

## 4.14 RECREATION RESOURCES

This section provides the recreational setting of the project site, including surrounding recreation facilities and an analysis of potential impacts that project implementation may have on existing recreation facilities. Information presented in this section is based on information provided in the Recreation Element of the City of Newport Beach (City) General Plan (2006).

### Scoping Process

During the scoping process, it was determined that the proposed project could potentially cause substantial physical deterioration of recreational facilities and that physical adverse effects on the environment may result from construction of recreational facilities.

Three relevant comment letters were received in response to the Initial Study/Notice of Preparation (IS/NOP) circulated for the proposed project. Two City residents commented that construction of City Hall on the proposed site would minimize the availability of the property for use as a park and result in the loss of open space/recreation facilities. These comment letters requested that this issue be considered in the environmental analysis for the proposed project. The Environmental Quality Affairs Citizens Advisory Committee (EQAC) described the potential playground areas of the proposed park as a positive addition and urged caution for safety reasons in the placement of this feature adjacent to MacArthur Boulevard and the wetlands area. For copies of the IS/NOP comments, refer to Appendix A of this Environmental Impact Report (EIR). The recommendations and concerns raised during the scoping process related to recreation resources are addressed in this EIR section.

#### 4.14.1 Methodology

Recreation impacts are assessed based on the physical effects of the proposed project on existing recreation facilities in the area. The impact assessment is based on policies, ordinances, and guidelines adopted by the City.

#### 4.14.2 Existing Environmental Setting

**Proposed Project Site.** The proposed project site is located between Avocado Avenue and MacArthur Boulevard. The proposed project site is composed of three parcels (referred to as the northern, central, and southern parcels). Altogether, the proposed project site is approximately 20 acres. The northern parcel and the central parcel, both of which are currently vacant, are separated by San Miguel Drive. The southern parcel is occupied by the existing Newport Beach Public Library located at 1000 Avocado Avenue. The Library would remain in operation during and after project implementation.

There are no existing recreation resources on the proposed project site. Some members of the public do walk across the site to access existing views of the ocean and harbor; however, there are no City-designated viewpoints or improved recreation trails on site. The proposed project is listed on the City's inventory of proposed recreational facilities as the future Newport Center Park.

Some of the existing recreational facilities in the vicinity of the proposed project site include Harbor View Nature Park, Jasmine Creek View Park, Old School Park, Grant Howald Park, San Joaquin Hills Park, Lincoln Athletic Center/Gym, and Irvine Terrace Park.

**Existing City Hall Site.** The existing City Hall site is located at 3300 Newport Boulevard, on the corner of Newport Boulevard and 32nd Street. The existing City Hall site is occupied by over 47,809 gross square feet (sf) of floor area in five buildings and five temporary buildings (trailers); approximately 3,417 sf are occupied by the Fire Station No. 2, which would remain after project implementation. There are approximately 160 parking spaces on site excluding metered parking on 32nd Street and parking spaces allocated to the Fire Station. The buildings on site were constructed at various times between 1945 (City Hall Building B) and 2008 (Human Resources recruitment trailer).

There are no existing recreation resources or facilities on the existing City Hall site. Some of the existing recreational facilities in the vicinity of the existing City Hall site include 38th Street Park, Newport Island Park, Gateway Parks, Lido Park, Sunset View Park, Channel Place Park, and public beaches.

The proposed project includes the reuse of the existing buildings on the City Hall site with other public facilities uses. No architectural or physical improvements to the property are proposed as part of this project.

#### **4.14.3 Existing Recreational Setting**

The City's parks contain a variety of recreational facilities, with areas available for organized sports, including soccer fields, baseball diamonds, tennis courts, volleyball courts, and basketball courts. Recreational opportunities exist for children in many of the play areas in the City's parks. Biking and walking trails are also popular recreational amenities. Swimming pools are available to the public at the Marian Bergeson Aquatic Center and Newport Harbor High School through joint use agreements with the Newport-Mesa Unified School District. Additional recreational resources in the City include three community centers, several multipurpose recreation centers, a senior center, and two gymnasium facilities.

According to the City's Recreation Element (2006), the City has approximately 278 acres of developed parks. Newport Beach's parklands range in size from mini-parks such as the Lower Bay Park (0.1 acre) to the 39-acre Bonita Canyon Sports Park. School facilities also provide indoor and outdoor recreational opportunities in the City, while greenbelts and open space areas provide passive recreational opportunities or open space relief. These park and recreation facilities are described below. Additionally, bikeways, jogging trails, pedestrian trails, recreation trails, and regional equestrian trails are also available in the City.

#### **Park Types.**

**Community Park.** Community parks serve the entire City and are easily accessible via arterial roads. Community parks are those with improvements such as community buildings, parking, swimming, facilities for picnicking, active sports, and other facilities that serve a larger

population. Community parks may have a particular theme or orientation such as active sports or aquatic facilities.

**Mini-Park.** Mini-parks are smaller parks that may take one of two different forms. Most mini-parks are less than 1 acre in size, serve a 0.25 mile radius, and are located within a neighborhood, separate from major or collector roads. Some mini-parks serve the entire City and are located as urban trail heads along major trails or streets.

**Neighborhood Park.** Neighborhood parks serve all ages and are generally 1–8 acres in size. They are located adjacent to public schools when possible. Neighborhood parks contain a wide variety of improvements, which can include turf areas, active sport fields and courts, community buildings, play apparatus, and picnic facilities. Other improvements might include senior centers, youth centers, and aquatic facilities.

**View Park.** View parks are smaller passive parks designed to take advantage of a significant view. They are often located on coastal bluffs to focus upon ocean or bay views. Most view parks are between 0.5–3 acres in size and serve the entire City. View parks are generally improved with landscaping, walkways, and benches.

**Greenbelt.** Greenbelts in public or private ownership are included in this category. They may include areas with some recreational facilities, although the primary function of the area is passive open space.

**Open Space.** Open space includes passive and active open space areas that do not function as public parks but do provide open space relief. Such areas may or may not be accessible to the general public.

**Public Beach.** Public beaches serve a number of local and regional functions. In some neighborhoods, beaches function as neighborhood or community parks. Easy accessibility, lack of entrance fees, and a lack of other available parks has contributed to this function. Public beaches all include sandy beach areas adjacent to the bay or ocean and may include active sports, snack bars, showers, drinking fountains, restrooms, walkways, docks, benches, shade trees, and parking areas. From observation, the City has determined that active beach recreation takes place within approximately 100 feet (ft) of the water's edge. Therefore, the City treats this seaward 100 ft of public beaches as active recreation acreage.

**School.** Public schools are a part of the recreation system in the City because field and playground areas can serve the general public during weekends and after school.

As of June 2005, it was estimated that a total of 415.6 acres of parkland is needed within the City to accommodate the existing population of 83,120 residents (utilizing the City standard of 5 acres per 1,000 population). In 2005 the City had a total of 286.4 acres of park land and 90.4 acres of active beach recreation area, for a combined total of 376.8 acres. This represents a total deficit of 38.8 acres of combined park and beach acreage citywide.

Although the City of Newport Beach appears largely built out, there are a number of vacant parcels available for future development. The General Plan Land Use Element projects additional population increases through infill development, intensification of existing uses, and annexations. Therefore, in addition to any unmet park and recreation needs of the present population, the demand for recreation facilities will grow. In addition, the Land Use Element allows for higher-density development within the City, where opportunities for different types of park and recreational facilities may arise. The three planned parks in West Newport, Newport Coast, and Newport Center (the proposed project site) are planned to help alleviate the citywide park deficit and to help meet future recreation needs.

The City has been divided into service areas for the purposes of park planning and to equitably administer parkland dedications and fees provided by residential development. In June 2005, 7 of the 12 service areas were experiencing a deficit in this combined recreation acreage, and 2 of the 12 service areas within the City, Newport Center and Harbor View, had no identified unmet park and recreation needs, as discussed below. The proposed project site is located in Service Area 9, Newport Center. According to the City's General Plan, there is park surplus within this service area. The Back Bay View Park was completed in the summer of 2005. The proposed project includes development of a park on the project site; the park is referred to as the Newport Center Park in the City's General Plan.

#### 4.14.4 Regulatory Setting

##### **Federal Policies and Regulations.**

**Americans with Disabilities Act.** The Americans with Disabilities Act (ADA) of 1990 (42 United States Code [USC] 12181) prohibits discrimination on the basis of disability in public accommodation and State and local government services. Under the ADA, the Architectural and Transportation Barriers Compliance Board issues guidelines to ensure that facilities, public sidewalks, and street crossings are accessible to individuals with disabilities. Play areas, meeting rooms, park restrooms, and other buildings and park structures must comply with ADA requirements. Park facilities proposed as part of the project would be required to be ADA compliant.

##### **State Policies and Regulations.**

**The Quimby Act.** The Quimby Act (California Government Code, Section 66477) was established by the California legislature in 1965 to develop new or rehabilitate existing neighborhood or community park or recreation facilities. This legislation was in response to the need to provide parks and recreation facilities for California's growing communities. The Quimby Act gives the legislative body of a city or county the authority, by ordinance, to require the dedication of land or payment of in-lieu fees, or a combination of both, for park and

recreational purposes as a condition of approval of a tract map or parcel map. The Quimby Act authorizes a minimum contribution of 3 acres; if a jurisdiction has an existing park standard above 3 acres, it can require contributions equal to that higher level up to a limit of 5 acres per 1,000 population. The Quimby Act is implemented through City Ordinance and is discussed further below.

### **Local Policies and Regulations.**

**City Park Dedication Ordinance (Quimby Ordinance).** Chapter 19.52, Park Dedication and Fees, of the City's Municipal Code provides for the dedication of land, the payment of fees in lieu thereof, or a combination of both for park or recreational purposes in conjunction with the approval of residential development. The City's park dedication requirement is 5 acres per 1,000 persons. In-lieu fees are placed in a fund earmarked for the provision or rehabilitation of park and recreation facilities that can serve the subdivision. The Park Dedication Ordinance also provides for credit to be given, at the discretion of the City Council, for the provision of private recreation facilities within a new residential development or for the provision of park and recreation improvements to land dedicated for a public park. If allowed, the private facilities or public improvements are credited against the dedication of land and/or the payment of in-lieu fees. The ordinance is not applicable to nonresidential subdivisions; therefore, the ordinance is not applicable to the proposed project.

**Circulation and Improvement and Open Space Agreement.** Some of the City's parks and open space areas consist of dedicated lands through the Circulation and Improvement and Open Space Agreement (CIOSA). This agreement is between the City and the Irvine Company and has allowed building entitlements for the Irvine Company in exchange for payments for circulation projects, an interest-free loan, and land for open space and potential senior housing sites for the City. The amount of open space land dedication was substantially more than what would have been required under the City's Park Dedication Ordinance.

Seven sites have been dedicated under CIOSA in Newport Beach, and include: Back Bay View Park, Newport Village (formerly Newport Center Park), Newporter Knoll, Freeway Reservation, Upper Castaways, Harbor Cove, and Jamboree/MacArthur. The proposed project site is one of the sites (Newport Village; formerly Newport Center Park) that was dedicated under CIOSA.

**City of Newport Beach General Plan.** Recreation resources are addressed in the Recreation Element of the City General Plan (2006). The following goals and policies are applicable to the proposed project.

**R 1 Provision of Facilities.** Provision of adequate park and recreation facilities that meet the recreational needs of existing and new residents of the community.

**R 1.9 Priority for Facility Provision.** Provide additional park and recreation facilities that meet the needs as identified by direct feedback from residents, analysis of future trends, and through observations by Recreation and Senior Services staff.

**Parks:**

**1. Newport Center Service Area:** Develop Newport Center Park as a passive park.

**R 1.12 Aircraft Overflight and Noise.** Require that all public parks located within the noise impact zones as defined in the 1985 JWA Master Plan for John Wayne Airport be posted with a notification to users regarding aircraft overflight and noise. (Imp 23.2)

**R 3 Accessibility of Facilities.** Accessible parks and recreation facilities to persons with disabilities.

**R 3.1 Adequate Access.** Ensure that parks and recreation facilities include provisions for adequate access for persons with disabilities and that existing facilities are appropriately retrofitted to include such access as required by the Americans with Disabilities Act. (Imp 23.1)

**R 3.3 Facility Design.** Design guardrails on parks, piers, trails, and public viewing areas to take into consideration the views at the eye level of persons in wheelchairs. (Imp 23.1)

**R 5 Joint Use Facilities.** Maximized use of the community's recreational resources by coordinating with the agencies responsible for non-city recreational facilities and open space.

**R 5.5 Public Facilities.** Design public facilities to incorporate recreational elements such as children's play areas, rooftop courts, pocket parks, and usable public plazas. (Imp 23.1)

#### 4.14.5 Impact Significance Criteria

The following criteria are based on the City's Initial Study, the Initial Study Checklist, and Appendix G of the State CEQA Guidelines. The effects of the proposed project on recreation are considered to be significant if the proposed project would:

**Threshold 4.14.1:** Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

**Threshold 4.14.2:** Include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment.

#### 4.14.6 Project Impacts

**Threshold 4.14.1:** **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

**Less than Significant.** As stated previously, as of 2005 the City had a deficit of approximately 38.8 acres of park acreage citywide (when calculated utilizing the City's standard of 5 acre per 1,000 population) The City's General Plan proposes the construction and expansion of park facilities in the City, including development of a park on the proposed project site. The General Plan refers to the proposed park as the Newport Center Park.

The goals and policies in the City's General Plan are provided to help the City address the citywide parkland deficit and any additional deficit that may result from population growth. For example, R-1.9 would provide additional park and recreation facilities that meet the needs of the City as identified by direct feedback from residents, analysis of future trends, and observations from Recreation and Senior Services Staff. This policy specifically states that the proposed project site should be developed as a passive park (Newport Center Park). Goal R-3 and related policies require that parks and recreation facilities be accessible to persons with disabilities.

The proposed project is consistent with the City's General Plan goal of developing a passive park on the proposed project site. Passive park uses are proposed, including walking trails, viewpoints, picnic areas, and a dog park. No sports fields are included in the proposed project. The proposed park facilities would be open to residents, City staff, and visitors, and would assist the City in meeting its park standard (i.e., 5 acres per 1,000 population). Furthermore, consistent with City General Plan Goals and Policies, the proposed project would also incorporate recreational elements such as children's play areas and usable public plazas (i.e., the proposed Civic Green) and is being designed in compliance with ADA standards so that recreation resources, including planned public viewpoints/lookouts, are accessible.

In addition to construction of the proposed park, the project includes construction and operation of a new City Hall on the proposed project site. After completion of the proposed project, all 257 employees from the existing City Hall site would relocate to the new facility. At this time, it is assumed that the City would use the facility for other public facility uses once the new facility is completed and occupied. It is also assumed for the purposes of this analysis that the existing City Hall would be reoccupied at the same density (e.g., 257 employees), as it is occupied in the existing condition. Therefore, with the reoccupation of existing City Hall structures with public facility uses and occupation of the proposed City Hall structures, the proposed project has the potential to increase employment in the City by 295 employees and to result in a corresponding proportional increase in population. Although unlikely (refer to Section 4.11, Population, Housing, and Employment), if all 295 employees were new residents to the City, the project would result in a demand for 1.475 acres of parkland. The project proposes to add 14.3 acres to the City's inventory of parkland, which would address any increased need for parkland generated by the proposed project.

Therefore, because the proposed project would add parkland to the City's parkland inventory and would not result in substantial population growth, which is the determining factor in supplying adequate parks and open space to residents, the proposed project would not result in increased use of existing parks or recreational facilities that could accelerate physical deterioration of those facilities. Impacts to existing recreation facilities would be less than significant, and no mitigation is required.

**Threshold 4.14.2: Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**Less than Significant.** Development of the proposed project, including proposed recreation facilities, could result in adverse physical impacts to the environment. The proposed park is intended to service the recreation needs of current and future City residents. The proposed project would provide trails, viewpoints, a dog park, and other recreational amenities. Construction and operation of the proposed park facilities are expected to result in significant adverse physical effects on the environment as outlined in this EIR. For example, the proposed project site is considered to be sensitive for archaeological resources, and project construction may result in impacts to unknown buried archaeological resources. With mitigation, this potential impact would be reduced to below a level of significance. The City's General Plan also states that "the Newport Center . . . park location has not experienced development or much disturbance, and aesthetics, biological, or hydrology impacts could occur from its development as [a] park." Each of these topics is fully analyzed in this EIR. For additional information refer to Chapter 4: Section 4.3, Aesthetics; Section 4.5, Biology; and Section 4.10, Hydrology and Water Quality. Consistent with the requirements of CEQA and the State CEQA Guidelines, this EIR describes feasible measures that could minimize or avoid significant adverse impacts of the proposed project (State CEQA Guidelines Section 15126.4[a]). Even with implementation of all feasible mitigation, the proposed project may have significant unavoidable impacts involving construction air quality and global climate change/greenhouse gas emissions. Because each of these potential significant impacts and potential significant unavoidable impacts relate to a separate environmental topic analyzed in this EIR, and there is no identifiable physical impact to the environment that is unique to recreation resources, additional mitigation is not required. Refer to the individual sections in Chapter 4.0 of this EIR for mitigation measures intended to reduce or avoid impacts related to construction of the proposed recreation facilities.

#### **4.14.7 Cumulative Impacts**

**Less than Significant.** The cumulative study area for recreation resources is the geographical area of the City of Newport Beach, which is the geographical area used by the City to determine its park-to-population ratio goals. Development of the proposed project would result in the construction and operation of a 14.3-acre passive park and a 98,000 sf City Hall structure. A park on the project site was included as a planned facility in the City's General Plan, adopted in 2006.

The proposed project would not result in substantial cumulative population growth (refer to Section 4.11 of this EIR for additional information) that would result in increased use and physical deterioration of existing parks. In addition, the proposed project includes the development of a park and park facilities on the proposed project site that would address any increased demand for improved park space generated by the new City Hall. The provision of additional park acreage may reduce use and/or redistribute use of existing parks, resulting in a positive effect on park demand and park acreage within the City. Therefore, the project's cumulative contribution to parks and recreation impacts would be less than significant, and no mitigation is required.

As stated above, development of the proposed project, including proposed recreation facilities, could result in adverse physical impacts to the environment. The potential cumulative impacts of development of the proposed project are evaluated in each of the sections in Chapter 4.0 of this EIR.



The proposed project may result in significant unavoidable cumulative impacts related to construction air quality and global climate change/greenhouse gas emissions. These impacts cannot be reduced to below a level of significance with mitigation. Because each of these potentially significant unavoidable cumulative impacts relate to a separate environmental topic analyzed in this EIR, and there is no identifiable physical impact to the environment that is unique to recreation resources, additional mitigation is not required. Refer to the individual sections in Chapter 4.0 of this EIR for mitigation measures intended to reduce or avoid impacts related to construction of the proposed recreation facilities. The project's contribution to significant cumulative impacts related to recreation resources is less than significant, and no mitigation is required.

#### **4.14.8 Level of Significance Prior to Mitigation**

There are no potentially significant impacts related to recreation resources.

#### **4.14.9 Mitigation Measures**

No potentially significant impacts related to recreation resources have been identified; therefore, no mitigation is required.

#### **4.14.10 Level of Significance after Mitigation**

There are no potentially significant impacts related to recreation resources.

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