facilities (278 acres of developed parks), recreation programs, shared facilities, coastal recreation and support facilities, marine recreation, and public access. The existing recreational facilities are identified on Figure R1 in the Recreation Element. Begonia Park is located immediately north and east of the subject property. The site is located adjacent to this recreational facility.

Newport Beach is divided into recreation service areas for the purposes of park planning and to equitably administer parkland dedications and fees provided by residential development. The subject property is located within Service Area 10 (i.e., Corona del Mar). The land dedicated to recreational facilities in this service area is mostly within Corona del Mar State Beach. However, as indicated previously, Begonia Park is located adjacent to the subject property. There is a deficit of 9.1 acres of combined park/beach acreage within this service area. However, it is anticipated that existing and active and passive parks within this service area should be adequate to meet present and future need, provided the facilities are renovated and upgraded to meet demands for sports fields and active recreation.¹ The Service Area 10 Recreation and Open Space Plan (refer to Figure R12 in the Recreation Element) reflects the distribution of beaches and public park facilities.

Arts and Cultural Element

The goals and policies of the Arts and Cultural Element are intended to serve as a guide for meeting the future cultural needs of the community. The City's Arts Commission acts in an advisory capacity to the City Council on matters including artistic aspects of the City. This commission also participates in the designation of historical landmarks and reviews design elements for public sculpture, fountains, murals, benches, and other fixtures.

¹Service Area 10; Newport Beach General Plan, Recreation Element, p. 8-16; July 25, 2006.

Newport Beach Local Coastal Program

The subject property is located within the Coastal Zone. The City does not have a certified Local Coastal Program (LCP) and, therefore, the City does not have coastal development permit jurisdiction. A coastal development permit is not required for the development of this site because the proposed project complies with the terms and conditions of Categorical Exclusion Order E-77-5.

The City has a Certified Coastal Land Use Plan (CLUP) that is a reflection of the General Plan. The land use intensity or residential density limit is prescribed in the CLUP. Although the Land Use Element may contain more precise development limits for specific properties, the land use intensity or residential density limit that is the most protective of coastal resources takes precedence should a conflict exist with the CLUP. However, in no case shall the policies of the CLUP be interpreted to allow a development to exceed a development limit established by the General Plan or its implementing ordinances. The site is designated RSD (Single Unit Residential, Detached) by the Coastal Land Use Plan.

Zoning

The subject property is zoned R-1 (Single-Family Residential) as indicated on Exhibit 3-5. This zoning classification is consistent with the adopted RS-D General Plan land use designation and the RSD designation in the CLUP, which would allow the development of one single-family residential dwelling unit on the site.

SCAG Policies and Programs

The Southern California Association of Governments (SCAG) is a Joint Powers Agency (JPA) that was established under the California Government Code. Under federal and state law, SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO) having the mandated roles and responsibilities described below.

As the region's MPO, SCAG is required to maintain a continuing cooperative and comprehensive transportation planning process resulting in a Regional Transportation Plan (RTP) and a Regional Transportation Improvement Program (RTIP) and Regional Comprehensive Plan and Guide (RCPG). Further, as the RTPA, SCAG is also responsible for both preparation of the RTP and the (RTIP).

SCAG is also responsible for developing the demographic projections and the integrated land use, housing, employment, and transportation programs, measures, and strategies portions of the South Coast Air quality Management Plan and is responsible for determining conformity of projects, plans and programs to the Air Quality Management Plan prepared by the South Coast Air Quality Management District.

The Growth Management chapter of the Regional Comprehensive Plan and Guide (RCPG) contains several policies that are particularly applicable to the proposed project, including those related to population, housing and employment and the provision of adequate public facilities and infrastructure. The Growth Management chapter contains goals to improve the regional standard of living, quality of life, and to provide social, political, and cultural diversity. The Air Quality chapter of the RCPG contains core actions related to development to ensure that regional air quality goals and objectives are met. In addition, the Water Quality chapter also contains core recommendations and policy options to restore and maintain the chemical, physical and biological integrity of the nation's water and to achieve and maintain water quality objectives that are necessary to protect the beneficial uses of all waters.

4.1.2 Significance Criteria

Land use impacts are considered significant if the proposed project will conflict with the adopted plans and goals of the community as expressed in the Newport Beach General Plan and the CLUP. In addition, significant adverse impacts result from the proposed project, as identified in Appendix G of the State CEQA Guidelines, if the project:

- Conflicts with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflicts with an adopted habitat conservation plan or natural community conservation plan.
- Physically divides an established community.
- Causes substantial or extreme use incompatibility.
- Results in incompatible land uses in an aircraft accident potential area as defined in an airport land use plan.
- Results in inconsistency or conflict with established recreational, educational, religious or scientific uses of the area.

4.1.3 Standard Conditions

SC 4.1-1 All development proposed for the proposed single-family residence shall be reviewed for consistency with applicable provisions of the California Building Code, Noise Ordinance, Uniform Fire Code, and other applicable codes and ordinances prior to issuance of building permits.

4.1.4 Potential Impacts

4.1.4.1 Short-Term Construction Impacts

Potential land use impacts are associated with the long-term use of the subject property and the compatibility of the proposed land use with existing uses as well as its consistency with adopted long-range plans and policies. No short-term land use impacts (i.e., those related to construction activities) are anticipated as a result of project implementation.

4.1.4.2 Long-Term Operational Impacts

Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

The proposed project is subject to the applicable General Plan and relevant policies of that plan and those articulated in the Coastal Land Use Plan. As indicated previously, the subject property is designated RS-D (Single-Unit Residential - Detached) and is consistent with the land use designation and zoning adopted for the site. The relationship of the proposed project with the Land Use Element and Coastal Land Use Plan adopted by the City of Newport Beach is presented below.

Newport Beach General Plan

As indicated above, implementation of the proposed project is consistent with the RS-D land use designation. The Newport Beach General Plan includes several policies that guide development in the City. The consistency analysis presented in Table 4.1-1 reflects the relationship of the proposed project with the applicable policies contained within the various elements of the Newport Beach General Plan.

**Table 4.1-1
 General Plan Policy Analysis**

Policy No.	General Plan Policy	Relationship to Policy
Land Use Element		
LU 1.1	Maintain and enhance the beneficial and unique character of the different neighborhoods, business districts, and harbor that together identify Newport Beach. Locate and design development to reflect Newport Beach's topography, architectural diversity, and view sheds.	As reflected in the visual simulations (refer to Section 4.3) and project plans, the proposed single-family residence reflects a contemporary architectural style compared to many of the existing homes in the neighborhood. The proposed residence adds to the architectural diversity of the neighborhood. The proposed project attempts to preserve the integrity of coastal views from Begonia Park but also recognizes the constraints posed by the coastal topography, which has been degraded. Based upon the analysis of the project's less than significant impact to public views from Begonia Park, the project is consistent with this policy.
LU 1.3	Protect the natural setting that contributes to the character and identity of Newport Beach and the sense of place it provides for its residents and visitors. Preserve open space resources, beaches, harbor, parks, bluffs, preserves, and estuaries as visual, recreational and habitat resources.	The subject property is not currently identified as an important open space or biological resource. Project implementation will result in development of the site with a single-family residential dwelling unit. The site is composed of three vegetation communities, including a small area (261 square feet) that supports low quality coastal bluff scrub habitat; however, due to its low quality, it does not qualify as an ESHA based on Coastal Act criteria. In addition, the habitat is not occupied by gnatcatchers. The subject property is also located within the viewshed of Begonia Park, which is designated as a "public view point." Development of the site as proposed will result in the introduction of a residential structure that would be visible from vantage points within Begonia Park. Residential structures on Carnation Avenue, Pacific Drive, Begonia Avenue and across the harbor entrance on the Balboa Peninsula are currently within the viewshed. Depending on the vantage point, the visibility of the structure within the viewshed will vary; however, from those locations, view of the harbor and ocean would not be significantly affected. The overall character of the view will not be significantly changed with the introduction of one additional residence within the viewshed as the proposed project will not dominate the view given its overall size and distance from vantage points within the park.
LU 1.4	Implement a conservative growth strategy that enhances the quality of life of residents and balances the needs of all constituencies with the preservation of open space and natural resources.	The proposed project is consistent with the existing land use designation for the site, which permits one single-family residential dwelling unit.
LU 1.6	Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points.	The project has been redesigned to minimize visual impacts from Begonia Park, a designated Public View Point in both the Natural Resources Element of the General Plan and the Coastal Land Use Plan. Although views of the harbor from Pacific Drive would be blocked by the proposed single-family residence, public views from

Policy No.	General Plan Policy	Relationship to Policy
		that vantage point are not protected as that site has not been designated a Public view point by the Natural Resources Element or Coastal Land Use Plan.
LU 3.2	Enhance existing neighborhoods, districts, and corridors, allowing for reuse and infill with uses that are complementary in type, form, scale, and character. Changes in use and/or density/intensity should be considered only in those areas that are economically underperforming, are necessary to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service.	The project site is located within a single-family residential neighborhood within Corona del Mar. The applicant is proposing to construct a single-family residential dwelling unit that is permitted by both the Land Use Element of the City's General Plan and the existing R-1 zoning. The proposed dwelling conforms to setbacks, is designed to be lower than the maximum height limit and is below the maximum floor area limit. The project represents in-fill development in the residential neighborhood. The addition of one residential dwelling to the City's inventory of housing is in keeping with the long-range goals and objectives of the City because it is in keeping with the scale of new development in the City. Furthermore, all of the required infrastructure, including sewer and water facilities, circulation, public services, etc., exists to provide adequate levels of service to the project.
LU 3.7	Require that new development is located and designed to protect areas with high natural resource value and protect residents and visitors from threats to life or property.	As indicated in Section 4.2 (Biological Resources), the site supports a small area (i.e., approximately 261 square feet) of low quality coastal scrub habitat. However, because the site has been degraded as a result of habitat fragmentation, influenced by surrounding human activities, and because it supports limited long-term habitat, it does not represent a high-value biological resources and does not meet the criteria established by the Coastal Act for ESHAs.
LU 4.1	Accommodate land use development consistent with the Land Use Plan.	As indicated in the discussion related to Policy LU 1.4, the project is consistent with the adopted Land Use Element designation (i.e., RS-D). With the exception of the applicant's request for a modification permit to allow a wall to extend above the three-foot height limit within the front yard setback, the project complies with the development standards prescribed for the R-1 Zoning District.
LU 5.6.4	Require that sites be planned and buildings designed in consideration of the property's topography, landforms, drainage patterns, natural vegetation, and relationship to the Bay and coastline, maintaining the environmental character that distinguishes Newport Beach.	The site is designated for residential development and the City considered acquiring the site for park purposes in 1978 when the site was proposed for development. The City chose not to acquire the site at that time. Development of the site minimizes impacts to public views from Begonia Park and adds architectural diversity to the neighborhood. Development of the site for its intended purpose consistent with the General Plan designation and Zoning Ordinance will not change the overall environmental character of the City.
Housing Element		
H 1.1	Support all reasonable efforts to preserve, maintain, and improve availability and quality of existing housing and residential neighborhoods, and ensure full utilization of existing City housing resources for as long into the future as physically and economically possible.	The proposed project will result in the development of one single-family residential dwelling unit, consistent with the Land Use Element designation and the long-range goals and objectives articulated in the General Plan, including the Housing Element goals and objectives of providing housing within the City.
Historical Resources Element		
HR 2.1	Require that, in accordance with CEQA, new development protect and preserve paleontological and archaeological resources from destruction, and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archaeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.	Development of the site will result in grading that could affect paleontological resources that may exist in the Monterey formation underlying the site. Although not anticipated, it is possible that cultural resources may be encountered during the grading operations. However, the project will comply with the City's requirement to provide a qualified archaeologist/paleontologist to monitor grading to ensure that such resources can be preserved and/or protected consistent with this policy.

Policy No.	General Plan Policy	Relationship to Policy
Circulation Element		
CE 7.1.1	Require that new development provide adequate, convenient parking for residents, guest, business patrons, and visitors.	Project implementation includes adequate on-site parking that complies with the existing parking code requirements. Parking for guests cannot be accommodated in the driveway given the limited depth and topography of the lot and no guest parking is required for single-family homes.
CE 7.1.8	Site and design new development to avoid use of parking configurations or management programs that are difficult to maintain and enforce.	Parking for the homeowners is provided in a two-car garage that takes access from Pacific Drive. Because the project comprises only one single-family residence, there is no need for a parking management plan or program.
CE 7.1.11	Require new development to minimize curb cuts or protect on-street parking spaces. Close curb cuts to create on street parking spaces wherever feasible.	No public parking exists in Pacific Drive along the frontage of the project site. Project implementation will include a single-curb cut in order to allow for vehicular access to the site from Pacific Drive. The curb that fronts the project site is presently marked “red” prohibiting street parking so the proposed curb cut for the project will not result in the loss of any street parking.
Recreation Element		
R 1.1	Require developers of new residential subdivisions to provide parklands at five acres per 1,000 persons, as stated in the City's Park Dedication Fee Ordinance, or contribute in-lieu fees for the development of public recreation facilities meeting demands generated by the development's resident population, as required in the City's Park Dedication Fees Ordinance.	The proposed project includes the development of a single-family residence on an existing lot. Such projects are not required to dedicate public parkland nor are they required to pay a park in-lieu fee as no subdivision is required that would increase the number of residential units. The Subdivision Ordinance (Title 19) of the Municipal Code only requires parkland dedication or the payment of an in-lieu fee for subdivisions that increase housing units.
Natural Resources Element		
NR 3.4	Require all development to comply with the regulations under the City's municipal separate storm drain system permit under the National Pollutant Discharge Elimination System (NPDES).	The project applicant will be required to comply with all applicable NPDES regulations related to development one a single-family residence to ensure that potential water quality impacts are reduced to the maximum extent practicable.
NR 3.5	Require that development does not degrade natural water bodies.	The project will be designed to include water quality treatment features (e.g., erosion control, etc.) prescribed by the CBC that ensure that water quality within Newport Harbor will not be adversely affected. Although a WQMP is not required for the proposed project, the project will comply with all applicable local and state requirements for discharging runoff into an impaired water body (i.e., Newport Bay).
NR 3.9	Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction.	Given that the site is less than 10,000 square feet in size and more than 200 feet from the Bay, a WQMP is not required. The actual amount of storm water runoff generated from the building footprint and paved areas (totaling approximately 2,300 sq. ft.) will be an insignificant amount. Compliance with applicable building, grading and water quality codes and policies (typically performed at the plan check stage) will ensure that there will not be an impact to water quality with construction. As part of the final plan check review for the proposed project, the applicant must submit an adequate drainage and erosion control plan that must be found to meet applicable standards. On-site retention and/or filtration or clarifiers would be required to meet water quality standards.
NR 3.11	Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the NPDES, structural	Refer to the Response to Policy No. NR 3.9.

Policy No.	General Plan Policy	Relationship to Policy
	treatment BMPs will be implemented along with site design and source control measures.	
NR 4.4	Require grading/erosion control plans with structural BMPs that prevent or minimize erosion during and after construction for development on steep slopes, graded, or disturbed area.	Refer to the Response to Policy No. NR 3.9.
NR 8.1	Require developers to use and operate construction equipment, use building materials and paints, and control dust created by construction activities to minimize air pollutants.	The proposed project will comply with all applicable City, state and federal requirements for operating construction equipment and related activities that will occur in order to implement the proposed project. Fugitive dust emissions will be minimized through compliance with SCAQMD rules that require watering the site, etc.
NR 10.3	Require a site-specific survey and analysis prepared by a qualified biologist as a filing requirement for any development permit applications where development would occur within or contiguous to areas identifies as ESHAs.	A site-specific biological survey was conducted on the subject property and an assessment of the proposed project was prepared (refer to Appendix C). That assessment concluded that the coastal bluff scrub habitat that encompasses approximately 261 square feet of the 4,412 square foot property is low quality habitat that is characterized by few native species, fragmented, and has been affected by human activities in the area. As such, the small area of coastal bluff scrub habitat does not meet the definitional criteria for an ESHA in the Coastal Act and does not qualify as an ESHA based on the City's General Plan and CLUP criteria.
NR 10.4	Require that the siting and design of new development, including landscaping and public access, protect sensitive or rare resources against any significant disruption of habitat values.	The 261 square feet of coastal bluff scrub habitat that occupies a portion of the site has been evaluated and has been determined to be "low quality" habitat, which does not meet the criteria established by the Coastal Act for ESHAs. Furthermore, it is not occupied by sensitive species (e.g., California gnatcatcher) and no sensitive plant species were observed on the site during the biological assessment conducted for the proposed project. Although project implementation will result in the elimination of the low-quality coastal bluff scrub habitat, no significant loss of valuable habitat will occur.
NR 17.1	Protect, conserve, and maintain designated open space areas that define the City's urban form, serve as habitat for many species, and provide recreational opportunities.	<p>Although the subject property is vacant, it is neither considered "open space" nor designated as open space on the Land Use Element. The site is designated as RS-D (Single-Unit Residential – Detached), similar to all of the adjacent properties located to the northwest, west, south and southeast, which are developed as single-family homes. No properties in the vicinity of the site are designated as open space by the City. Begonia Park, which abuts the site on the north and northeast, is designated as PR (Parks and Recreation).</p> <p>The subject property supports a small area that is classified as coastal bluff scrub habitat; however, it does not meet the criteria established by the Coastal Act or the City's General Plan for an environmentally sensitive habitat area (ESHA). Furthermore, the site does not provide suitable habitat for any sensitive plant or animal species. Implementation of the proposed project would result in the elimination of the low quality coastal bluff scrub habitat; however, this impact is not significant and no mitigation measures are required.</p> <p>Because the property in question is not designated as open space, development of the site with a single-family residence in conformance with the development standards set forth by the R-1 Zoning District regulations, will not result in any direct impacts to designated open spaces in the City. In addition, project implementation will not</p>

Policy No.	General Plan Policy	Relationship to Policy
		adversely affect existing or future recreational opportunities that would occur at Begonia Park.
NR 17.2	Consider conversion of public sites designated for open space to other uses only when a conversion will meet a significant need, and there are not alternative sites that could feasibly meet that need.	As indicated above, the subject property is not designated as open space either by the City's General Plan Land Use Element or Coastal Land Use Plan. The site is not publicly held and, moreover, is designated for residential development that is similar in density and character as that in the immediate area. Therefore, development of the site would not result in the "conversion" of a "... a public site designated for open space ..."
NR 17.3	Consider opportunities to expand designated open space areas within the City.	The project site is located adjacent to Begonia Park to the north and east and Bayside Park, a linear feature along Bayside Drive that extends easterly from Begonia Park, on the east. It is possible that Begonia Park could be expanded by adding the project site to that recreational amenity; however, in order to do so, the City or other entity must acquire the property. At the present time, the City has no plan to expand Begonia Park by acquiring the site.
NR 18.1	Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archaeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.	Refer to the discussion of Policy HR 2.1.
NR 18.3	Notify cultural organizations, including Native American organizations, of proposed development that have the potential to adversely impact cultural resources. Allow qualified representative of such groups to monitor grading and/or excavation of development sites.	Although no archaeological/paleontological resources are known to exist on site, a Notice of Preparation (NOP) was distributed, which was directed to the State Clearinghouse, which will transmit a copy of the NOP to the Native American Heritage Commission (NAHC) for review and comment. In addition, the City requires archaeological/paleontological monitoring on-site during grading. In the event any significant cultural resources are encountered during the grading and site preparation phase, appropriate Native American organizations will be contacted to ensure that the potential effects to those resources would be avoided or minimized.
NR 18.4	Require new development, where on site preservation and avoidance are not feasible, to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange county, whenever possible.	As indicated above, the project will be subject to the City's standard conditions and procedures, including those related to cultural/scientific resources that require such donations to an appropriate public or private facility.
NR 20.1	Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points, as shown in Figure NR3.	Project implementation will result in the construction of one single-family residence on Pacific Drive, which is within the viewshed of Begonia Park, which is identified as a "Public View Point." While views from vantage points within Begonia Park would be altered to include views of the proposed home, views from these locations would not result in the elimination of views of Newport Harbor or ocean. However, views of the harbor from Pacific Drive/Begonia Avenue adjacent to the site would be virtually blocked by the proposed home. This is not a significant impact because this location is not noted as a "public view point" in the Natural Resources Element.
NR 20.2	Require new development to restore and enhance the visual quality in visually degraded areas, where feasible, and provide view easements or corridors designed to protect public views or to restore public views in developed areas, where appropriate.	As indicated in the discussion of Policy NR 20.1, although project implementation will result in the loss of the existing harbor view from the Pacific Drive/ Begonia Avenue vantage point, that location is not reflected on Natural Resources Element Figure NR3, and therefore, this view is not considered to be a significant public view that would be otherwise protected. The project has been redesigned to

Policy No.	General Plan Policy	Relationship to Policy
		minimize impacts to public views from vantage points within Begonia Park, which is a designated a “public view point” pursuant to Figure NR3. Lastly, the City can and has proposed to require the dedication of a view easement above the proposed project to ensure that the principal building, accessory structures and landscaping will not impact public views through the site above the proposed building in the future.
NR 20.3	Protect and enhance public view corridors from the following roadway segments (shown in Figure NR3) and other locations may be identified in the future.	The proposed project is not located within the viewshed of any of the roadways identified in Figure NR3 in the Natural Resources Element of the General Plan. To date, neither Begonia Avenue nor Pacific Drive has been identified by the City as a “Public View Corridor” or a “Public View Point.” Begonia Park is designated as a “Public View Point” on Figure NR3. Direction provided by the Newport Beach Planning Commission intended to guide the design of the subject property placed the highest priority on preservation of views from Begonia Park vantage points. To that end, the site was redesigned to minimize potential visual impacts from vantage points within Begonia Park, as directed by the Planning Commission.
NR 22.1	Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.	The proposed project has been designed to comply with the requisite site development standards prescribed by the R-1 Zoning District regulations, including building height, which is limited to 24 feet, which limits alternative site plan configurations.
NR 23.1	Preserve cliffs, canyons, bluffs, significant rock outcroppings, and site buildings to minimize alteration of the site’s natural topography and preserve the features as a visual resource.	The project site is designated for residential use and public views from Begonia Park are protected. These competing priorities are also in conflict with implementing this policy. The site is relatively small and is altered and no significant rock outcroppings or cliffs are present. Therefore, the site’s topography and landform is not considered a significant visual resource by the City. The protection of public views from Begonia Park is considered a higher priority given the degraded nature of the site and that development of the project will not significantly impact public views discussed in Section 4.3. Minimizing the impact to public views from Begonia Park preserves a significant visual quality of the site.
NR 23.7	Design and site new development to minimize the removal of native vegetation, preserve rock outcroppings, and protect coastal resources.	As previously indicated, site development as proposed will result in the elimination of the low-quality coastal bluff scrub habitat (i.e., approximately 261 square feet); however, this habitat lacks species diversity and it possesses low value as a habitat. Furthermore, it is not occupied by the California gnatcatcher, and no sensitive plant species were observed on the site. Although the vegetation comprising the habitat will be eliminated, its loss is not significant because it is not an ESHA as defined by the Coastal Act and Newport Beach General Plan. Nonetheless, the site will be landscaped with native species to replace the coastal bluff scrub species lost as a result of site development.
Safety Element		
S 3.12	Require new development adjacent to the edge of coastal bluffs to incorporate drainage improvements, irrigation systems, and/or native or drought-tolerant vegetation into the design to minimize coastal bluff recession.	Project implementation will be required to incorporate drainage features that direct surface flows to existing storm drain collection and conveyance facilities in order to avoid bluff erosion. In addition, the landscape plan for the proposed project will also include drought tolerant and native species that are intended to minimize bluff erosion and recession.

Policy No.	General Plan Policy	Relationship to Policy
Noise Element		
N 1.1	Require that all proposed projects are compatible with the noise environment through use of Table N2, and enforce the interior and exterior noise standards shown in Table N3.	Based upon the noise contours depicted in Figure N1 and N4 of the Noise Element, the site will not experience noise in excess of 60 CNEL from roadways or aircraft traffic from John Wayne Airport. Table N2 indicates that the 60 CNEL or lower for single family residential is within "Zone A," which is defined as "clearly compatible." Enforcement of the noise standards of Table N3 is accomplished through Chapter 10.26 of the Municipal Code, which is applicable to the site.
N 1.8	Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting noise sensitive uses.	Project implementation will result in increased noise during construction; however it will be short in duration. Construction is not expected to exceed 20 months, which is typical of construction for a custom home of this size on a bluff property. Foundation construction will necessitate the placement of drilled caissons and shoring and excavation of lower levels, which can generate noise levels between 70 and 90 dBA. However, these high noise levels are periodic throughout the day and week and are not continuous. This initial construction phase is not anticipated to exceed 4 to 6 months. Project implementation will also not result in the exposure of nearby homes or the park to excessive long-term noise levels given that the project is a single-family home
N 4.1	Enforce interior and exterior noise standards outlined in Table N3, and in the City's Municipal Code to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources, such as heating, ventilation, and air conditioning equipment.	The interior and exterior noise levels identified in Table N3 are enforced by Chapter 10.26 of the Municipal Code, which is applicable to the site.
N 4.6	Enforce the Noise Ordinance noise limits and limits on hours of maintenance or construction activity in or adjacent to residential areas, including noise that results from in-home hobby or work-related activities.	Compliance with the existing noise control ordinance and hours of construction prescribed in the ordinance will minimize the potential noise impacts associated with project implementation.
N 5.1	Enforce the limits on hours of construction activity.	Chapter 10.28 of the Municipal Code limits noise-generating construction activities between 7:00 a.m. to 6:30 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays with no noise-generating construction activities permitted on Sundays or holidays. These limits are currently enforced by the Code and Water Quality Enforcement Division and the Police Department.

As indicated in the preceding analysis, the proposed project is consistent with the adopted relevant policies in the Newport Beach General Plan. No significant land use and/or policy conflicts will occur as a result of project implementation. Nonetheless, a mitigation measure has been identified to ensure that coastal views from Begonia Park are preserved.

Newport Beach Coastal Land Use Plan

The Coastal Land Use Plan contains policies to guide development and the following table, Table 4.1-2, provides a summary of the project's relationship with relevant CLUP policies.

**Table 4.1-2
 CLUP Policy Analysis**

Policy No.	CLUP Policy	Relationship to Policy
Land Use		
2.1.2-1	Land uses and new development in the coastal zone shall be consistent with the Coastal Land Use Plan Map and all applicable LCP policies and regulations.	The proposed single-family residence is consistent with the RSD land use designation and density allocated on the adopted Coastal Land Use Plan. The project is consistent with relevant CLUP policies as indicated in this table.
General Development Policies		
2.2.1-1	Continue to allow redevelopment and infill development within and adjacent to the existing developed areas in the coastal zone subject to the density and intensity limits and resource protection policies of the Coastal Land Use Plan.	The proposed project is considered an "in-fill" project in that it is development of an existing vacant parcel. The proposed project is consistent with the residential designation and density prescribed in the CLUP. As described below in this table, the proposed project also addresses the policies related to resource protection and is consistent with those policies.
2.2.1-2	Require new development be located in areas with adequate public services or in areas that are capable of having public services extended or expanded without significant adverse effects on coastal resources.	The area within which the project is located is served by the existing infrastructure, including circulation, sewer, water, storm drainage, public services, and utilities. These facilities have adequate capacities and/or supplies to serve the proposed residence.
Residential Development		
2.7-1	Continue to maintain appropriate setbacks and density, floor area, and height limits for residential development to protect the character of established neighborhoods and to protect coastal access and coastal resources.	The proposed residential structure complies with the building and development standards prescribed in the City's zoning ordinance for R-1 zoned properties, which provides the framework for neighborhood compatibility through a uniform set of development standards. The proposed dwelling conforms to setbacks, is designed to be lower than the maximum height limit and is below the maximum floor area limit. The proposed project does not impact coastal access as none presently exists through the site and it minimizes impacts to coastal resources to the maximum extent by minimizing impacts to public views from Begonia Park.
Hazards and Protective Devices		
2.8.1-1	Review all applications for new development to determine potential threats from coastal and other hazards.	The proposed project will be subject to review by the City's Building Department to ensure that it has been designed to address all relevant conditions that may affect site development. As indicated in the Preliminary Geotechnical Report prepared for the proposed project (Borella Geology, Inc., March 20, 2007), construction of the residence on the subject site is feasible from a geotechnical perspective, provided the recommendations provided in the report are incorporated into the new foundation design and compliance with standard requirements of the California Building Code. According to that report, although the natural erosion process of the cliff face will continue, it will not do so in a manner that would undermine the foundation system. According to that report, although the natural erosion process of the cliff face will continue, it will not do so in a manner that would undermine the foundation system.
2.8.1-2	Design and site new development to avoid hazardous areas and minimize risks to life and property from coastal and other hazards.	Refer to the Response to Policy No. 2.8.1-1 above.
2.8.1-4	Require new development to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction	Refer to the Response to Policy No. 2.8.1-1 above.

Policy No.	CLUP Policy	Relationship to Policy
	of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.	
2.8.6-10	Site and design new structures to avoid the need for shoreline and bluff protective devices during the economic life of the structure (75 years).	The property and coastal bluff are not subject to coastal erosion. Damage from tsunamis does not pose a significant threat to the subject site because it will be located approximately 60 feet above mean sea level. As prescribed in the Preliminary Geotechnical Report for the project, footings on or adjacent to slope surfaces will be founded in competent bedrock with an embedment and setback distance from the slope surface sufficient to provide vertical and lateral support for the footing without detrimental settlement.
2.8.7-2	Require new development to provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.	Compliance with applicable building, grading and water quality codes and policies (typically performed at the plan check stage) will ensure that there will not be an impact to water quality with construction. As part of the final plan check review for the proposed project, the applicant must submit an adequate drainage and erosion control plan that must be found to meet applicable standards. On-site retention and/or filtration or clarifiers will be required to meet water quality standards.
2.8.7-3	Require applications for new development, where applicable (i.e., in areas of known or potential geologic or seismic hazards), to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Require such reports to be signed by a licensed Certified Engineering Geologist or Geotechnical Engineer and subject to review and approval by the City.	As indicated above, a Preliminary Geotechnical Report was prepared for the proposed project. The report addresses the site-specific soils and geologic conditions and identifies recommendations to ensure that project implementation will not result in significant impacts either to the bluff or the proposed structure. If the project is approved, it will be subject to the plan check review process administered by the City Building Department to verify compliance with the California Building Code and to ensure that the structural recommendations of the geotechnical report are implemented.
Transportation		
2.9.3-1	Site and design new development to avoid use of parking configurations or parking management programs that are difficult to maintain and enforce.	Refer to Response to Policy CE 7.1.8 in Table 4.1-1 above.
2.9.3-2	Continue to require new development to provide off-street parking sufficient to serve the approved use in order to minimize impacts to public on-street and off-street parking available for coastal access.	Refer to Response to Policy CE 7.1.8 in Table 4.1-1 above.
2.9.3-3	Require that all proposed development maintain and enhance public access to the coast by providing adequate parking pursuant to the off-street parking regulations of the Zoning Code in effect as of October 13, 2005.	The project provides 2 off-street parking spaces within a garage, which meets the Zoning Code parking regulation in effect on October 13, 2005.
2.9.3-5	Continue to require off-street parking in new development to have adequate dimensions, clearances, and access to insure their use.	The off-street parking within the proposed structure has been designed to comply with the City's size, clearance, and access requirements that are contained within the Zoning Code.
2.9.3-6	Prohibit new development that would result in restrictions on public parking that would impede or restrict public access to beaches, trails, or parklands, (including, but not limited to, the posting of "no parking" signs, red curbing, and physical barriers), except where such restrictions are needed to protect public safety and where no other feasible alternative exists to provide public safety.	No public parking exists in Pacific Drive along the frontage of the project site. Project implementation will include a single-curb cut in order to allow for vehicular access to the site from Pacific Drive. The curb that fronts the project site is presently marked "red" prohibiting street parking so the proposed curb cut for the project will not result in the loss of any street parking.
2.9.3-10	Require new development to minimize curb cuts to protect on-street parking spaces. Close curb cuts to create new parking wherever feasible.	Refer to Response to Policy No. 2.9.3-6 above.

Policy No.	CLUP Policy	Relationship to Policy
3.2.1-3	Provide adequate park and recreational facilities to accommodate the needs of new residents when allowing new development.	The proposed project includes the development of a single-family residence on an existing lot. Such projects are not required to dedicate public parkland nor are they required to pay a park in-lieu fee as no subdivision is required that would increase the number of residential units. The Subdivision Ordinance (Title 19) of the Municipal Code only requires parkland dedication or the payment of an in-lieu fee for subdivisions that increase housing units.
Biological Resources		
4.1.1-2	Require a site-specific survey and analysis prepared by a qualified biologist as a filing requirement for coastal development permit applications where development would occur within or adjacent to areas identified as a potential ESHA. Identify ESHA as habitats or natural communities listed in Section 4.1.1 that possess any of the attributes listed in Policy 4.1.1-1. The ESAs depicted on Map 4-1 shall represent a preliminary mapping of areas containing potential ESHA.	<p>A biological survey of the site was conducted to evaluate the potential project-related impacts on potentially sensitive biological resources. None of the ESHAs illustrated on Map 4-1 in the Coastal Land Use Plan are located within the vicinity of the proposed project and, therefore, they would not be adversely affected as a result of project implementation. Nonetheless, the bluff contains approximately 261 square feet of native coastal bluff scrub vegetation. The biological survey evaluated the vegetation based upon Coastal Act criteria and concluded that it not qualify as an Environmentally Sensitive Habitat Area (ESHA) due to its low quality, lack of sensitive species, small area and that it is not located adjacent to other similar plant communities.</p> <p>The findings and recommendations of the biological survey/assessment are presented in Section 4.2 (Biological Resources). Because the native habitat on the subject property is low quality, is not occupied by sensitive species of wildlife, is fragmented, and has been affected by human activities, the loss of 261 square feet of coastal bluff scrub habitat is not considered significant.</p>
4.1.3-1	Utilize the following mitigation measures to reduce the potential for adverse impacts to ESA natural habitats from sources including, but not limited to those identified in Table 4.1.1.	As indicated in Section 4.2 (Biological Resources), implementation of the proposed project will not result in significant impacts to important and/or sensitive biological resources. The habitat and species that exist on the subject property are degraded and encompass only a small, isolated area that is of low value. Therefore, no significant impacts are anticipated and no mitigation measures are required.
Water Quality		
4.3.1-5	Require development on steep slopes or steep slopes with erosive soils to implement structural best management practices (BMPs) to prevent or minimize erosion consistent with any load allocation of the TMDLs adopted for Newport Bay.	The project will be designed to include water quality treatment features (e.g., erosion control, etc.) required by the CBC and the City that ensure that water quality within Newport Bay will not be adversely affected. Although a WQMP is not required for the proposed project due to its small size and location, the project will comply with all applicable local and state requirements (California Building Code) to not only minimize erosion but also treat water discharging runoff into an impaired water body (i.e., Newport Bay).
4.3.1-6	Require grading/erosion control plans to include soil stabilization on graded or disturbed areas.	Compliance with applicable building, grading and water quality codes and policies (typically performed at the plan check stage) will ensure that there will not be an impact to water quality with construction. As part of the final plan check review for the proposed project, the applicant must submit an adequate drainage and erosion control plan that must be found to meet applicable standards. On-site retention and/or filtration or clarifiers would be required to meet water quality standards.

Policy No.	CLUP Policy	Relationship to Policy
4.3.1-7	Require measures to be taken during construction to limit land use disturbance activities such as clearing and grading, limiting cut-and-fill to reduce erosion and sediment loss, and avoiding steep slopes, unstable areas, and erosive soils. Require construction to minimize disturbance of natural vegetation, including significant trees, native vegetation, root structures, and other physical or biological features important for preventing erosion or sedimentation.	Project implementation will necessitate grading and site alteration to accommodate the proposed single-family residence. Approximately 630 cubic yards of earth material will be exported from the site. Although the existing native (three native species within the existing coastal bluff scrub habitat) and non-native species on the site will be removed in order to construct the proposed home, its value as habitat is very limited. Appropriate erosion control measures will be implemented both during grading and after construction of the residence. Although the coastal bluff scrub habitat would be removed, its habitat value is low due to the fragmentation that has occurred as a result of human activities, including development along the bluff that has already occurred. Furthermore, it is not recognized as an ESHA and it not considered a significant resource. Therefore, the loss of this habitat is less than significant.
4.3.2-3	Require that development not result in the degradation of coastal waters (including the ocean, estuaries and lakes) caused by changes to the hydrologic landscape.	Refer to Response to Policy No. 4.3.1-5.
4.3.2-8	To the maximum extent practicable, runoff should be retained on private property to prevent the transport of bacteria, pesticides, fertilizers, pet waste, oil, engine coolant, gasoline, hydrocarbons, brake dust, tire residue, and other pollutants into recreational waters.	Consistent with this policy, the City will require the preparation of stormwater and erosion control plan at the building plan check stage that identifies the manner in which runoff will be captured, treated and conveyed prior to its discharge into Newport Bay to ensure protection of water quality.
4.3.2-11	Require new development to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to be maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible.	Approximately 22% of the site will be not be developed with impervious surfaces, which is a relatively high percentage of area compared to typical residential construction in Newport Beach. The front and side yard setback areas abutting the building are impervious and provide walkways and stairs necessary to access required exits from the multi-level building. Reducing impervious surfaces can only be accomplished by reducing the building footprint.
4.3.2-12	Require development to protect the absorption, purification, and retention functions of natural drainage systems that exist on the site, to the maximum extent practicable. Where feasible, design drainage and project plans to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored, where feasible.	The project site is presently vacant and runoff is currently not controlled. The site does not accommodate drainage from abutting properties and is not a natural drainage system. The proposed project will result in a small increase in surface runoff associated with the increase in impervious surfaces on the site, which will be captured, treated and conveyed to existing storm drain facilities prior to its discharge in the bay.
4.3.2-13	Site development on the most suitable portion of the site and design to ensure the protection and preservation of natural and sensitive site resources.	Consistent with this policy, the proposed single-family residence has been sited to minimize obstructing views from Begonia Park, which was established as a priority by the Planning Commission. Although the existing coastal bluff scrub habitat will be eliminated as a result of the proposed project, the loss of this low-quality habitat, which does not support a significant number and types of species and has been compromised by fragmentation and human activities in the area, is not significant. The site will be landscaped with native species.
4.3.2-16	Require structural BMPs to be inspected, cleaned, and repaired as necessary to ensure proper functioning for the life of the development. Condition coastal development permits to require ongoing application and maintenance as is necessary for effective operation of all BMPs (including site design, source control, and treatment control).	Compliance with applicable building, grading and water quality codes and policies (typically performed at the plan check stage) will ensure that there will not be an impact to water quality with construction. The features that will be incorporated into the project design will be maintained by the property owner throughout the life of the project to ensure that they are effective in minimizing water quality impacts.

Policy No.	CLUP Policy	Relationship to Policy
4.3.2-23	Require new development applications to include a Water Quality Management Plan (WQMP). The WQMP's purpose is to minimize to the maximum extent practicable dry weather runoff, runoff from small storms (less the ¾" of rain falling over a 24-hour period) and the concentration of pollutants in such runoff during construction and post-construction from the property.	See Responses to Policies 4.3.2-11.
4.3.2-24	To further reduce runoff, direct and encourage water conservation via the use of weather- and moisture-based irrigation controls, tiered water consumption rates, and native or drought-tolerant plantings in residential, commercial, and municipal properties to the maximum extent practicable.	The project includes drought tolerant landscaping materials and a weather or moisture based controller can be incorporated to conserve water to the maximum extent.
Scenic and Visual Resources		
4.4.1-1	Protect and, where feasible, enhance the scenic and visual qualities of the coastal zone, including public views to and along the ocean, bay, and harbor and to coastal bluffs and other scenic coastal areas.	<p>The most notable scenic quality of the site is its location within the public viewshed of Begonia Park. Although the site is considered a coastal bluff, it is relatively small, previously disturbed and it does not possess physical characteristics that are considered significant or highly scenic. The site is designated for residential development and the Newport Beach Planning Commission concluded that allowed development of the site must protect public views from Begonia Park to the greatest extent possible.</p> <p>The proposed project has been redesigned to be below the maximum building height requirement prescribed in the R-1 Zoning District. Additionally, lowering the development further down the bluff, limiting street level development to single story, and pulling back elements of the project that would lessen impacts to the Begonia Park view corridor have been incorporated within the design. As a result, views of Newport bay and the ocean from Begonia Park, a designated "Public View Point" in the Natural Resources Element of the General Plan and the CLUP, would be protected to the maximum extent. The proposed single-family residence would block views to the bay and ocean from Pacific Drive and Begonia Avenue; however, as noted previously, this view is not protected as it is not a designated viewpoint.</p>
4.4.1-2	Design and site new development, including landscaping, so as to minimize impacts to public coastal views.	Refer to Response to Policy No. 4.4.1-1.
4.4.1-3	Design and site new development to minimize alterations to significant natural landforms, including bluffs, cliffs and canyons.	Refer to Response to Policy NR 23.1 in Table 4-1 above.
4.4.1-4	Where appropriate, require new development to provide view easements or corridors designed to protect public coastal views or to restore public coastal views in developed areas.	As indicated in the Response to Policy 4.4.1-1, avoiding any alteration of the public views is not possible. Nonetheless, the project has been designed to minimize the effect on views from Begonia Park by reducing the height of the structure at the street elevation to one story. The City required a view easement above this structure to preserve the views through the site above the building.
4.4.1-5	Where feasible, require new development to restore and enhance the visual quality in visually degraded areas.	The project site, which is currently undeveloped, is characterized by sparse vegetation, including shrubs and trees. Development of the site will result in the creation of a similar residential character as that which exists in the area the project will incorporate landscaping that is consistent with that in the area and will include native plant species.
4.4.1-7	Design and site new development, including landscaping, on the edges of public coastal view corridors, including those down public streets, to frame and accent public coastal views.	Public views from Pacific Drive and Begonia Avenue are not identified as a protected public view. The proposed project has been designed to minimize impacts to harbor and ocean views from Begonia Park. The project will incorporate landscaping that is consistent with that in the

Policy No.	CLUP Policy	Relationship to Policy
		<p>area and will include native plant species that achieve the desired City objectives of preserving coastal views from important vantage points identified in Map 4-3 of the CLUP. The view easement that will be dedicated to the City will restrict the maximum height of landscaping and accessory structures to that of the top of the guardrails of the “outdoor room” proposed for the project in order to preserve views through the site.</p>
4.4.2-2	<p>Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.</p>	<p>The proposed project was redesigned to protect or minimize visual impacts. The neighborhood in which the project is located is characterized by single-unit dwellings with one or two stories above street grade and development on the bluff face extending down two or three stories below street grade. Redesign of the project lowered the development farther down the bluff and limited street level development to a single story, making the project more visually compatible with the surrounding development. Furthermore, the addition of clerestory windows on the street elevation and the proposed planters make the proposed single-family residence more in keeping with the character of other street-facing elevations in the neighborhood.</p>
4.4.2-3	<p>Implement the regulation of the building envelope to preserve public views through the height, setback, floor area, lot coverage, and building bulk regulation of the Zoning Code in effect as of October 13, 2005 that limit the building profile and maximize public view opportunities.</p>	<p>As previously indicated in the discussions of related policies, the proposed project has been redesigned to address issues related to visual impacts, including building height, setbacks, and bulk. The redesign has resulted in a building envelope that achieves the primary goal of minimizing potential visual impacts to views from Begonia Park.</p>
4.4.3-8	<p>Prohibit development on bluff faces, except private development on coastal bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Drive in Corona del Mar determined to be consistent with the predominant line of existing development or public improvements providing public access, protecting coastal resources, or providing for public safety. Permit such improvements only when no feasible alternative exists and when designed and constructed to minimize alteration of the bluff face, to not contribute to further erosion of the bluff face, and to be visually compatible with the surrounding area to the maximum extent feasible.</p>	<p>The project site comprises the easternmost transition from the Pacific Drive coastal bluff to the gully formation that has been developed as Begonia Park. This transitional location between different topographic landforms, the steeper slope of the subject site as compared with the Pacific Drive Coastal bluff, and the existing development at the toe of the bluff face that comprises the project site require that both the horizontal and vertical extent of proposed development be considered in establishing the Predominant Line of Existing Development. The maximum permissible horizontal extent of the proposed structure over the bluff face was based on the minimum dimension of the building footprint that allows reasonable floor area on the property for its intended residential purpose, while simultaneously complying with the maximum permissible building height of twenty-four feet, limiting the extent of grading on the bluff face, and producing a building profile that “steps down” the slope, conforming to the topography of the bluff face. The horizontal dimension deemed appropriate to allow reasonable use of the property consistent with these requirements was projected onto the bluff and resulted in establishment of a Predominant Line of Existing Development at elevation 36.5 feet Mean Sea Level. This line maintains sufficient vertical and horizontal separation from the existing development at the toe of the bluff from that proposed at the top such that the visual resource of the sloping topography in between is preserved.</p>
4.4.3-9	<p>Where principal structures exist on coastal bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Drive in Corona del Mar, require all new development to be sited in accordance with the predominant line of existing development in order to protect public coastal views. Establish a predominant line of development for both principle structures and accessory improvements.</p>	<p>Please refer to Response to Policy No. 4.4.3-8.</p>

Policy No.	CLUP Policy	Relationship to Policy
	The setback shall be increased where necessary to ensure safety and stability of the development.	
4.4.3-11	Require applications for new development to include slope stability analyses and erosion rate estimates provided by a licensed Certified Engineering Geologist or Geotechnical Engineer.	The subject site is characterized by a 47-foot descending slope with slope angles ranging from 10 degrees to vertical. With respect to the slope, the orientation of the bedrock is dipping into the slope, which is the preferred orientation for maintaining slope stability. A stability analysis was performed which resulted in the factors of safety calculated in excess of 1.5 (i.e., static) and 1.1 (pseudo-static) required by the City of Newport Beach.
4.4.3-12	Employ site design and construction techniques to minimize alteration of coastal bluffs to the maximum extent feasible, such as: A. Siting new development on the flattest area of the site, except when an alternative location is more protective of coastal resources. B. Utilizing existing driveways and building pads to the maximum extent feasible. C. Clustering building sites. D. Shared use of driveways. E. Designing buildings to conform to the natural contours of the site, and arranging driveways and patio areas to be compatible with the slopes and building design. F. Utilizing special foundations, such as stepped, split level, or cantilever designs. G. Detaching parts of the development, such as a garage from a dwelling unit. H. Requiring any altered slopes to blend into the natural contours of the site.	The coastal bluff in the project environs is degraded to the extent that it is no longer a significant visual resource; however, the proposed structure has been redesigned as to step down from top of the slope as to parallel the topographic profile of the site. The horizontal extent of the proposed structure from the street toward the toe of the slope has been limited to retain the maximum amount of bluff face between the proposed dwelling and the existing dwellings at the toe of the slope.
4.4.3-13	Require new development adjacent to the edge of coastal bluffs to incorporate drainage improvements, irrigation systems, and/or native or drought-tolerant vegetation into the design to minimize coastal bluff recession.	The proposed project will comply with this policy that requires irrigation systems and the integration of drought-tolerant native plant species.
4.4.3-15	Design and site new development to minimize the removal of native vegetation, preserve rock outcroppings, and protect coastal resources.	Although development of the site as proposed will result in the elimination of the existing 261 square feet of coastal bluff scrub habitat that occupies a small portion of the site, the habitat has been characterized as "low quality" and does not support sensitive wildlife (e.g., California gnatcatcher, etc.). Furthermore, the coastal bluff scrub habitat does not meet the criteria established by the Coastal Act for ESHAs and, therefore, is not an ESHA. Finally, no sensitive plant species exist on the site. As a result, loss of the low quality coastal bluff scrub habitat, which has also been fragmented and affected by human activities, is not considered to be significant.
Paleontological and Cultural Resources		
4.5.1-1	Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources. If avoidance of the resources is not feasible, require an <i>in situ</i> or site-capping preservation plan or a recovery plan for mitigating the effect of the development.	As indicated in the initial study prepared for the proposed project (refer to Appendix A), the site is underlain by the Monterey Formation, which is a fossil-bearing formation. Although project implementation will necessitate grading of the site, which could affect paleontological resources if they exist within the Monterey Formation, a monitor will be present during grading who will have the authority to redirect or halt grading in the event cultural or scientific resources are encountered until such time as the resources can be evaluated and a course of action prescribed.
4.5.1-2	Require a qualified paleontologist/archaeologist to monitor all grading and/or excavation where there is a potential to	Refer to Response to Policy No. 4.5.1-1.

Policy No.	CLUP Policy	Relationship to Policy
	affect cultural or paleontological resources. If grading operations or excavations uncover paleontological/archaeological resources, require the paleontologist/archaeologist monitor to suspend all development activity to avoid destruction of resources until a determination can be made as to the significance of the paleontological/archaeological resources. If resources are determined to be significant, require submittal of a mitigation plan. Mitigation measures considered may range from in-situ preservation to recover and/or relocation. Mitigation plans shall include a good faith effort to avoid impacts to cultural resources through methods such as, but not limited to, project redesign, in situ preservation/capping, and placing cultural resources areas in open space.	
4.5.1-3	Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites.	Refer to Response to Policy No. NR 18.3 in Table 4-1 above.
4.5.1-4	Where <i>in situ</i> preservation and avoidance are not feasible, require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Orange County, whenever possible.	Any scientifically cultural and/or scientific resources determined to be valuable or important will be donated to a responsible public or private institution.
4.5.1-5	Where there is a potential to affect cultural or paleontological resources, require the submittal of an archaeological/cultural resources monitoring plan that identifies monitoring methods and describes the procedures for selecting archaeological and Native American monitors and procedures that will be followed if additional or unexpected archaeological/cultural resources are encountered during development of the site. Procedures may include, but are not limited to, provisions for cessation of all grading and construction activities in the area of the discovery that has any potential to uncover or otherwise disturb cultural deposits in the area of the discovery and all construction that may foreclose mitigation options to allow for significance testing, additional investigation and mitigation.	Refer to Response to Policy No. 4.5.1-1.
Environmental Review		
4.6-6	Where development is proposed within or adjacent to ESHA, wetlands or other sensitive resources, require City staff member(s) and/or contracted employee(s) to consider the individual and cumulative impacts of the development, define the least environmentally damaging alternative, and recommend modifications or mitigation measures to avoid or minimize impacts. The City may impose a fee on applicants to recover the cost of review of a proposed project when required by this policy.	The biological site survey and assessment conducted for the proposed project concluded that the small area of coastal bluff scrub habitat encompasses only approximately 261 square feet and is characterized by few native species, it is fragmented, and has been affected by human activities in the area. In addition, the small area is characterized as "low quality" and having low biological value. Furthermore, the coastal bluff scrub habitat does not meet the criteria prescribed in the Coastal Act and the City's General Plan for an ESHA. Therefore, the elimination of this habitat resulting from implementation of the proposed project does not constitute either a direct or cumulative impact.
4.6-6	Where development is proposed within or adjacent to ESHA, wetlands or other sensitive resources, require the city staff member(s) and/or contracted employee(s) to include the following in any recommendations of approval: an identification of the preferred project alternative, required modifications, or mitigation measures necessary	The small area occurring within the limits of the subject property that has been identified as "coastal bluff scrub" habitat has been characterized as "low quality" habitat that does not meet the criteria established by the Coastal Act for ESHAs. Similarly, the habitat does not meet the criteria in the City's General Plan and Coastal Land Use

Policy No.	CLUP Policy	Relationship to Policy
	to ensure conformance with the Coastal Land Use Plan. The decision making body (Planning Director, Planning Commission, or City Council) shall make findings relative to the project's conformance to the recommendations of the City staff member(s) and/or contracted employee(s).	Plan. Furthermore, the site does not support wetlands or other sensitive habitat and no sensitive plant or wildlife species occupy the subject property. Based on the determination of the project biologist, the proposed project is not located either within or adjacent to an ESHA, wetlands or other sensitive resources.
4.6-8	Coordinate with the California Department of Fish and Game, U.S. Fish and Wildlife Service, national Marine Fisheries Service, and other resource management agencies, as applicable, in the review of development applications in order to ensure that impacts to ESHA and marine resources, including rare, threatened, or endangered species, are avoided or minimized such that ESHA is not significantly degraded, habitat values are not significantly disrupted, and the biological productivity and quality of coastal waters is preserved.	Project implementation will not result in potentially significant impacts to an ESHA or other sensitive or important biological resources, including rare, threatened or endangered species. As a result, the applicant will not be required to obtain a permit from either the U.S. Fish and Wildlife Service (Section 7 or 10A), California Department of Fish and Game (Section 1602), or Army Corps of Engineers Section 404).
4.6-9	Require applications for new development, where applicable, to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the project site, any necessary mitigation measures, and contains statements that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for its economic life. For development on coastal bluffs, including bluffs facing Upper Newport Bay, such reports shall include slope stability analyses and estimates of the long-term average bluff retreat rate over the expected life of the development. Reports are to be signed by an appropriately licensed professional and subject to review and approval by qualified city staff member(s) and/or contracted employee(s).	A Preliminary Geotechnical Report was prepared for the proposed project (Borella Geology, Inc., March 20, 2007), which evaluated the project's suitability for development, including slope stability, liquefaction, seismicity, tsunamis, and other geologic and soils characteristics. Based on that report, construction of the proposed single-family residence is feasible from a geotechnical perspective, provided the recommendations included in the report are implemented. The Preliminary Geotechnical Report is on file at the City of Newport Beach.

As indicated in Table 4.1-2, the proposed project is consistent with the intent of the adopted relevant policies of the Coastal Land Use Plan. As previously indicated, the project is located within the categorical exclusion zone. Although no significant impacts are identified, a mitigation measure (i.e., dedication of a view easement) has been prescribed to ensure that future views through the site from Begonia Park are protected.

Newport Beach Zoning

As indicated previously (refer to Chapter 3.0 – Project Description), with the exception of the modification permit requested by the applicant to allow the encroachment of features in excess of 36 inches in height within the front setback, the proposed project is consistent with the development standards prescribed in the R-1 zoning district regulations.

SCAG Policies and Programs

Table 4.1-3 provides a discussion of the project's consistency with the applicable goals, objectives, policies and programs reflected in the Regional Comprehensive Plan and Guide. As indicated in that analysis, the proposed project is consistent with the SCAG projections, plans and policies and no significant impacts will occur as a result of project implementation.

**Table 4.1-3
 Regional Comprehensive Plan and Guide (RCPG) Consistency Analysis**

Policy No.	RCPG Policy	Consistency Analysis
Regional Transportation Plan		
4.01	Transportation investments shall be based on SCAG's adopted Regional Performance indicators (i.e., mobility, accessibility, environment, reliability, safety, livable communities, equity, and cost-effectiveness).	Project implementation will not result in the generation of significant new traffic that would adversely affect regional transportation facilities.
4.02	Transportation investments shall mitigate environmental impacts to an acceptable level.	As indicated in the initial study, project implementation would result in the generation of about 10 trips per day; no significant long-term traffic impacts will result from the proposed project.
4.04	Transportation control measures shall be a priority.	Although the proposed project would not require the implementation of any mitigation measures to address potential traffic impacts, A Construction Management Plan will be prepared for the proposed project, which addresses all aspects of the construction phase (e.g., phasing schedule, construction equipment, and the construction process).
Improvement of Regional Standard of Living		
3.05	Encourage patterns of urban development and land use, which reduce costs on infrastructure construction and make better use of existing facilities.	The proposed project includes the construction of one single-family residence, which is consistent with the long-range plans adopted by the City for the project site. The single-family residence is located in an area of the City that is served by a full complement of public services and utilities. All of the infrastructure facilities (e.g., sewer, water, police and fire protection, etc.) have adequate capacity to accommodate the proposed project.
3.09	Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.	As indicated in Response to Policy 3.05 above, adequate infrastructure and public services exist in the project area to serve the proposed project.
Improvement of Regional Quality of Life		
3.12	Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.	The applicant is proposing to develop the subject property, which will result in the development of one single-family residence and would not result in any significant traffic and/or circulation impacts that would necessitate the construction of new or expanded roadways. Public transit opportunities currently exist within the Corona del Mar community and in the City of Newport Beach that would serve the proposed residential project.
3.13	Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.	As previously indicated in Response to Policy 3.12, project implementation includes the infill development that encompasses only one residential dwelling unit, which will not require the expansion of existing transit services that currently exist in the community. Existing transit facilities are adequate to serve the proposed residential use.
3.18	Encourage planned development in locations least likely to cause adverse environmental impacts.	The project has been designed to avoid and/or mitigate potentially significant visual/aesthetic impacts associated with views from Begonia Park. The elimination of 0.006 acre of low-quality coastal bluff scrub habitat is not significant.
3.20	Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and	The proposed project will not result in potentially significant impacts to wetlands, groundwater recharge areas, woodlands, production lands, and land containing

Policy No.	RCPG Policy	Consistency Analysis
	endangered plants and animals.	unique and/or endangered plants and animals. As indicated in Section 4.3 (Biological Resources), 0.006 acre of coastal bluff scrub exists on the subject property; however, it is of low quality and has been degraded by fragmentation and human activities. The small area is not an ESHA as defined by the Coastal Act and the Newport Beach LCP/CLUP.
3.21	Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.	As indicated in the initial study prepared for the proposed project, a qualified paleontologist must be retained by the project applicant to monitor grading activities. In the event that fossils are encountered during construction activities, ground-disturbing excavations in the vicinity of the discovery shall be redirected or halted by the monitor until the find has been salvaged. Any cultural and/or scientific resources discovered during project construction shall be prepared to a point of identification and stabilized for long-term storage.
3.22	Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.	The project site encompasses a south-facing coastal bluff. The proposed project has been designed to minimize visual impacts to views from Begonia Park and the bluff face below the proposed structure would be landscaped and enhanced with native plant materials. In addition, development of the site has been designed to minimize potential seismic impacts. The geotechnical report prepared for the project concluded that the project could be developed on the site with the incorporation of mitigation measures identified in the initial study.
3.23	Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.	Several mitigation measures have been prescribed in the initial study (refer to Appendix A) to ensure that construction impacts are minimized; no long-term noise impacts will occur as a result of project implementation. The elimination of 0.006 acre of low quality coastal bluff scrub that is not inhabited by the California gnatcatcher is not significant; no sensitive plant and/or animal species occupy the site or are expected to occupy the subject property. The project has been designed to withstand potential seismic hazards (e.g., moderate to strong groundshaking, etc.).
3.24	Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.	The proposed project will provide one additional market rate dwelling unit in the Corona del Mar area of the City of Newport Beach.
Provision of Social, Political, and Cultural Equity		
3.27	Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.	Adequate public services exist within the City to accommodate the proposed single-family residence. The site will be subject to school development fees to address public education and the City's Park Dedication Fee Ordinance to address public recreation facilities. In addition, adequate law enforcement and fire protection services can be provided to the development.
Air Quality Chapter Core Actions		
5.11	Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional and local) consider air quality, land use, transportation and economic relationships to ensure consistency and minimize conflicts.	The results of the environmental analysis conducted for the proposed project, including air quality, concludes that all of the potential impacts would be less than significant or would be reduced to a less than significant level as required by CEQA. The proposed project is consistent with the long-range land use plans and programs as well as adopted policies in the General Plan and Coastal Land Use Plan.

Policy No.	RCPG Policy	Consistency Analysis
Open Space Ancillary Goals		
9.01	Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region and to promote tourism in the region.	The proposed project includes the development of a single-family residence on an existing lot. Such projects are not required to dedicate public parkland nor are they required to pay a park in-lieu fee as no subdivision is required that would increase the number of residential units. The Subdivision Ordinance (Title 19) of the Municipal Code only requires parkland dedication or the payment of an in-lieu fee for subdivisions that increase housing units.
9.02	Increase the accessibility to open space lands for outdoor recreation.	The proposed single-family dwelling unit is a residential "in-fill" project in an existing residential neighborhood. Begonia Park is located adjacent to the subject property; however, project implementation will not affect accessibility either to that recreational amenity or to open space lands within the City.
9.03	Promote self-sustaining regional recreation resources and facilities.	The City's Recreation Element is intended to ensure that the provision of sufficient parks and recreation facilities are appropriate for the residential and business population in Newport Beach. The City has adopted several policies that establish the framework for achieving the goal of providing adequate recreational facilities.
9.08	Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.	The biological survey was conducted to identify potential sensitive biological resources and to evaluate the potential adverse effects of the proposed project on important habitat and/or resources. Based on that analysis, it was determined that no significant impacts either to sensitive habitat or species will occur and the project would not impact wetlands.

Existing Land Use

Conflict with an adopted habitat conservation plan or natural community conservation plan.

The Newport Beach General Plan identifies the City's open space and conservation areas. However, because the area of the City in which the subject property is located is nearly completely developed, natural open space and habitat are limited in the project environs. The subject property, which encompasses approximately 0.1 acre (4,412 square feet) that is currently undeveloped, is located within the limits of the Central/Coastal NCCP adopted by the County of Orange. The NCCP is intended to ensure the long-term survival of the coastal California gnatcatcher and other special status coastal sage scrub (CSS) dependent plant and wildlife species in accordance with state-sanctioned NCCP program guidelines. The biological surveys conducted on the subject property revealed that although a small area encompassing 0.006 acre (approximately 261 square feet) of coastal bluff scrub exists on the site. However, the area is characterized as having a low overall habitat value as a result of habitat fragmentation, influence of surrounding human activities, and because it supports limited long-term habitat value. Furthermore, no federal- or state-listed or otherwise sensitive species identified as having a potential to occur on the property were observed during the biological surveys conducted for the project. Based on the findings of the project biologist, the habitat does not qualify as an ESHA under the Coastal Act, and therefore, cannot be afforded protection under the Newport Beach LCP/CLUP or the City's General Plan. As a result, the loss of the low quality, fragmented habitat would not conflict with the Central/Coastal NCCP.

Physically divide an established community.

The project proposes the landform alteration that would accommodate one single-family residence on the 4,412 square foot lot. The site is bounded by Pacific Drive and Begonia Avenue. As indicated previously, the area surrounding the subject property is developed with single-family residential development on three sides; Begonia Park abuts the site on the north and east. Although development of the site as proposed would change the character of the site by introducing a single-family home on the vacant property, development of the site as proposed would not adversely affect adjacent properties, which also support single-family homes. In particular, no design component or feature of the project would physically divide or otherwise adversely affect or significantly change an established community. No significant impacts will occur and no mitigation measures are required.

Substantial or extreme land use incompatibility.

Development of the site, which is currently vacant, would not result in a significant land use conflict. As previously indicated, the proposed single-family residence is consistent with the land use designation and zoning adopted for the site. The introduction of a single-family residence would be consistent and compatible with the existing residential development in the area, which is characterized by single-family and two-family residences. Furthermore, with the exception of the request for a modification permit that would allow a wall to extend above the three-foot height limit in the front yard setback, the proposed structure complies with the development standards (e.g., setbacks, building height, lot coverage, etc.) prescribed for the R-1 zoning district. Extension of the wall above the three-foot height limit would not result in substantial visual impacts (refer to Section 4.3 – Aesthetics). As a result, no significant impacts are anticipated and no mitigation measures are required.

Incompatible land uses in an aircraft accident potential area as defined in an airport land use plan.

The project area is not located within two miles of any existing public airport. John Wayne Airport, which is located approximately 4.5 miles northwest of the subject property, is the nearest aviation facility. No portion of the project site is located within the accident potential area of such a plan. Further, the subject property is not located within two miles of a public airport, public use airport, or private airstrip. Development of the subject property as proposed would neither affect nor be affected by aircraft operations at such a facility that would generate noise in excess of regulatory standards. Therefore, no significant land use impacts would occur as a result of project implementation and no mitigation measures are required.

4.1.5 Mitigation Measures

As indicated in the preceding analysis, the proposed project, which includes the construction of one single-family detached residential dwelling unit on a 4,412-square foot lot in Corona del Mar, is consistent with the Land Use Element and Coastal Land Use Plan of the Newport Beach General Plan and with the long-range goals, policies and objectives adopted by the City in the General Plan Update. The proposed project is also compatible with the existing land uses in the area. As a result, no significant long-term land use impacts are anticipated and no mitigation measures are required.

4.1.6 Level of Significance after Mitigation

As indicated above, the project is consistent with the long-range plans and programs adopted by the City. Further, implementation of the standard conditions identified for the project (i.e., comply with the zoning district regulations, California Building Code and other regulatory requirements) will ensure that no significant impacts will occur. No significant long-term unavoidable adverse land use impacts will occur as a result of project implementation.