

4. ENVIRONMENTAL IMPACT ANALYSIS

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A. AESTHETICS/VISUAL RESOURCES

1. INTRODUCTION

This section addresses potential impacts that could result from the proposed project with regard to visual quality, views, and light and glare. The analysis presented in this section is based on a review of applicable plans and regulations, including the City of Newport Beach General Plan (General Plan), California Coastal Act (CCA), and Newport Beach Municipal Code (NBMC), as well as visual simulations provided by the project architect and site reconnaissance by PCR staff.

2. ENVIRONMENTAL SETTING

a. Regulatory Framework

(1) California Coastal Act

The California Coastal Act of 1976 (California Public Resources Code §30000 et seq.) establishes policies guiding development and conservation along the California coast. Section 30001 of the Coastal Act finds “that the permanent protection of the state’s natural and scenic resources is a paramount concern to present and future residents of the state and nation.” According to the California Coastal Act Policy 30251, the scenic and visual qualities of coastal areas shall be considered and protected as resources of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where, feasible, to restore and enhance visual quality in visually degraded areas.

The project site is located within the coastal zone, and is therefore subject to the requirements of the CCA. The project’s consistency with the City’s General Plan, Local Coast Program Coastal Land Use Plan, and the California Coastal Act is evaluated later in this EIR section in Tables 4.A-1, 4.A-2, and 4.A-3, respectively.

(2) California Department of Transportation

The California Department of Transportation (Caltrans) defines a scenic highway as any freeway, highway, road, or other public right-of-way, that traverses an area of exceptional scenic quality. Suitability for designation as a State Scenic Highway is based on vividness, intactness, and unity. There are no officially designated scenic highways within the City of Newport Beach.

(3) Newport Beach General Plan

The Natural Resources Element of the City of Newport Beach General Plan includes goals and policies related to aesthetics and visual resources that are applicable to the proposed project. The primary objective of the Natural Resources Element is to provide direction regarding the conservation, development, and utilization of natural resources. It identifies Newport Beach’s natural resources and policies for their preservation, development, and wise use. This Element addresses water supply (as a resource) and water quality (includes bay and ocean quality, and potable drinking water), air quality, terrestrial and marine biological resources, open space, archaeological and paleontological resources, mineral resources, visual resources,

and energy. Figure NR3, *Coastal Views*, of the City of Newport Beach General Plan's Natural Resources Element identifies locations of coastal views in the City including public view points and coastal view roads; refer to **Figure 4.A-1, Coastal Views**, below. As shown in Figure 4.A-1, several coastal views are available in the project vicinity, including views from East Coast Highway and locations across Upper Newport Bay from the project site. The project's consistency with applicable visual resources goals and policies of the General Plan are addressed later in this section. As noted in Figure 4.A-1, the project site is located within the City's designated Shoreline Height Limitation Zone, which limits building heights to a maximum of 35 feet with a flat roof or 40 feet with a sloped roof.

(4) Newport Beach Local Coastal Program Coastal Land Use Plan

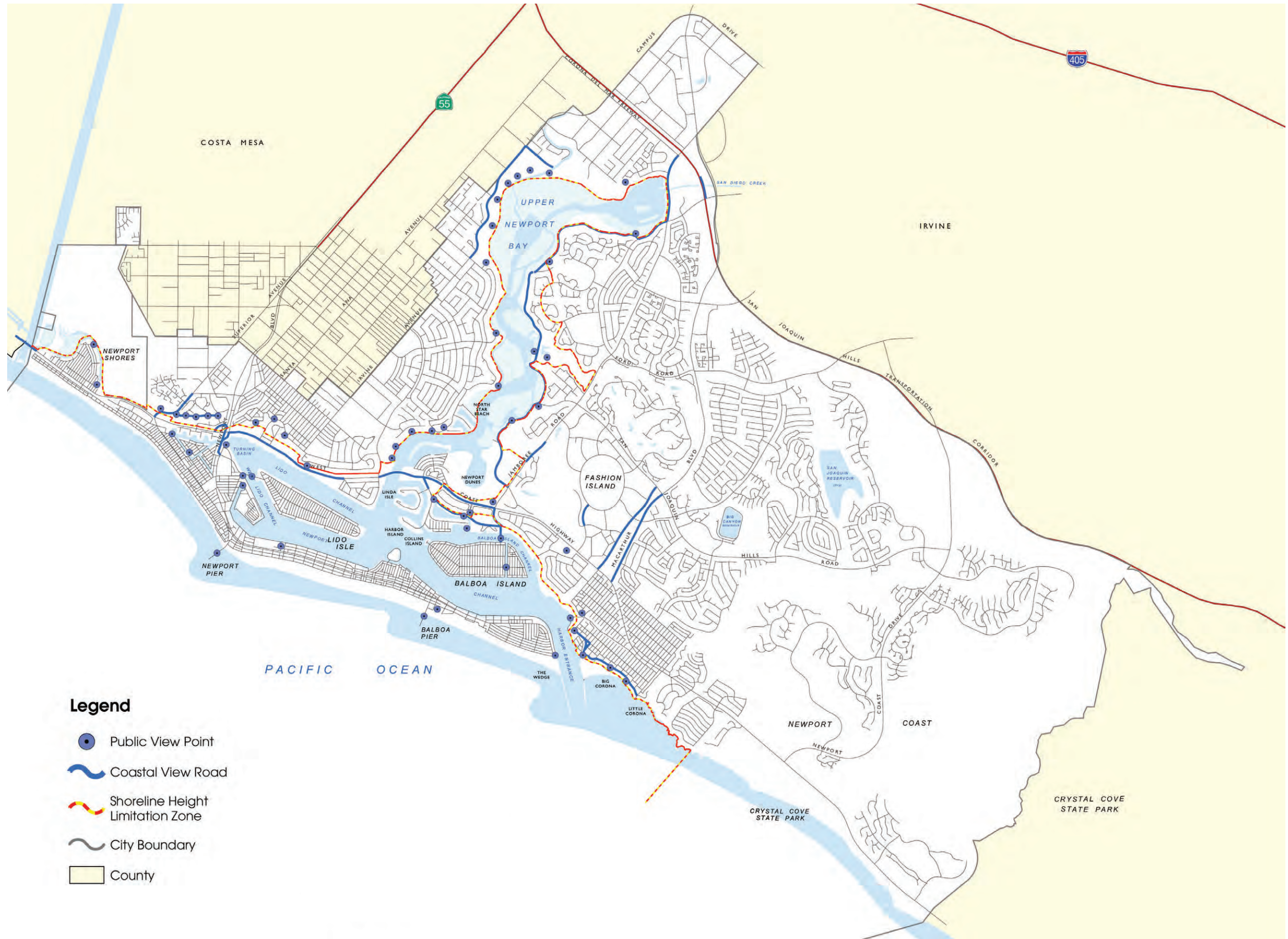
Chapter 4, *Coastal Resource Protection*, of the CLUP provides policies regarding scenic and visual resources, including coastal view protection, bulk and height limitations, natural landform protection, and sign and utility regulations. Where feasible, the scenic and visual qualities of the coastal zone, including public views to and along the ocean, bay and harbor, are to be protected. Coastal views from designated roadway segments are required to be protected pursuant to Policy 4.4.1-6 of the CLUP, while height limitations and massing are addressed by policies contained in Section 4.4.2, *Bulk and Height Limitation*. The project site is located within the coastal zone portion of the City of Newport Beach, and as such the proposed project is subject to the policies and requirements of the CLUP.

(5) Newport Beach Municipal Code

Section 20.30.100, *Public View Protection*, of the Newport Beach Municipal Code (NBMC) provides regulations to preserve significant visual resources (public views) from public view points and corridors. The provisions of this section apply only to discretionary applications where a project has the potential to obstruct public views from public view points and corridors, as identified on General Plan Natural Resources Element Figure NR 3 (see Figure 4.A-1 below), to the Pacific Ocean, Newport Bay and Harbor, offshore islands, the Old Channel of the Santa River (the Oxbow Loop), Newport Pier, Balboa Pier, designated landmark and historic structures, parks, coastal and inland bluffs, canyons, mountains, wetlands, and permanent passive open space. As shown in Figure 4.A-1, various public viewpoints and view corridors are located in proximity to the project site.

Discretionary applications involving a project site adjacent to an identified public view point or corridor must be reviewed to evaluate the development's potential to impact public views. Where a proposed development has the potential to obstruct one or more public views from an identified public view point or corridor, as identified on General Plan Figure NR 3, a view impact analysis may be required by the Planning Department. The view impact analysis must be prepared and must include recommendations to minimize impacts to public views from the identified public view points and corridors while allowing the project to proceed while maintaining development rights.

Landscape improvements must be installed and maintained to ensure that landscape materials do not unnecessarily obstruct public views at maturity. Landscaping at the edges of roads from which there is an identified public view should be designed, planted and maintained to frame and accent public views. Freestanding signs, rooftop equipment, antennas, and other project features shall be designed and sited to ensure they minimize impacts to public views. The review authority may require applicants to provide public view protection easements to protect public views (Ord. 2010-21 § 1 (Exh. A)(part), 2010).



Legend

- Public View Point
- Coastal View Road
- Shoreline Height Limitation Zone
- City Boundary
- County



Coastal Views

Back Bay Landing
Source: City of Newport General Plan, 2005.

FIGURE
4.A-1

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b. Existing Conditions

(1) Project Site Conditions

The project site includes the following uses within Planning Area 1: an existing paved lot utilized for recreational vehicle (RV) and trailered boat storage; parking spaces and restrooms serving the adjacent Bayside Village Marina; kayak and stand-up paddle board (SUP) rentals and launch area; parking and access to Pearson's Port Fish Market, a floating fish market in the County tidelands/Upper Newport Bay Channel just north of the East Coast Highway Bridge; marine service equipment storage under the East Coast Highway Bridge (includes a portion of Planning Area 2); and guest parking for the Bayside Village Mobile Home Park (within the area subject to the proposed Lot Line Adjustment (refer to Figure 2-3, in Chapter 2, *Project Description*, of this Draft EIR).

Additionally, an existing Orange County Sanitation District (OCSD) sewage pump station is located off-site adjacent to the RV/boat storage portion of the project site in Planning Area 1, immediately abutting the north side of the East Coast Highway right-of-way. The portion of the project site located south of the East Coast Highway Bridge within Planning Area 2 is characterized by an unpaved upland area currently used for rowboat storage. An existing paved access road separating the Bayside Village Mobile Home Park and Bayside Village Marina, as well as Mobile Home Park's private beach, comprise the existing uses within Planning Area 3, while Planning Area 4 contains existing storage garages and paved drive aisle and guest parking serving the Bayside Village Marina and Mobile Home Park. Planning Area 5 is characterized by the De Anza Bayside Marsh Peninsula, Bayside Village Marina gravel overflow parking area, and submerged tidelands.

The developed portions of the site, namely Planning Areas 1, 3, and 4, are almost entirely paved with asphalt and developed with urban uses, with little ornamental vegetation except for perimeter landscaping along the project site boundary with East Coast Highway and Bayside Drive. The RV and boat storage area within Planning Area 1 is surrounded by chain-link fencing within the site interior, as well as along the marina waterfront and between Planning Area 1 and the adjacent Mobile Home Park. The project site also contains two small structures, including the marina restroom building at the site access driveway off Bayside Drive and the RV/boat storage office, which is housed in a mobile structure. Existing views of the project site are provided below in **Figures 4.A-2 and 4.A-3, Existing Views**.

As illustrated in Figures 4.A-2 and 4.A-3, the project site does not contain any significant visual resources, with the exception of the De Anza Bayside Marsh Peninsula within Planning Area 5 (which is a City-designated Environmental Study Area [ESA] and as such not subject to future development), and as such the visual quality of the project site subject to the proposed legislative approvals is considered low. It should be noted, however, that although the site does not contain significant visual resources, it is visible from City-designated Public View Points and from designated Coastal View Roads, as further described below.

(2) Existing Views

The project site is located immediately adjacent to East Coast Highway, which is generally at-grade with the project site at its eastern end at Bayside Drive, but increases in elevation relative to the site moving westward toward the East Coast Highway Bridge over Upper Newport Bay. As such, views of and across the project site from East Coast Highway are generally more obstructed moving eastward from the East Coast Highway Bridge toward Bayside Drive. Given the site's location near sea level along Upper Newport Bay,

views of the site from areas to the west, north, and east are generally available, particularly from areas at higher elevations such as the East Coast Highway Bridge (as noted above), Castaways Park, along bluff tops to the west and north across Upper Newport Bay, Westcliff Park, and Back Bay View Park (Planning Area 2 is not visible from this location due to topography). Views of and across the site from areas south of East Coast Highway are not available due to intervening topography, urban development, and/or landscaping, with the exception of Planning Area 2, which is visible from waterfront locations within northern Newport Harbor. As shown in Figure 4.A-1 above, several locations from which the project site is readily visible are designated Public View Points in the Natural Resources Element of the City's General Plan, including Castaways Park, bluff tops to the northwest across Upper Newport Bay, Westcliff Park, and Back Bay View Park, while East Coast Highway and the segment of Bayside Drive immediately south of East Coast Highway are designated Coastal View Roads. Views and scenic resources from locations surrounding the project site are described in detail below.

(a) Views to the North

Views to the north from areas south of the project site are characterized by a number of notable features, including Upper Newport Bay and adjacent bluffs, existing urban development, and the Santa Ana and San Gabriel Mountains. As noted above, northward views from East Coast Highway, which is a designated Coastal View Road (see Figure 4.A-1 above), are generally more obstructed along the eastern portion of the project site, and less so at the western end of the site due to the increase in elevation approaching the bridge. Foreground views from East Coast Highway northward are dominated by the existing paved storage area and marina parking lot, along with limited intervening landscaping vegetation and palm trees, and existing off-site OCS D sewer pump station structures. Mid-distance views include the Upper Newport Bay Channel and related wetlands and vegetated uplands, but these views are limited to the higher elevations of East Coast Highway, while views from lower elevations near Bayside Drive are characterized by upper bluff faces and blufftop development and associated landscaping. Long-distance views to the north from locations along East Coast Highway include the Santa Ana Mountains, and on clear days, the San Gabriel Mountains in the distance, though as previously indicated, such views are generally more available and less obstructed by intervening development and topography toward the western end of the project site. With regard to views northward from areas south of East Coast Highway, which include views of Planning Area 2, very few public viewpoints of this site are available due to the intensity of private residential waterfront development in Newport Harbor. While some private views of Planning Area 2 are available, particularly from uses to the west across the Newport Bay Channel and from Linda Isle to the south, the site is generally obscured from public viewpoints to the south of Planning Area 2.

(b) Views to the East

Views of and across the project site from areas to the west include views from Castaways Park and bluff tops across Upper Newport Bay, which are designated Public View Points (see Figure 4.A-1 above). Views from these locations are almost entirely unobstructed with foreground views dominated by the Upper Newport Bay channel, De Anza Bayside Marsh Peninsula, Bayside Village Marina, East Coast Highway Bridge (to the southeast), and existing urban development including the project site storage area and parking lot, Bayside Village Mobile Home Park, and Newport Dunes resort uses. Mid-range views are composed of single-family residential, hotel, and recreational (golf course) uses and associated trees and landscaping, as well as high-rise office and hotel uses in the Fashion Island shopping center. Long-distance views include the San Joaquin Hills directly to the east and the Santa Ana Mountains to the northwest in the distance.



180° view of the proposed project entry location from the east side of Bayside Drive.



180° view of the proposed primary project window from the north east corner of the East Coast Highway and Bayside Drive intersection.



180° view of the proposed project site from the north side of East Coast Highway approx. 200 ft from the intersection.

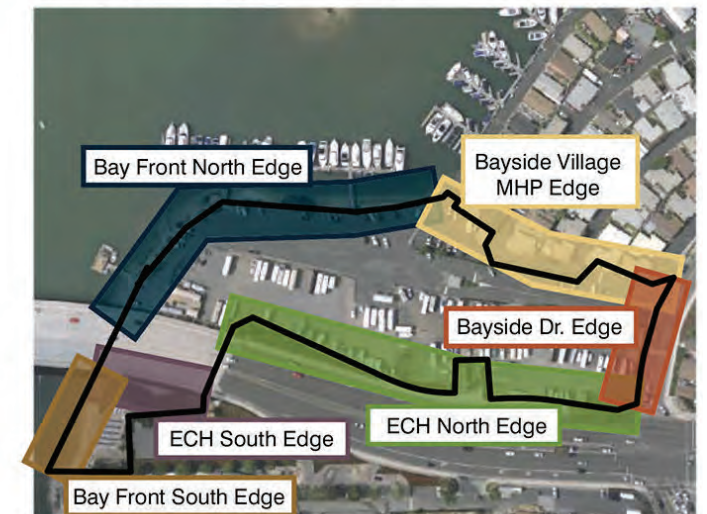


180° view of proposed project site from the north side of E. Coast Hwy near the sewer pump house and approx. 400 ft from intersection.

Key Map



Reference Edges Key Map





E

180° view of the proposed project site from the north side of East Coast Highway approx. 600 ft from the intersection.



F

180° view of the proposed project site from the north side of East Coast Highway approx. 800 ft from the intersection.



G

180° view of the proposed project site from the north side of East Coast Highway approx. 1,000 ft from the intersection.



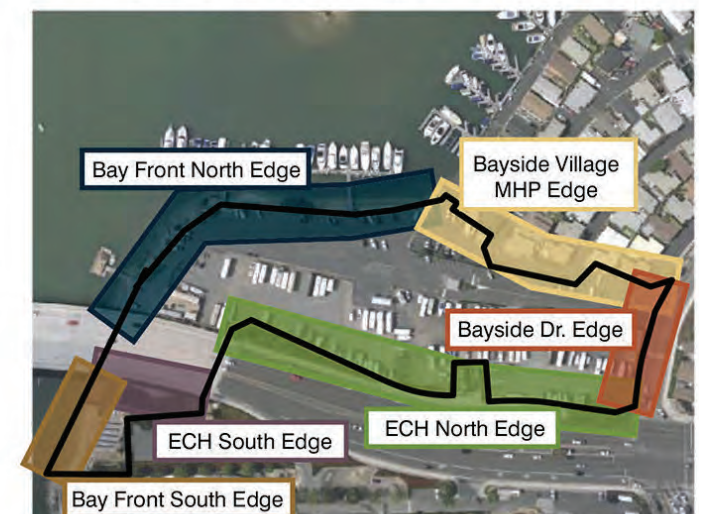
H

180° view of the proposed project site from the south side of East Coast Highway approx. 1,200 ft from the intersection.

Key Map



Reference Edges Key Map



(c) Views to the South

Views southward from areas north of the project site are generally unobstructed due to the location of the Upper Newport Bay channel adjacent to the project site to the west and north, particularly from areas at higher elevations such as along bluff tops. The bluff-top trail and Westcliff Park across Upper Newport Bay to the north are designated Public View Points (see Figure 4.A-1 above). Short-range views to the south from these locations include the Upper Newport Bay channel, De Anza Bayside Marsh Peninsula, Bayside Village Marina, Bayside Village Mobile Home Park, and the East Coast Highway Bridge. Existing urban development, mainly residential uses and associated trees and landscaping, moored and docked boats, and open water channels within Newport Harbor comprise mid-range views to the south. Long-distance views are dominated by the Pacific Ocean, with Santa Catalina Island in the distance to the southwest, and less frequently, San Clemente Island (on very clear days).

(d) Views to the West

Views of the project site from areas to the east are very limited due to varied topography and intervening development and landscaping, including views from Back Bay View Park, which is a designated Public View Point (see Figure 4.A-1 above). Foreground views of the project site from Bayside Drive immediately east of the property are primarily composed of perimeter fencing and walls, landscaping, stored RVs and trailered boats on-site, and mobile home structures within the adjacent Bayside Village Mobile Home Park. Mid-range views are characterized by Castaways Park, bluff faces, and urban development (mainly single-family residential uses) along the bluff tops beyond Upper Newport Bay. Long-distance views westward across the site are generally not available, except from locations at higher elevations such as Back Bay View Park just west of Jamboree Road. From this location, the project site is obscured by existing mobile homes and associated landscaping, but long-distance views across the project site include urban development within the inland (mesa) portion of the City of Newport Beach and City of Costa Mesa, with the Palos Verdes Peninsula and Santa Monica Mountains (on clear days) in the distance.

(3) Existing Light and Glare

Nighttime lighting is present on the project site and surrounding area, and includes street lights, building façade lighting along East Coast Highway and Bayside Drive, residential lighting and street lighting within the adjacent Bayside Village Mobile Home Park, and illumination from vehicle headlights on nearby roadways. Existing lighting at the project site is characterized by limited architectural lighting for structures, as well as a limited number of pole-mounted, shielded and non-shielded parking lot lighting within the existing RV/marine storage area. The parking lot light poles range from approximately 15 to 20 feet in height, some of which have circular lenses that emit light 360 degrees around the bulb and are not shielded to direct light downward onto the project site, and therefore currently create lighting effects off-site. Additionally, existing pole-mounted street lighting is located along East Coast Highway in the project area, as well as along Bayside Drive, which also currently contribute to lighting effects along roadways surrounding the site. Furthermore, existing off-site residential, recreational, and commercial development to the north, east, and south of the project site includes parking lot and architectural lighting that adds to the ambient nighttime light levels in the area.

For purposes of this aesthetic analysis, the primary light-sensitive uses in the vicinity of the proposed project include the Bayside Village Mobile Home Park residences located immediately north of Planning Area 1 and across Bayside Drive to the east, and to a lesser extent the residential uses to the northwest and north across Upper Newport Bay and waterfront homes on the north side of Linda Isle south of East Coast Highway.

Sensitive receptors relative to glare generation include motorists traveling on the surrounding roadways. There are no buildings, structures, or facilities on the project site that presently generate substantial glare since the buildings, vehicles, and equipment stored on the project site are constructed of non-reflective materials and have few windows.

3. ENVIRONMENTAL IMPACTS

a. Methodology

(1) Visual Quality/Character

Visual quality refers to the overall aesthetics of an area or a field of view. Aesthetic features often consist of unique or prominent natural or man-made attributes or several small features that, when viewed together, create a whole that is visually interesting or appealing. The focus of the visual quality analysis is on the loss of aesthetic features or the introduction of contrasting features that could degrade the visual character of the project area. The evaluation of visual quality pertains to the degree and nature of contrast between the proposed project and its surroundings. Existing visual quality on the project site and in the project area is compared to the expected appearance of the site in order to determine whether the visual character of the area would be degraded. Factors such as changes in the appearance of the project site, building height and massing, setbacks, landscape buffers and other features are taken into account.

(2) Views

The analysis of views focuses on the extent to which a project would interfere with visual access to valued visual resources, typically from a public vantage point or corridor. “Focal views” consist of views of a particular object, scene, setting, or feature of visual interest; “panoramic views” or vistas consist of views of a large geographic area for which the view may be wide and extend into the distance. Structures and other elements constructed or added to a project may obstruct focal or panoramic views. The State of California and the City of Newport Beach have recognized the value of access to visual resources through planning and zoning regulations that designate, preserve, and enhance public views. Through the designation of scenic resources and various land use plans, the City specifies development standards that help prevent the obstruction of views. These standards include the regulation of building height and mass, which are principal issues regarding view obstruction.

The intent of the evaluation of views is to determine if views of valued visual resources would be blocked or diminished as a result of project development based on proposed structural locations and heights, massing, landscaping and other proposed improvements. The evaluation further considers whether the project would enhance existing views through the creation of new views or improvement of visual quality within the viewshed of a public vantage point or corridor. The analysis also assesses proposed project design features that would offset or mitigate specific impacts.

Analysis of the project’s potential to impact valued views includes analysis of views from such public places as designated scenic highways, corridors, parkways, roadways, bike paths and trails, including City-designated Public View Points and Coastal View Roads. A viewing location must include views of scenic resources that are valued and available to the public. Under CEQA, an office building or private residence would not be considered a viewing location since views of broad horizons, aesthetic structures, and other scenic resources would not be available to the public. In addition, the California courts have routinely held

that “obstruction of a few private views in a project’s immediate vicinity is not generally regarded as a significant environmental impact.” (*Banker’s Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego*, 139 Cal. App. 4th 249, 279 [2006]).

(3) Light and Glare

Artificial light impacts are typically associated with light that occurs during the evening and nighttime hours, and may include streetlights, illuminated signage, vehicle headlights, and other point sources. Uses such as residences and hotels are considered light-sensitive since they are typically occupied by persons who have an expectation of privacy during evening hours and who are subject to disturbance by bright light sources. The analysis of lighting impacts focuses on whether the project would cause or substantially increase lighting effects on light-sensitive uses.

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Daytime glare generation is common in urban areas and is typically associated with mid- to high-rise buildings with exterior façades largely or entirely comprised of highly reflective glass or mirror-like materials from which the sun can reflect, particularly following sunrise and prior to sunset. Glare generation is typically related to sun angles, although glare resulting from reflected sunlight can occur regularly at certain times of the year. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light sensitive land use. The analysis of glare focuses on whether glare effects would interfere with off-site activities.

The analysis of light and glare identifies the location of light-sensitive land uses and describes the existing ambient conditions on the project site and in the project vicinity. The analysis describes the project’s proposed light and glare sources, and the extent to which project lighting, including illuminated signage, would spill off the project site onto light-sensitive areas. The analysis also describes the affected street frontages, the direction in which the light would be focused, and the extent to which the project would illuminate sensitive land uses. The analysis also considers the potential for sunlight to reflect off building surfaces (glare) and the extent to which such glare would interfere with the operation of motor vehicles or other activities.

(4) Consistency with Regulatory Framework

The evaluation of aesthetic resources also compares the project to the standards and policies set forth in existing plans. These include the applicable goals and policies of the Natural Resources Element of the City’s General Plan and applicable policies of the City’s Coastal Land Use Plan and the California Coastal Act. It should be noted that an inconsistency with a particular goal or policy is only considered a significant impact if it results in physical impacts on the environment.

b. Significance Thresholds

(1) Visual Character and Aesthetics

Appendix G of the *CEQA Guidelines* contains the Initial Study Environmental Checklist form used during preparation of the project Initial Study, which is contained in Appendix A of this EIR. The Initial Study Environmental Checklist questions relating to aesthetics have been utilized as the thresholds of significance

in this section. Accordingly, a project may create a significant environmental impact if it would result in one or more of the following:

- Threshold 1: Have a substantial adverse effect on a scenic vista (refer to Impact Statement 4.A-1);
- Threshold 2: Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway (refer to Chapter 6, *Other Mandatory CEQA Considerations*, and the Initial Study contained in Appendix A. A less than significant impact would occur in this regard.);
- Threshold 3: Substantially degrade the existing visual character or quality of the site and its surroundings (refer to Impact Statement 4.A-2);
- Threshold 4: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (refer to Impact Statement 4.A-3); or
- Threshold 5: Conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan and municipal code) adopted for the purpose of avoiding or mitigating an environmental effect (refer to Impact Statement 4.A-4 below).

c. Project Design Features

As discussed in Sections 5.b and 5.c in Chapter 2, *Project Description*, of this Draft EIR, future development on-site would be guided by the project's Planned Community Development Plan (PCDP). The PCDP includes development standards and design guidelines that would provide for a consistent and compatible development pattern with unifying architectural and other design features to maximize aesthetic appeal within the project area. Although no specific development project is proposed at this time, these development standards and design guidelines relate directly to a future development project's impacts to visual character, views, and light and glare, and are therefore utilized in the evaluation of impacts associated with the requested legislative approvals.

Further, as summarized in Subsection 6, *Project Design Features*, in Chapter 2, *Project Description*, of this Draft EIR, the proposed legislative approvals would allow for the future development of a mixed-use project with a Mediterranean architectural theme, with varied massing, building heights, building materials, landscaping, and other design features. It should be noted that although not part of the project site, various façade improvements to the adjacent OCSD sewer pump station structures would be required as part of a future development on-site, in order to provide visual compatibility with future uses and minimize adverse aesthetic impacts.

The proposed project is intended to preserve existing and create additional coastal views as part of future project implementation through site design features such as non-continuous building footprints, open space corridors, and varied building heights. As illustrated below in **Figure 4.A-4, East Coast Highway View Corridors**, the proposed project includes design guidelines to preserve several existing view corridors along East Coast Highway, both to the north and south, as well as views westward from East Coast Highway (at higher elevations), and views to the southeast from Castaways Park and adjacent bluff tops across Upper Newport Bay. Additionally, as shown in Figure 2-2 and Figure 4.A-4, the proposed project would allow for the construction of a coastal public view tower and public bayfront promenade on-site that would provide

additional coastal view opportunities. The public coastal view tower would have a maximum height of 65 feet, with the view deck at a height of 55 feet, and would be accessible to the general public and compliant with the requirements of the Americans with Disabilities Act (ADA). Views to the north and south from the proposed public coastal view tower's proposed view deck height of 55 feet are illustrated below in **Figure 4.A-5, Views from Proposed Coastal View Tower**. It should be noted that public views from the future tower would be slightly higher than those illustrated in Figure 4.A-5, as observers would be standing on the view deck at a height of 55 feet, the specific elevations of which would depend on each observer's height.

d. Analysis of Project Impacts

Impacts of the proposed project on aesthetics and visual resources would occur during both temporary construction activities and throughout ongoing operation of proposed uses. The following analysis discusses the short- and long-term impacts of project implementation.

(1) Views/Scenic Vistas

Threshold	Would the project have a substantial adverse effect on a scenic vista?
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Impact 4.A-1 Implementation of the proposed project would not have a substantial adverse effect on a scenic vista, including public views of scenic resources from City-designated Public View Points and Coastal View Corridors. This impact is considered less than significant.

The proposed legislative approvals would allow for the future development of a mixed-use residential/commercial project on the project site, subject to future project-specific Site Development Review. However, the proposed project would allow for a maximum development scenario based on development standards and design guidelines provided in the project's PCDP, a conceptual plan for which is shown in Figure 2-4, *Conceptual Site Plan*, in Chapter 2, *Project Description*, of this Draft EIR. Based on the conceptual design presented in Figure 2-2, view simulations of a future development on-site were prepared to illustrate the view impacts of the future project. These view simulations are presented in Figures 4.A-6 to 4.A-12 and discussed individually below.

View Simulation #1 – The project site, as viewed from the south side of the East Coast Highway/Bayside Drive intersection, is illustrated below **Figure 4.A-6, View Simulation #1**. As shown in Figure 4.A-5, future on-site development would permanently alter foreground views of the project site and obstruct mid-distance views of Castaways Park and the bluff faces across Upper Newport Bay to the north. Limited views northward along Bayside Drive would be available from this location, including long-distance views of the San Gabriel Mountains on clear days.

View Simulation #2 – This viewpoint is located along the south edge of East Coast Highway near the east-west midpoint of the project site, as shown below in **Figure 4.A-7, View Simulation #2**. Foreground and mid-distance views from this location would be almost entirely obstructed by development on-site, though partial views of East Bluff residential uses and Fashion Island would still be available, and long-distance views of the San Joaquin Hills and Santa Ana Mountains would be preserved.

View Simulation #3 – This view is located on the north side of East Coast Highway at approximately the east-west midpoint of the East Coast Highway Bridge, as shown below in **Figure 4.A-8, View Simulation #3**.

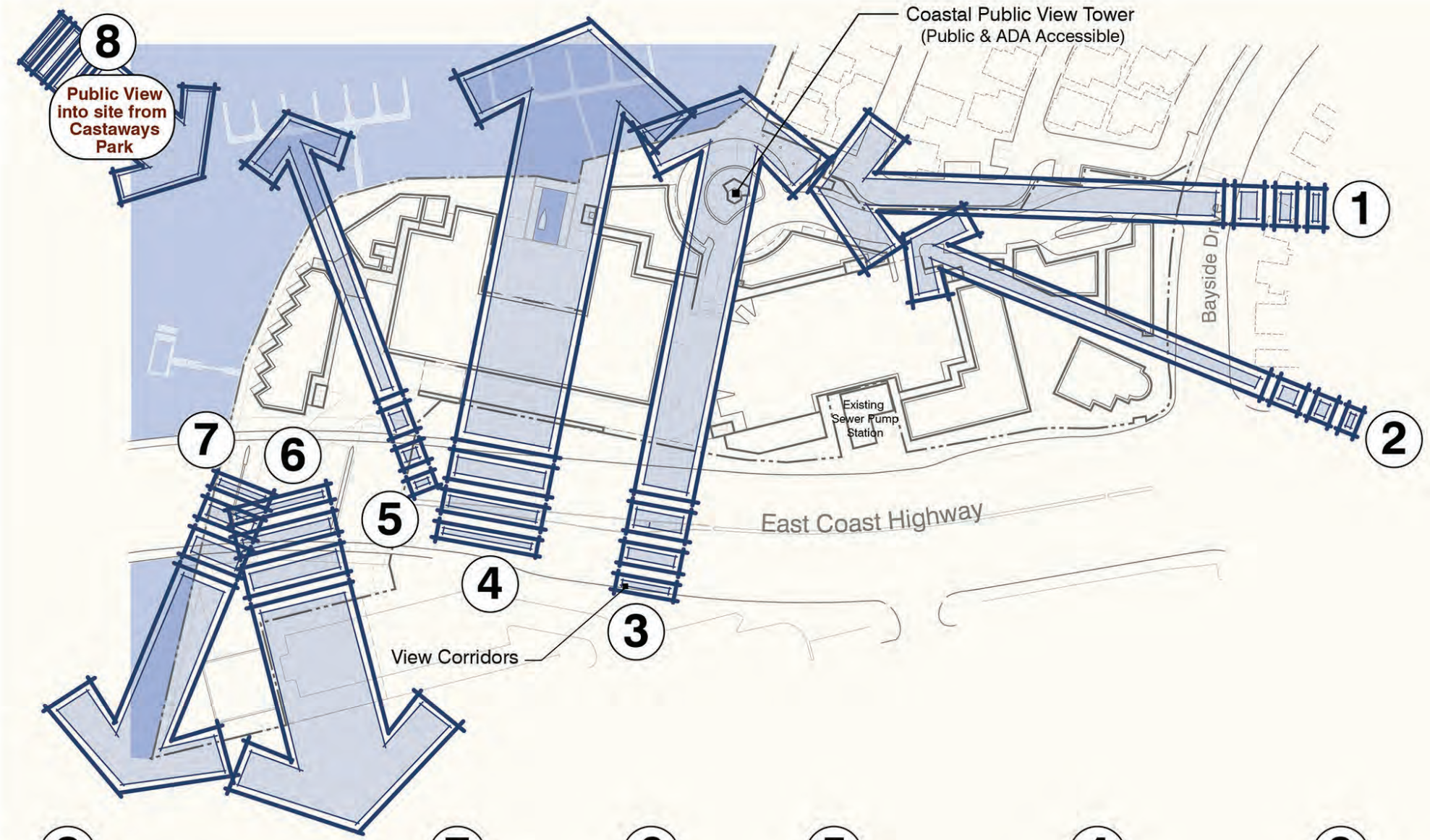
Foreground views from this location would not be notably affected by future development, with views of the Upper Newport Bay Channel, De Anza Bayside Marsh Peninsula, Bayside Village Marina, and Pearson's Port Fish Market generally unobstructed by on-site improvements. Mid-range views across the project site, including views of bluff faces along Upper Newport Bay, East Bluff residential uses, and Fashion Island would remain mainly unobstructed, though views of the Bayside Village Mobile Home Park and Newport Dunes resort uses would be obscured by future structures. Long-range views of the San Joaquin Hills and Santa Ana Mountains would not be affected.

View Simulation #4 – As shown below in **Figure 4.A-9**, *View Simulation #4*, views eastward from this location just north of the East Coast Highway Bridge on the west side of the Upper Newport Bay channel would be partially obstructed by future development on-site. Short-range views of the Upper Newport Bay channel, Pearson's Port Fish Market, Bayside Village Marina, and the majority of the Bayside Village Mobile Home Park would remain unaffected by new structures. Mid-range views of Newport Dunes resort and Back Bay View Park would be completely obstructed, while uses within the Fashion Island shopping center would still be partially visible. Views of the bluffs along the east side of Upper Newport Bay would remain unobstructed, as would long-range views of the Santa Ana Mountains. However, with implementation of a future development project, the San Joaquin Hills would be completely obstructed from view at this location.

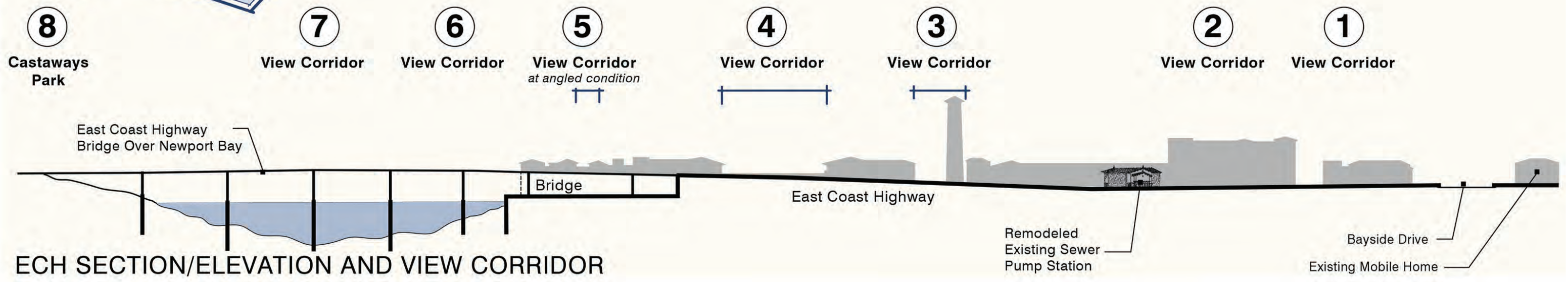
View Simulation #5 – **Figure 4.A-10**, *View Simulation #5*, below, depicts views with and without a future on-site development from Castaways Park across the Upper Newport Bay channel. As shown in Figure 4.A-10, foreground views of the Upper Newport Bay channel, De Anza Bayside Marsh Peninsula, Pearson's Port Fish Market, Bayside Village Marina, and Bayside Village Mobile Home Park would remain unobstructed by future development. Mid-range views of East Coast Highway, Newport Dunes resort, Back Bay View Park, Fashion Island, and urban development and associated landscaping further east and south of the project site (i.e., uses along Bayside Drive, in Promontory Point, and Newport Harbor) would remain generally unaffected by project implementation, with only a portion of East Coast Highway (adjacent to the project site) obstructed from view at this location. Long-range views of the San Joaquin Hills and Pacific Ocean would not be affected by future development.

View Simulation #6 – Views southward from this bluff-top location just south of Polaris Drive, across the street from Westcliff Park, would not be substantially affected by future on-site development, as illustrated below in **Figure 4.A-11**, *View Simulation #6*. Foreground views of the Upper Newport Bay channel, De Anza Bayside Marsh Peninsula, Bayside Village Marina, and Bayside Village Mobile Home Park would remain unobstructed by future uses. Mid-range views of the East Coast Highway Bridge, commercial uses immediately south of East Coast Highway, and residential uses on Linda Isle would be partially obstructed by on-site structures, while views of Newport Harbor would not be adversely affected. Future development would have no effect on long-range views of the Pacific Ocean, Santa Catalina Island, or San Clemente Island.

View Simulation #7 – As illustrated in **Figure 4.A-12**, *View Simulation #7*, below, views northward from the eastern end of the East Coast Highway Bridge (i.e., at the western end of the project site) would be partially obstructed by future on-site structures. Short-range views of the project site would be almost completely obscured by future development given the proximity of structures to the East Coast Highway right-of-way and maximum building heights, except through designated view corridors (see Figure 4.A-4 above). Mid-range views of Upper Newport Bay, Castaways Park, bluff faces, and bluff-top development would be partially obstructed with limited views available via planned view corridors. Long-range views of the Santa Ana and San Gabriel Mountains would not be affected by future site development.



Varied roof heights and undulating buildings add variety to the street scene. Along the East Coast Highway and Bayside Drive, Five scenic view corridors are preserved (3,4,5,6,7). Two new view corridors were created (1,2).



ECH SECTION/ELEVATION AND VIEW CORRIDOR



Upper Newport Bay.

A 180° view of Upper Newport Bay looking north from the proposed coastal public view tower at 55 feet.



B 180° view of East Coast Highway and Newport Harbor looking south from the proposed coastal public view tower at 55 feet.

Key Map





Site Photo at the corner of PCH & Bayside Dr

September 10, 2012



Key Plan

View location #1 depicted in key plan above.

Note:

This view simulation is a computer generated artist's concept. Final architectural design will be determined at future approvals.



View Simulation #1 at the corner of PCH & Bayside Dr



Site Photo from the bridge along Pacific Coast Highway

September 10, 2012



Key Plan

View location #2 depicted in key plan above.

Note:

This view simulation is a computer generated artist's concept. Final architectural design will be determined at future approvals.



View Simulation #2 from the bridge along Pacific Coast Highway



Site Photo from Bay Bridge

September 10, 2012



Key Plan

View location #3 depicted in key plan above.

Note:

This view simulation is a computer generated artist's concept. Final architectural design will be determined at future approvals.



View Simulation #3 from Bay Bridge



Site Photo from Castaways

September 10, 2012



Key Plan

View location #4 depicted in key plan above.

Note:

This view simulation is a computer generated artist's concept. Final architectural design will be determined at future approvals.



View Simulation #4 from Castaways



Site Photo from Castaways

September 10, 2012



Key Plan

View location #5 depicted in key plan above.

Note:

This view simulation is a computer generated artist's concept.
Final architectural design will be determined at future approvals.



View Simulation #5 from Castaways



Site Photo from Castaways

September 10, 2012



Key Plan

View location #6 depicted in key plan above.

Note:

This view simulation is a computer generated artist's concept.
Final architectural design will be determined at future approvals.



View Simulation #6 from Castaways



Site Photo from the bridge along Pacific Coast Highway



Key Plan

View location #6 depicted in key plan above.

Note:

This view simulation is a computer generated artist's concept. Final architectural design will be determined at future approvals.

November 12, 2012



View Simulation #7 from the bridge along Pacific Coast Highway

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As discussed above, future development of urban uses on the project site pursuant to the proposed legislative approvals would have the potential to obstruct existing views of scenic resources in the project area, including views from City-designated Public View Points and Coastal View Roads. As illustrated above in Figures 4.A-6, 4.A-7, 4.A-8, and 4.A-12, while some foreground views from areas adjacent to the project site, particularly along East Coast Highway just west of Bayside Drive and along Bayside Drive, views of scenic resources would not be substantially altered relative to current conditions due to existing intervening topography, urban development, and landscaping. Further, foreground views of Upper Newport Bay and adjacent bluffs would generally be preserved from designated Public View Points including Castaways Park, the bluff-top trail north of Castaways Park, and Westcliff Park, as well as from the East Coast Highway Bridge. Mid-range views of Upper Newport Bay, the Upper Newport Bay bluffs, the Fashion Island shopping center, Newport Dunes resort, and Newport Harbor could be partially obstructed from designated Public View Points such as Castaways Park and adjacent bluff tops (see Figures 4.A-9 and 4.A-10) and a Coastal View Road (East Coast Highway, see Figure 4.A-8), views of these features would primarily be preserved with little adverse effect. Additionally, long-range views of the San Joaquin Hills, Santa Ana Mountains, San Gabriel Mountains, Pacific Ocean, Palos Verdes Peninsula, Santa Monica Mountains, and Santa Catalina and San Clemente Islands would remain unaffected by future site development, with the exception of a limited number of viewpoints at lower elevations relative to the project site, as illustrated in Figure 4.A-9 above). Although future development on-site could obstruct short-, mid-, and long-range views of scenic resources from some locations in the project area, such obstructions would not represent a significant portion of the overall panoramic views currently available from public viewpoints. This is because the most substantial view obstructions would occur along a limited segment of East Coast Highway immediately adjacent to the project site, such that views northward from the roadway would only be obscured for a limited time as one travels along the roadway. Furthermore, project design features such as open space areas and plazas, and the associated view corridors they create, would preserve views through the site at various locations along the affected portion of East Coast Highway, while proposed landscaping and architectural design features would improve the quality of available views across the site relative to the poor visual quality of the property under existing conditions. As such, the proposed project would not have a substantial adverse effect on a scenic vista, and impacts in this regard would be less than significant.

(2) Aesthetics/Visual Character

Threshold	Would the project substantially degrade the existing visual character or quality of the site and its surroundings?
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Impact 4.A-2 Implementation of the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, as future development on-site would substantially improve the visual character and quality of the site relative to existing conditions. This impact is considered less than significant.

(a) Construction Impacts

Construction of a future project on-site is assumed to be completed in a single phase lasting up to 24 months. During construction, the project site’s visual appearance would be altered due to the removal of the existing structures, site preparation and grading, and the construction of buildings and landscaping. Construction activities would include the storage of equipment and materials on the site.

Construction activities would be visible to adjacent land uses as well as pedestrians and motorists on East Coast Highway and Bayside Drive. Despite the high visibility of the project site and the duration of construction activities, the project site would be fenced and screened from view from surrounding locations throughout construction activities, as required by Chapter 15.60, *Construction Site Fencing and Screening*, of the NBMC. Furthermore, as noted previously under Existing Conditions, the existing visual quality of the site is considered to be low. As such, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, and therefore temporary aesthetic impacts regarding on-site construction activities would be less than significant.

Visible construction activities would also include truck traffic to and from the site for concrete and material deliveries and haul trips for excavated earth materials. However, the impact of construction trucking is temporary in nature and would not significantly impact the visual quality of the area, since major roadways are intended to accommodate a range of vehicle types, including trucks incidental to construction and deliveries. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, and therefore construction traffic-related visual impacts are considered less than significant, and no mitigation measures are required.

(b) Operations Impacts

Once constructed, the future development project would represent a permanent change in the visual character and quality of the project site, which is currently considered poor. As illustrated in the visual simulations presented above in Figures 4.A-6 through 4.A-12, future implementation of the proposed project would replace the existing RV/marine storage area and marina parking lot with development of a mixed-use development oriented for street-level pedestrian and vehicular access and structured parking. The project would convert the project site's current appearance from that of an asphalt-paved lot with chain link fencing, RVs, trailered boats, and temporary structures and containers, to a mixed-use site with residential, retail, restaurant, and recreational uses integrated by a series of landscaped pedestrian walkways along open-air plazas and a new public bayfront promenade. The proposed landscaping, particularly along the East Coast Highway and Bayside Drive frontages, would enhance the appearance of the site and would help to promote pedestrian activity in the area. Additionally, as shown in Figure 4.A-12, the existing palm trees along East Coast Highway adjacent to the project site would be preserved and integrated into the project's landscape design. Thus, the project would not degrade the visual character of the area. Rather, the project would result in aesthetic benefits through redevelopment of the site with high quality architecture and landscaping, as discussed further below.

As previously discussed, proposed parking on-site would be designed to maximize efficiency and minimize visual impacts, as opposed to that currently presented by the large surface parking lot on-site today. Through the creation of new view corridors within and across the project site, particularly as viewed from various points along East Coast Highway and Bayside Drive adjacent to the project site (see Figure 4.A-4 above) and within the project site interior and along the proposed public bayfront promenade, the project is intended to maintain a sense of openness consistent with the Back Bay area's pedestrian- and bicycle friendly environment.

The proposed project would result in greater density and scale of development at the project site relative to existing conditions. A future project would develop the minimally improved site with structures totaling a maximum of 179,678 square feet with building heights up to 35 feet (or up to 40 feet with rooftop

architectural elements), as well as a proposed coastal public view tower reaching 65 feet in height. As previously described, the site would be transformed from an underutilized RV/marine storage facility with no notable design or architectural features into a cohesive, aesthetically enhanced, and extensively landscaped mixed-use development, as illustrated above in Figures 4.A-6 through 4.A-12. Additionally, the project's contemporary urban style and form and the modulated design of the building heights, as well as the high quality architectural materials and mix of colors to be used, would create visual vitality (also refer to Figure 2-17 in Chapter 2, *Project Description*, of this Draft EIR for an illustration of a future project conceptual architectural theme).

The project's landscaping plan would also contribute to an aesthetically pleasing, pedestrian-oriented development (refer to Figure 2-4 in Chapter 2, *Project Description*, of this Draft EIR for an illustration of the proposed project's conceptual landscaping). The landscaping plan would enhance the site with new accent trees, flowering shrubs, under-story plants, turf, and paving elements. The appearance of bulk and mass would also be softened as a result of the integrated landscaped pedestrian walkway along the bayfront, open-air retail plaza, and a newly greened streetscape along East Coast Highway and Bayside Drive. Through the creation of such open spaces and landscaping, the proposed project is intended to maintain a feeling of openness as community-oriented central gathering place as well as transform the project site's streetscape. The provision of proposed open spaces, plazas, view corridors, landscaping, and other design features would substantially improve the visual quality of the project site relative to existing conditions.

As previously indicated, development in the project area is generally limited to one- and two-story commercial structures up to 35 feet in height, with residential uses within the adjacent Bayside Village Mobile Home Park community up to two stories in height (though most units are single-story). Proposed future uses would be up to 35 feet (or up to 40 feet with rooftop architectural elements), with the proposed coastal public view tower reaching a maximum of 65 feet in height. Refer to Figure 2-5 in Chapter 2, *Project Description*, of this Draft EIR for proposed building height limits). While building heights in the project area are generally lower than those proposed as part of the project, the intent of the proposed project is to provide an iconic future waterfront development with a mix of residential and marine-oriented commercial and recreational uses, as well as enhance coastal view opportunities. In this respect, the 65-foot coastal public view tower serves as the proposed project's iconic structure that would be visible when approaching the East Coast Highway Bridge from the east and west, as well as from surrounding areas, and as stated above, it would be designed and located such that its mass would not significantly obstruct public views. Furthermore, the unified Coastal Mediterranean design of the future project, as shown in Figures 4.A-6 through 4.A-12, along with extensive landscaping and public spaces would serve to improve the overall visual quality of the project site, despite the increase in on-site land use intensity.

Overall, development of the proposed project would represent a substantial aesthetic improvement relative to the existing appearance of the site. The proposed project would not remove or demolish valued features or elements that contribute positively to the visual character of the vicinity. Additionally, the proposed project would not degrade or detract from the existing visual quality of the site and its surroundings. As such, the design of the proposed project would improve and enhance the visual character of the site and generally improve the identity of the area. The proposed project would also provide a new landscaped bayfront promenade along Upper Newport Bay, along with other landscaped interior pedestrian walkways and open-air plazas that are intended to provide a pedestrian-friendly environment as well as create a development acknowledged for its landmark design. Accordingly, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, and therefore

visual quality impacts due to the proposed project would be less than significant, and no mitigation measures are required.

(3) Light and Glare

Threshold	Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
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4.A-3 Implementation of the proposed project would not create substantial light or glare which would adversely affect day or nighttime views in the area. This impact is considered less than significant.

(a) Construction

Lighting needed during project construction could generate light spillover in the vicinity of the project including residential uses to the south and east. However, construction activities would occur primarily during daylight hours and any construction-related illumination would be used for safety and security purposes only, in compliance with the requirements of Section 20.30.070, *Outdoor Lighting*, of the NBMC. Construction lighting also would last only as long as needed in the finite construction process. Thus, given compliance with existing NBMC regulations, artificial light associated with construction activities would not significantly impact residential uses, substantially alter the character of off-site areas surrounding the construction area, or interfere with the performance of an off-site activity. Therefore, artificial light impacts associated with construction would be less than significant.

Construction activities are not anticipated to result in large expanses of flat, shiny surfaces that would reflect sunlight or cause other natural glare. Therefore, less than significant construction-related impacts with respect to reflected sunlight and natural glare are anticipated.

(b) Operation

(i) Artificial Light

Future implementation of the proposed project would increase the relatively low levels of ambient light that exist on-site under existing conditions. Light-sensitive land uses in the area include adjacent residential uses within the Bayside Village Mobile Home Park, bluff-top residential uses across Upper Newport Bay to the northwest, waterfront residences on the north side of Linda Isle to the south across East Coast Highway, and waterfront residences to the west within the Bayshore Apartments and single-family neighborhood across Newport Bay. New light sources within the project area would include light from windows of residential structures and retail uses (and to a lesser extent office uses given typical business hours), outdoor architectural lighting, parking lot lighting, and sign-related lighting, as well as light from street lights, vehicles traveling along on-site and adjacent roadways, and security lighting. Exterior lighting would include lighting provided at vehicle entry points and areas of circulation; points of entry into buildings; along the exterior façades of buildings; and other outdoor areas (e.g., public bayfront promenade, sidewalks/trails, common open space areas) for both architectural highlighting and security purposes. Lighting for security purposes would occur from dusk to dawn to ensure the safety of residents, employees, and visitors. Lighting would primarily consist of a mix of standard incandescent light fixtures, as well as various types of efficient/low energy fixtures. Lighting would be designed and strategically placed to minimize glare and light spill onto adjacent properties. Specifically, any pole-mounted light fixtures located on-site or within the

adjacent public rights-of-way would be shielded and directed towards the areas to be lit and away from adjacent sensitive uses. In addition, all project lighting would comply with Section 20.30.070 of the NBMC and/or specific PCDP requirements (e.g., parking structure roof lighting requirements) that have been established to limit light spill on light-sensitive uses. The project-related increase in ambient lighting is not expected to interfere with activities within adjacent residential areas, as they already are subject to similar lighting conditions within their own neighborhoods and overall light levels in these adjacent areas would not be measurably increased. Similarly, future on-site residential uses would not be significantly affected by proposed lighting, as it would be typical of residential and mixed-use development and would be designed to minimize impacts to light-sensitive uses.

Based on the above, with adherence to the PCDP lighting requirements and any other applicable NBMC regulations, lighting associated with the project would not substantially alter the character of the off-site areas surrounding the project site and would not interfere with the performance of an off-site activity. Impacts attributable to project-induced artificial lighting would be less than significant.

(ii) Glare

Daytime glare can result from sunlight reflecting from a shiny surface that would interfere with the performance of an off-site activity, such as the operation of a motor vehicle. Reflective surfaces can be associated with window glass and polished surfaces, such as metallic or glass curtain walls and trim. Glare generation within the project vicinity is limited, as surrounding development consists predominately of low-rise residential and commercial buildings that generally lack large expanses of glass or other reflective materials. Glare-sensitive uses in the project area include adjacent mobile homes and nearby single-family residential uses located to the north, south, and east of the project site. However, future development would be subject to the PCDP development standards and design guidelines, which include provisions for architectural design, types of building materials, and landscape screening, and would therefore minimize glare impacts to adjacent or other off-site land uses. Given the nature of future uses and associated design requirements, glare impacts are anticipated to be less than significant.

(4) Consistency With Regulatory Framework

Threshold	Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan and municipal code) adopted for the purpose of avoiding or mitigating an environmental effect?
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Impact 4.G-4 Implementation of the proposed project would not conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Local Coastal Program Coastal Land Use Plan, California Coastal Act, and Municipal Code). This impact is considered less than significant.

(a) Newport Beach General Plan

The City of Newport Beach General Plan includes various policies within the Land Use, Harbor and Bay, and Natural Resources Elements that relate to aesthetics, visual quality, and scenic resources. An analysis of the proposed project’s consistency with each of the applicable policies contained in the Natural Resources Element is presented below in **Table 4.A-1, General Plan Consistency Analysis**. As indicated in Table 4.A-1, the proposed project would be consistent with the applicable policies of the General Plan with respect to aesthetics, views, and light and glare. As such, impacts in this regard would be less than significant.

Table 4.A-1

General Plan Consistency Analysis

Goal/Policy	Project Consistency Statement
<i>Land Use Element</i>	
<p>Policy LU 1.1: Unique Environment. 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.</p>	<p>Consistent. The proposed project would take advantage of the location of the project site near sea level along Upper Newport Bay, and would provide marine-related commercial, restaurant, and coastal-dependent recreational opportunities. The PCDP will ensure that future development on-site would be characterized by a unified, consistent architectural theme and would not have a substantial adverse effect on public views in the area, as discussed above.</p>
<p>Policy LU 1.3: Natural Resources. Protect the natural setting that contributes to the character and identify 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.</p>	<p>Consistent. The proposed project would not result in the degradation of natural resources or adversely affect the character or identity of the City and its sense of place, as future development would preserve open space resources, beaches, harbor, parks, bluffs, preserves, and estuaries in the area. In fact, a future project pursuant to the proposed PCDP would improve the visual conditions of the site, which is viewed in the context of adjacent resources such as Upper Newport Bay, Back Bay bluffs, and parks and open space areas.</p>
<p>Policy LU 1.6: Public Views. Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points.</p>	<p>Consistent. The project site itself does not contain any notable scenic resources, as it is characterized by an asphalt-paved storage area and parking lot and unimproved sandy upland area with little landscaping. The PCDP would ensure that a future project would not result in a substantial reduction in public views of scenic resources from identified Public View Points or Coastal View Roads, and the future development would provide a number of coastal view corridors across the site as well as a new coastal public view tower. The proposed public bayfront promenade, coastal public view tower, plazas, open space areas, and other project features would provide increased public view opportunities on-site relative to existing conditions.</p>
<p>Policy LU 5.3.1: Mixed-Use Buildings. Require that mixed-use buildings be designed to convey a high level of architectural and landscape quality and ensure compatibility among their uses in consideration of the following principles:</p> <ul style="list-style-type: none"> ▪ Design and incorporation of building materials and features to avoid conflicts among uses, such as noise, vibration, lighting, odors, and similar impacts; ▪ Visual and physical integration of residential and nonresidential uses; 	<p>Consistent. The future development of the site with a mixed-use project would be carried out in accordance with the project’s PCDP which includes development standards and design guidelines that would ensure a cohesive and unified design for all project structures. Adherence to the project’s PCDP, as well as project-specific Site Development Review by the City, would result in a project with a high level of architectural and landscape quality with compatibility among various uses on-site.</p>

Table 4.A-1 (Continued)

General Plan Consistency Analysis

Goal/Policy	Project Consistency Statement
<ul style="list-style-type: none"> ▪ Architectural treatment of building elevations and modulation of their massing; ▪ Separate and well-defined entries for residential units and nonresidential businesses; ▪ Design of parking areas and facilities for architectural consistency and integration among uses; and ▪ Incorporation of extensive landscape appropriate to its location; urbanized streetscapes, for example, would require less landscape along the street frontage but integrate landscape into interior courtyards and common open spaces. 	
<p>Policy LU 5.3.5: Pedestrian-Oriented Architecture and Streetscapes. Require that buildings located in pedestrian-oriented commercial and mixed-use districts (other than the Newport Center and Airport Area, which are guided by Goals 6.14 and 6.15, respectively, specific to those areas) be designed to define the public realm, activate sidewalks and pedestrian paths, and provide “eyes on the street” in accordance with the following principles:</p> <ul style="list-style-type: none"> ▪ Location of buildings along the street frontage sidewalk, to visually form a continuous or semi-continuous wall with buildings on adjacent parcels; ▪ Inclusion of retail uses characterized by a high level of customer activity on the ground floor; to insure successful retail-type operations, provide for transparency, elevation of the first floor at or transitioning to the sidewalk, floor-to-floor height, depth, deliveries, and trash storage and collection; ▪ Articulation and modulation of street-facing elevations to promote interest and character; ▪ Inclusion of outdoor seating or other amenities that extend interior uses to the sidewalk, where feasible; and ▪ Minimization of driveways that interrupt the continuity of street facing building elevations, prioritizing their location to side streets and alleys where feasible. 	<p>Consistent. The proposed project’s PCDP would allow for a future mixed-use development that would be easily accessible to pedestrians, and would include ground-level commercial uses, restaurants with outdoor seating, buildings oriented to the interior walkways and the bayfront promenade.</p>

Table 4.A-1 (Continued)

General Plan Consistency Analysis

Goal/Policy	Project Consistency Statement
<p>Policy LU 5.6.1: Compatible Development. Require that buildings and properties be designed to ensure compatibility within and as interfaces between neighborhoods, districts, and corridors.</p>	<p>Consistent. The proposed project’s design, as regulated by the PCDP, would be unified and internally consistent, and would be separated from adjacent uses by physical barriers and internal circulation roadways. While the project design theme would vary from that of surrounding uses, a future project would not conflict with adjacent or nearby land uses due to the distinctive, integrated development pattern on-site and physical separation from other land uses in the area.</p>
<p>Policy LU 5.6.2: Form and Environment. Require that new and renovated buildings be designed to avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open spaces, or adversely modify wind patterns.</p>	<p>Consistent. Future development on-site would be subject to Site Development Review, and would also conform to the development standards and design guidelines contained in the project’s PCDP, which would generally preclude adverse impacts related to design character and quality of the surrounding area. Further, proposed future structures would be limited to 35 feet in height (40 feet with rooftop projections), with the exception of the 65-foot-tall coastal public view tower, and thus on-site development would not cause an abrupt change in scale. Additionally, the project would not be expected to raise local temperatures, as the site is currently characterized by an asphalt-paved surface lot, and as noted in the analysis above, would not result in glare and excessive illumination of adjoining properties and open spaces. Lastly, the future structures would be relatively limited in terms of height and bulk, which would minimize the potential for development to affect wind patterns.</p>
<p>Policy LU 5.6.3: Ambient Lighting. Require that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location.</p>	<p>Consistent. As noted previously, per the project’s PCDP, light fixtures for future development would be shielded and directed on-site in order to prevent off-site light spill or other adverse lighting effects.</p>
<p>Harbor and Bay Element</p>	
<p>Policy HB 9.1: Design of New or Renovated Bulkheads. Balance private property rights, natural harbor tidal and current forces and other coastal processes (such as erosion and accretion) and harbor aesthetics with other policies when considering designs for new or renovated bulkhead permits.</p>	<p>Consistent. Although no bulkhead permits are currently being sought for the proposed project, future review by the City regarding future bulkhead proposals at the site would consider relevant factors in determining the appropriate design. However, the proposed PCDP would ensure that a future bulkhead/seawall at the project site does not adversely affect the aesthetic quality of Newport Bay. A future bulkhead along the shoreline of Planning Areas 1 and 2 would be similar in design to, and contiguous with, the existing bulkhead wall along the shoreline within Planning Area 3. Furthermore, the PCDP also requires that any future bulkhead be</p>

Table 4.A-1 (Continued)

General Plan Consistency Analysis

Goal/Policy	Project Consistency Statement
	constructed above the highest high water line along the project shoreline, thus precluding adverse impacts to natural harbor tidal and current forces and other coastal processes.
<p>Policy HB 9.2: Protection of Beach Profile. Permit and design bulkheads and groins to protect the character of the existing beach profiles and to restore eroded beach profiles found around the Harbor and island perimeters, and the safe navigation and berthing of vessels.</p>	<p>Consistent. The proposed project would require that future bulkheads be constructed within the upland portion of the project site, and therefore future bulkhead construction would not physically affect existing shoreline profiles at the site.</p>
<p>Policy HB 9.3: Structures Impacting Visual Resources. Limit structures bayward of the bulkhead line to piers, floats, groins, appurtenances related to marine activities, and public walkways.</p>	<p>Consistent. The proposed project does not include any new structures bayward of the proposed future bulkhead/seawall.</p>
<p>Natural Resources Element</p>	
<p>Policy NR 20.1: Enhancement of Significant Resources. 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.</p>	<p>Consistent. The proposed project would be protective of significant scenic and visual resources in the project area, as future development would be limited to the project site (and adjacent off-site OSCD pump station), and would not substantially affect existing public views in the area.</p>
<p>Policy NR 20.3: Public Views. Protect and enhance public view corridors from the following roadway segments (shown in Figure NR3), and other locations may be identified in the future:</p> <ul style="list-style-type: none"> ▪ Avocado Avenue from San Joaquin Hills Road to Coast Highway ▪ Back Bay Drive ▪ Balboa Island Bridge ▪ Bayside Drive from Coast Highway to Linda Island Drive ▪ Bayside Drive at Promontory Bay ▪ Coast Highway/Santa Ana River Bridge ▪ Coast Highway/Newport Boulevard Bridge and Interchange ▪ Coast Highway from Newport Boulevard to Marino Drive (Bayshores) ▪ Coast Highway/Newport Bay Bridge ▪ Coast Highway from Jamboree Road to Bayside Drive ▪ Coast Highway from Pelican Point Drive to city limits ▪ Eastbluff Drive from Jamboree Road to Backbay Drive ▪ Irvine Avenue from Santiago Drive to University Drive 	<p>Consistent. As discussed above, the proposed project would provide a number of public view opportunities, including views across/through the project site from East Coast Highway. Further, the project would not significantly affect existing views of scenic resources, including views from the East Coast Highway Bridge (Newport Bay Bridge). Additionally, the proposed project would substantially improve the visual quality of the site and thus would contribute to improvements to views of the site from various roadways in the project area, particularly East Coast Highway and Bayside Drive.</p>

Table 4.A-1 (Continued)

General Plan Consistency Analysis

Goal/Policy	Project Consistency Statement
<ul style="list-style-type: none"> ▪ Jamboree Road from Eastbluff Drive/University Drive to Bayview Way ▪ Jamboree Road in the vicinity of the Big Canyon Park ▪ Jamboree Road from Coast Highway to Bayside Drive ▪ Lido Isle Bridge ▪ MacArthur Boulevard from San Joaquin Hills Road to Coast Highway ▪ Marguerite Avenue from San Joaquin Hills Road to Fifth Avenue ▪ Newport Boulevard from Hospital Road/Westminster Avenue to Via Lido ▪ Newport Center Drive from Newport Center Drive E/W to Farallon Drive/Granville Drive ▪ Newport Coast from Pelican Hill Road North to Coast Highway ▪ Ocean Boulevard ▪ Pelican Hills Road South ▪ San Joaquin Hills Road from Newport Ridge Drive to Spyglass Hill Road ▪ San Miguel Drive from San Joaquin Hills Road to MacArthur Boulevard ▪ State Route 73 from Bayview Way to the easterly City limit ▪ Superior Avenue from Hospital Road to Coast Highway ▪ University Drive from Irvine Avenue to the Santa Ana—Delhi Channel ▪ Vista Ridge Road from Ocean Heights to Altezza Drive 	
<p>Policy NR 20.4: Public View Corridor Landscaping. Design and site new development, including landscaping, on the edges of public view corridors, including those down public streets, to frame, accent, and minimize impacts to public views.</p>	<p>Consistent. Future development pursuant to the proposed PCDP would include an extensive landscape plan that would provide visual relief for proposed structural improvements, but also preserve existing views. Landscaping along East Coast Highway would be provided to the extent necessary to satisfy City requirements, as determined through future Site Development Review, but would not be excessive such that views of scenic resources from the East Coast Highway right-of-way would be adversely affected.</p>
<p>Policy NR 20.5: Public View Corridor Amenities. Provide public trails, recreation areas, and viewing areas adjacent to public view corridors, where feasible.</p>	<p>Consistent. The proposed PCDP would require that a future project on-site would include a new public bayfront promenade, as well as pedestrian walkways and a new multi-use trail connection through the site.</p>

Table 4.A-1 (Continued)

General Plan Consistency Analysis

Goal/Policy	Project Consistency Statement
<p>Policy NR 21.1: Signs and Utility Siting and Design. Design and site signs, utilities, and antennas to minimize visual impacts.</p>	<p>Consistent. All future project components would be subject to Site Development Review, which would ensure that site signage, utilities, and antennas (if any) would be designed and constructed to minimize visual impacts.</p>
<p>Policy NR 22.1: Regulation of Structure Mass. Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.</p>	<p>Consistent. The proposed PCDP establishes various development standards for future development on-site, and future development would be subject to Site Development Review in order to ensure that the visual and physical mass of on-site structures is consistent with the character and scale of other development in the City and appropriate for the site.</p>
<p><i>Source: PCR Services Corporation, 2013</i></p>	

(b) Newport Beach Local Coastal Program Coastal Land Use Plan

The City of Newport Beach Local Coastal Program CLUP contains various policies that relate to aesthetics, visual quality, and scenic resources. An analysis of the proposed project’s consistency with each of the applicable policies contained in the CLUP is presented below in **Table 4.A-2, Coastal Land Use Plan Consistency Analysis**. As indicated in Table 4.A-2, the proposed project would be consistent with the applicable policies of the CLUP with respect to aesthetics, views, and light and glare. As such, impacts in this regard would be less than significant.

Table 4.A-2

Coastal Land Use Plan Consistency Analysis

Coastal Land Use Plan Policy	Project Consistency Statement
<p>Coastal Views</p>	
<p>Policy 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>	<p>Consistent. The proposed PCDP would ensure that a future on-site project would be protective of significant scenic and visual resources in the project area, as future development would be limited to the project site (and adjacent off-site OSCD pump station), and would not substantially affect existing public views in the area.</p>
<p>Policy 4.4.1-2. Design and site new development, including landscaping, so as to minimize impacts to public coastal views.</p>	<p>Consistent. The project site itself does not contain any notable scenic resources, as it is characterized by an asphalt-paved storage area and parking lot and unimproved sandy upland area with little landscaping. The PCDP would ensure that a future project would not result in a substantial reduction in public views of scenic resources from identified Public View Points or Coastal View Roads, and the future development would provide a</p>

Table 4.A-2 (Continued)

Coastal Land Use Plan Consistency Analysis

Coastal Land Use Plan Policy	Project Consistency Statement
	number of coastal view corridors across the site as well as a new coastal public view tower. The proposed public bayfront promenade, coastal public view tower, plazas, open space areas, and other project features would provide increased public view opportunities on-site relative to existing conditions.
<p>Policy 4.4.1-3. Design and site new development to minimize alterations to significant natural landforms, including bluffs, cliffs and canyons.</p>	<p>Consistent. The proposed PCDP would allow for future development of the project site with a mixed-use project. All development would be limited to the project site, which does not contain significant natural landforms such as bluffs, cliffs, or canyons.</p>
<p>Policy 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.</p>	<p>Consistent. The proposed PCDP ensures that a future on-site project would preserve existing view corridors and provide new view opportunities to protect public views of coastal bluffs and Newport Bay, as well as provide new public coastal views of Newport Harbor from the proposed public coastal view tower that are currently not available from the project site. Additionally, future development on-site would not result in significant view impacts such that a view easement would be necessary.</p>
<p>Policy 4.4.1-5. Where feasible, require new development to restore and enhance the visual quality in visually degraded areas.</p>	<p>Consistent. As discussed above, the project site is currently occupied by a paved surface lot used for RV and trailered boat/marine equipment storage and marina parking, and the visual quality of the site is considered low. As such, implementation of a future development project would improve the visual quality of the site.</p>
<p>Policy 4.4.1-6. Protect public coastal views from the following roadway segments:</p> <ul style="list-style-type: none"> ▪ Backbay Drive. ▪ Balboa Island Bridge. ▪ Bayside Drive from Coast Highway to Linda Island Drive. ▪ Bayside Drive at Promontory Bay. ▪ Coast Highway/Santa Ana River Bridge. ▪ Coast Highway/Newport Boulevard Bridge and Interchange. ▪ Coast Highway from Newport Boulevard to Marino Drive. ▪ Coast Highway/Newport Bay Bridge. ▪ Coast Highway from Jamboree Road to Bayside Drive. ▪ Eastbluff Drive from Jamboree Road to Backbay Drive. ▪ Irvine Avenue from Santiago Drive to University 	<p>Consistent. As discussed above and illustrated in Figure 4.A-4, the proposed PCDP would ensure that a future on-site project would provide a number of public view opportunities, including views across/through the project site from East Coast Highway as set forth in Section 5, <i>Design Guidelines</i>, and illustrated in Exhibit 13, of the project’s PCDP. Further, based on the PCDP development standards, a future project would not significantly affect existing views of scenic resources, including views from the East Coast Highway Bridge (Newport Bay Bridge).</p>

Table 4.A-2 (Continued)

Coastal Land Use Plan Consistency Analysis

Coastal Land Use Plan Policy	Project Consistency Statement
<p>Drive.</p> <ul style="list-style-type: none"> ▪ Jamboree Road from Eastbluff Drive/University Drive to State Route 73. ▪ Jamboree Road in the vicinity of the Big Canyon Park. ▪ Jamboree Road from Coast Highway to Bayside Drive. ▪ Lido Island Bridge. ▪ Newport Boulevard from Hospital Road/Westwinster Avenue to Via Lido Drive. ▪ Newport Center Drive from Newport Center Drive E/W to Farallon Drive/Granville Drive. ▪ Ocean Boulevard. ▪ State Route 73 from Bayview Way to University Drive. ▪ Superior Avenue from Hospital Road to Coast Highway. ▪ University Drive from Irvine Avenue to the Santa Ana – Delhi Channel. 	
<p>Policy 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.</p>	<p>Consistent. Future development on-site, as required by the PCDP, would maintain and enhance public coastal views through the provision of view corridors along East Coast Highway (refer to Figure 4.A-4 above).</p>
<p>Policy 4.4.1-8. Require that buildings be located and sites designed to provide clear views of and access to the Harbor and Bay from the Coast Highway and Newport Boulevard rights-of-way in accordance with the following principles, as appropriate:</p> <ul style="list-style-type: none"> ▪ Clustering of buildings to provide open view and access corridors to the Harbor. ▪ Modulation of building volume and masses. ▪ Variation of building heights. ▪ Inclusion of porticoes, arcades, windows, and other –see-through elements in addition to the defined open corridor. ▪ Minimization of landscape, fencing, parked cars, and other nonstructural elements that block views and access to the Harbor. ▪ Prevention of the appearance of the public right-of-way being walled off from the Harbor. ▪ Inclusion of setbacks that in combination with setbacks on adjoining parcels cumulatively form functional view corridors. ▪ Encouragement of adjoining properties to 	<p>Consistent. The proposed PCDP includes various design requirements that would result in the provision of a variety of views and enhancement of public access to Upper Newport Bay. This would be accomplished through the creation of view corridors through the site using clustering of buildings, varied building bulk and height, building setbacks, non-obstructive ornamental landscaping, and construction of a coastal public view tower, public bayfront promenade, and multi-use public trail.</p>

Table 4.A-2 (Continued)

Coastal Land Use Plan Consistency Analysis

Coastal Land Use Plan Policy	Project Consistency Statement
<p>combine their view corridors that achieve a larger cumulative corridor than would have been achieved independently.</p> <ul style="list-style-type: none"> ▪ A site-specific analysis shall be conducted for new development to determine the appropriate size, configuration, and design of the view and access corridor that meets these objectives, which shall be subject to approval in the coastal development plan review process. 	
<p>Policy 4.4.1-10. Where feasible, provide public trails, recreation areas, and viewing areas adjacent to public coastal view corridors.</p>	<p>Consistent. As noted above, the proposed PCDP requires that future on-site development include a coastal public view tower, public bayfront promenade, and multi-use public trail as part of a future on-site development.</p>
<p>Policy 4.4.1-11. Restrict development on sandy beach areas to those structures directly supportive of visitor-serving and recreational uses, such as lifeguard towers, recreational equipment, restrooms, and showers. Design and site such structures to minimize impacts to public coastal views.</p>	<p>Consistent. The proposed PCDP would ensure that a future development project would not involve the placement or construction of any improvements within sandy beach areas. Furthermore, the project PCDP would limit the location of a future bulkhead wall to elevations above the highest high water line and therefore the existing shoreline in front of the bulkhead would be maintained.</p>
<p><i>Bulk and Height Limitations</i></p>	
<p>Policy 4.4.2-1. Maintain the 35-foot height limitation in the Shoreline Height Limitation Zone, as graphically depicted on Map 4-3.</p>	<p>Consistent. The project site is located within the designated Shoreline Height Limitation Zone, which limits the maximum height of structures to 35 feet for flat roofs and 40 feet for sloped roofs. Per the proposed PCDP, future on-site structures would be limited to 35 feet in height (40 feet with architectural rooftop features), with the exception of the coastal public view tower, which would reach a maximum height of 65 feet above grade. The project requests include an amendment to the Coastal Land Use Plan to allow a height exception specifically for the coastal public view tower.</p>
<p>Policy 4.4.2-2. Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.</p>	<p>Consistent. Future development proposals for the project site would be subject to Site Development Review and Design Guidelines of the PCDP, which would ensure that on-site uses would be consistent with the character and scale of the area.</p>
<p><i>Signs and Utilities</i></p>	
<p>Policy 4.4.4-1. Design and site signs, utilities, and antennas to minimize visual impacts to coastal resources.</p>	<p>Consistent. All future project components would be subject to Site Development Review, which would ensure that site signage, utilities, and antennas (if any) would be designed and constructed to minimize visual impacts to coastal resources.</p>

Table 4.A-2 (Continued)

Coastal Land Use Plan Consistency Analysis

Coastal Land Use Plan Policy	Project Consistency Statement
Policy 4.4.4-6. Continue to require new development to underground utilities.	Consistent. As required by the City, future development on-site would include undergrounding of all utilities.

Source: PCR Services Corporation, 2013.

(c) California Coastal Act

The California Coastal Act contains various policies that relate to aesthetics, visual quality, and scenic resources. An analysis of the proposed project’s consistency with each of the applicable policies contained in the Coastal Act is presented below in **Table 4.A-3, California Coastal Act Consistency Analysis**. As indicated in Table 4.A-3, the proposed project would be consistent with the applicable policies of the Coastal Act with respect to aesthetics, views, and light and glare. As such, impacts in this regard would be less than significant.

Table 4.A-3

California Coastal Act Consistency Analysis

Coastal Act Policy	Project Consistency Statement
Public Access	
Section 30251: Scenic and visual qualities. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.	Consistent. As discussed above, the proposed PCDP would ensure that a future development project on-site would not result in significant adverse impacts to public views, including views of coastal resources, and would not result in the alteration of natural landforms. Furthermore, the future development of the site would be subject to design-specific Site Development Review in order to ensure that on-site development is visually compatible with the character of the surrounding area. As noted previously, the proposed PCDP would ensure that future development would improve the visual character and quality of the project site relative to existing conditions, and would provide enhanced public view opportunities on-site through the provision of the new public bayfront promenade and public coastal view tower.

Source: PCR Services Corporation, 2013.

(d) Newport Beach Municipal Code

Future development pursuant to the project area would be subject to the lighting requirements of NBMC Section 20.30.070, *Outdoor Lighting*, and Section 20.30.100, *Public View Protection*, which provides regulations to preserve significant visual resources (public views) from public view points and corridors. Given compliance with NBMC lighting and public view protection requirements, as discussed in the analysis of lighting and view impacts above, impacts related to NBMC consistency would be less than significant.

4. CUMULATIVE IMPACTS

Chapter 3, *Basis for Cumulative Analysis*, of this Draft EIR provides two lists of projects that are either approved, planned, or are under construction in the proposed project study area. As illustrated in **Figure 3-1, Approved Project Map**, and **Figure 3-2, Cumulative Project Map**, in Chapter 3, *Basis for Cumulative Analysis*, of this Draft EIR, a total of 18 approved projects and 25 cumulative projects (collectively referred to as “related projects”) have been identified in the proposed project’s study area. However, only three of these related projects are located in close enough proximity to the project site such that cumulative visual effects could occur, including Approved Project No. D (the Newport Dunes hotel), Approved Project No. Q (Mariner’s Pointe), and Cumulative Project No. 1 (the Balboa Marina Expansion). The Newport Dunes hotel project site is located within the adjacent Newport Dunes resort approximately 500 feet east of the project site’s eastern boundary in Planning Area 4. The Balboa Marina Expansion project is located immediately south and east of Planning Area 2 of the project site, and across the harbor channel north of Linda Isle, while Mariner’s Pointe is located at the northwest corner of West Coast Highway and Dover Drive, to the west of the project site across the Upper Newport Bay Channel and Dover Drive. The remainder of the related projects are located at a sufficient distance such that no line-of-sight visibility from the project site is possible. As such, the Newport Dunes hotel, Balboa Marina Expansion, and Mariner’s Pointe would have the greatest potential among all the related projects to result in cumulative impacts with regard to aesthetics, views, and light and glare. The Newport Dunes hotel project would involve the construction of a new 275-room full service hotel within the adjacent Newport Dunes Waterfront Resort. The Balboa Marina Expansion project would entail the construction of 25 new boat slips on the west end of the property (adjacent to existing slips along the southern edge of the property), as well as 20,000 square feet of restaurant uses and 15,000 square feet of marine commercial uses. The Mariner’s Pointe project would include the development of a 19,905-square-foot, two-story commercial building and a three-story parking structure.

Impacts to views within the City of Newport Beach would result from implementation of the various related projects in the vicinity of the project site. However, given the distance between the project site and the majority of the related projects, there is little potential for cumulative development to contribute to significant adverse view impacts. This is primarily due to the fact that, aside from the relative distance of the related projects from one another, the presence of existing intervening urban development, landscaping, and topography between the related project sites would preclude any additive effects on overall views within the City. Several of the related projects, including Newport Dunes (Approved Project No. D), Mariner’s Pointe (Approved Project No. Q), Balboa Marina Expansion (Cumulative Project No. 1), 919 Bayside Drive (Cumulative Project No. 3), Aerie Project (Cumulative Project No. 7), Old City Hall Complex Redevelopment Project (Cumulative Project No. 9), Lido Villas (DART) Project (Cumulative Project No. 10), Sunset Ridge Park (Cumulative Project No. 11), Banning Ranch (Cumulative Project No. 12), and Marina Park (Cumulative Project No. 13) are located in proximity to a City-designated Public View Point and thus could potentially affect scenic views from these locations. However, while each project could contribute to view impacts from

designated Public View Points in proximity to each site, the projects are located at a sufficient distance from one another that the potential for more than one project to adversely affect public views from any one Public View Point is considered low. With regard to the three most proximate projects, namely the Newport Dunes hotel, Balboa Marina Expansion, and Mariner's Pointe projects, which are all located within the City's Shoreline Height Limit Area, the nature of these proposed developments would generally be low-scale and consistent with other commercial and marine-related uses in the surrounding area, with maximum building heights up to 35 feet (and architectural features up to 40 feet). The Newport Dunes hotel project would be located approximately 500 feet east of the project site within the adjacent Newport Dunes Waterfront Resort, though views of the hotel structure from the project site would be generally obstructed by intervening development (i.e., mobile homes) and existing landscaping. The location of the Mariner's Pointe project is across the Upper Newport Bay Channel and west of the East Coast Highway Bridge, which obstructs direct views of this location from the project site. Similarly, the location of the Balboa Marina Expansion project site is south of the project site across the East Coast Highway right-of-way, which functions as a physical barrier between the properties. Despite the relative proximity of these related projects to the project site, significant cumulative view impacts are not anticipated to occur based on the presence of the elevated East Coast Highway corridor and existing mobile homes and landscaping adjacent to the project site, as well as the related projects' locations relative to designated Public View Points, Coastal View Roads, and scenic resources in the area. Given the relatively low scale of related project development at these three locations, the first of which is situated at a low elevation (near sea level) adjacent to the Upper Newport Bay waterfront, the second just below the bluff faces the north of West Coast Highway, and the third between the elevated East Coast Highway corridor and multi-story residential uses on Linda Isle, views of scenic resources from designated Public View Points (i.e., Castaways Park, adjacent bluff tops to the north/northeast, and Westcliff Park) and Coastal View Roads (East Coast Highway and a very limited portion of Bayside Drive immediately south of East Coast Highway) would not be notably affected by cumulative development at these locations, since views are currently obstructed by existing development and other physical barriers in the area. Therefore, cumulative impacts to views/scenic vistas would not be considered significant and the proposed project's contribution to this impact would not be considerable.

As discussed above, future development on-site would be subject to the project's PCDP development standards and design guidelines, as well as future project-specific Site Development Review, which would guide development to create a visually cohesive project design. Similarly, development pursuant to the related projects would be subject to either the development standards and design guidelines contained in each respective PCDP, if applicable, or the design requirements resulting from project-by-project Site Development Review. Given adherence to the PCDP development standards and design guidelines and/or Site Development Review requirements, the proposed project and related projects would not have a substantial adverse effect on the visual character or quality of the project area. Therefore, the cumulative impacts of the proposed project would be less than significant, and the proposed project's contribution would not be cumulatively considerable.

The City of Newport Beach is characterized mainly by urbanized land and therefore contains numerous existing sources of nighttime lighting. Cumulative development would constitute further intensification of an existing urban and nearly built-out area and would generally occur through redevelopment or infill development. Although new development or redevelopment could include direct illumination of project structures, features, and/or walkways, the cumulative increase in ambient lighting levels in these areas would only rise minimally because a significant amount of ambient lighting currently exists due to the urbanized nature of the surrounding area. Thus, the increases in nighttime lighting that would occur with future development would not significantly affect nighttime views of the sky because such views are

currently limited. Cumulative development, in combination with the proposed project, is not anticipated to result in the creation of new sources of light that could negatively affect nighttime views. Therefore, cumulative impacts associated with ambient nighttime lighting would be considered less than significant.

The cumulative context for spillover light would be other development that could add to the spillover light effects of the proposed project on properties in the adjacent areas. Spillover light is site-specific effect that is affected only by projects in the immediate vicinity of the affected property. Implementation of the proposed project in combination with nearby related projects would add lighting typical of urban development to the area. This includes directed lighting for architectural accents, signage, landscape elements, security and way finding lights associated with buildings and parking lots, light emanating from building interiors and exteriors, streetlights and automobile headlights. Lighting impacts would be addressed through compliance with the proposed PCDP and/or NBMC lighting standards, which include lighting requirements that would reduce the potential for spill lighting to occur from future cumulative development. Therefore, a less than significant cumulative impact would result from spillover lighting.

Cumulative development could result in an increase in glare, as specific building materials and configurations are uncertain. However, these potential increases are likely to be minor and consistent with the existing built environment due to limited development potential and existing City regulations. Future projects would be subject to each PCDP's development standards and design guidelines, if applicable, or design requirements resulting from Site Development Review, which may include provisions for architectural design (including windows), types of building materials, and landscape screening, and would therefore minimize glare impacts to adjacent or other off-site land uses. Therefore, cumulative glare impacts within the surrounding area would be less than significant. Implementation of the proposed project would not result in a significant daytime glare impact and would not result in a cumulatively considerable contribution to this impact.

5. MITIGATION MEASURES

Impacts related to aesthetics and visual resources would be less than significant; therefore, no mitigation measures are required.

6. LEVEL OF SIGNIFICANCE AFTER MITIGATION

All impacts related to views, aesthetics/visual character, and light and glare would be less than significant given compliance with the project's PCDP development standards and design guidelines, or NBMC requirements, as applicable. Additionally, the proposed project is consistent with the applicable policies contained in the City's General Plan, CLUP, and the California Coastal Act, and also would not result in conflicts with the NBMC. Therefore, impacts related to policy and regulatory compliance would be less than significant.