



5.2 AESTHETICS/LIGHT AND GLARE

This section assesses the potential for aesthetics/light and glare impacts using accepted methods of evaluating visual quality, as well as identifying the type and degree of change the proposed project would likely have on the character of a landscape. The analysis in this section is primarily based on information provided by the project Applicant and verified through site visits conducted by RBF Consulting (RBF) in November and December 2013. Photographic documentation and visual simulations of the project site and proposed site conditions are utilized to supplement the visual analysis and to fulfill the requirements of CEQA. The visual simulation modeling methodology utilized as part of this analysis involves massing diagrams of the proposed buildings.

5.2.1 EXISTING SETTING

SCENIC VIEWS AND VISTAS

The City of Newport (City) is located in the coastal center of Orange County, with Los Angeles County to the north and San Diego County to the south. The City is located in a physical setting that affords views to Crystal Cove State Park to the east, ocean views to the southwest, including those of the open waters of the ocean and bay, sandy beaches, rocky shores, wetlands, canyons, and coastal bluffs. From higher elevations within the City, views to the north include the San Joaquin Corridor, and in the distance, the Santa Ana Mountains.

According to the *City of Newport Beach General Plan* (General Plan), the City has historically been sensitive to the need to protect and provide access to available scenic resources and has developed a system of public parks, piers, trails, and viewing areas. The City's development standards, including bulk and height limits in the area around the bay, have helped preserve scenic views and regulate the visual and physical mass of structures. The City's many small "view parks" are intentionally designed to take advantage of significant views. In addition, the City provides policies in the Municipal Code and Local Coastal Plan that protect public views, which is defined as views from public vantage points. As for the City's coastal and other bluffs, while many have been preserved as parkland and other open space, most have been subdivided and developed over the years, including Newport Heights, Cliff Haven, Irvine Terrace, and Corona Del Mar.

The proposed project is specifically located within Lido Village. Lido Village is a shopping area that serves both visitors to the area as well as local residents with waterfront dining, stores, the historic Lido Theater. Just over the bridge sits Lido Isle, a residential neighborhood located on one of the seven islands of Newport Bay (to the east).

Neighborhood Parks

Public scenic views/vistas of the project site from neighborhood parks include Ensign Park, Cliff Drive Park, and Sunset View Park. These parks are located on an elevated mesa above Lido Village and they include specific public viewing areas that encompass Newport Bay, Newport Peninsula, and the Pacific Ocean and associated beach areas. On a clear day, these views also include distant views toward Catalina Island.



KEY VIEWS

Key Views represent public views from both the public right-of-way and publicly accessible areas located within the viewshed of the proposed project. Key Views that may be impacted by the proposed project were determined in consultation with City staff and through site reconnaissance throughout the City. Characteristics for each Key View are defined within foreground, middleground, and/or background views. Characteristics located within foreground views are located at close range and tend to dominate the view. Characteristics located within middleground views are distinguishable, yet not as sharp as those characteristics located in the foreground views. Features located within the background views have few details and distinctions in landform and surface features. The emphasis of background views is an outline or edge. Objects in the background eventually fade to obscurity with increasing distance.

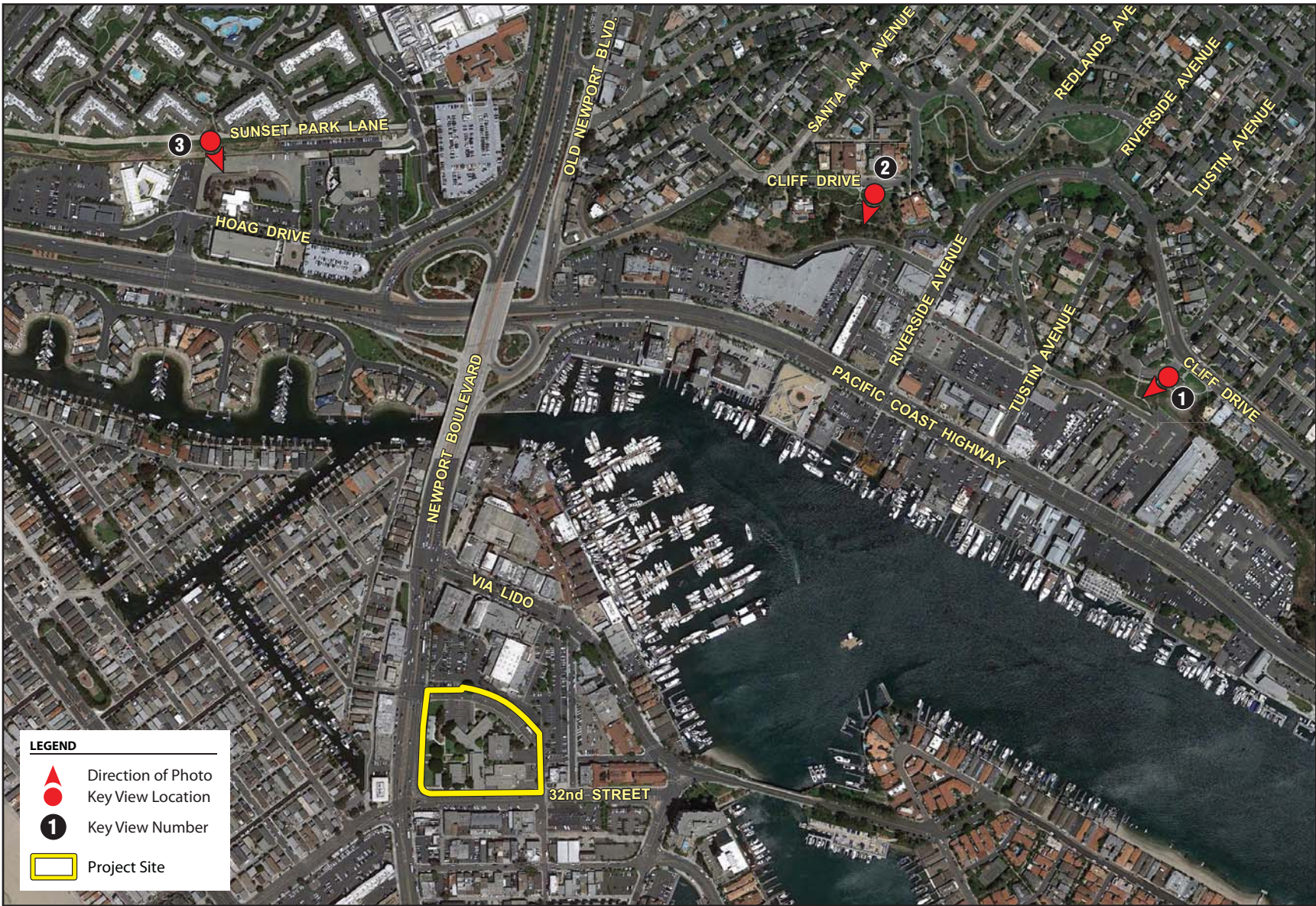
RBF staff visited the site to take photographs and make observations from the identified Key Views. The camera locations were recorded utilizing Global Positioning System (GPS) equipment. A Fuji G-617 Panoramic camera with a 1:8/105 millimeter lens was selected as the primary photographic source, as it yields an accurate representation of human visual perception. Backup photos were also taken using a Nikon D1X digital camera with a fixed 50 millimeter lens.

Three Key Views (from available public scenic vistas) were selected for this analysis. Exhibit 5.2-1, Key View Location Map, illustrates the locations of the Key Views. These particular Key Views are situated at designated viewing locations at City parks in the project's viewshed. Key View selection was conducted in consultation with City staff, based on designated views per the General Plan Natural Resources Element and Coastal Land Use Plan Map 4-3 as well as the existing topography, structures, and vegetation. The intent of analyzing these Key Views is to depict potential impacts to scenic views and vistas as a result of the proposed project. Refer to the *Visual Character* section below for a discussion of the project's visual impacts pertaining to the degradation of character/quality.

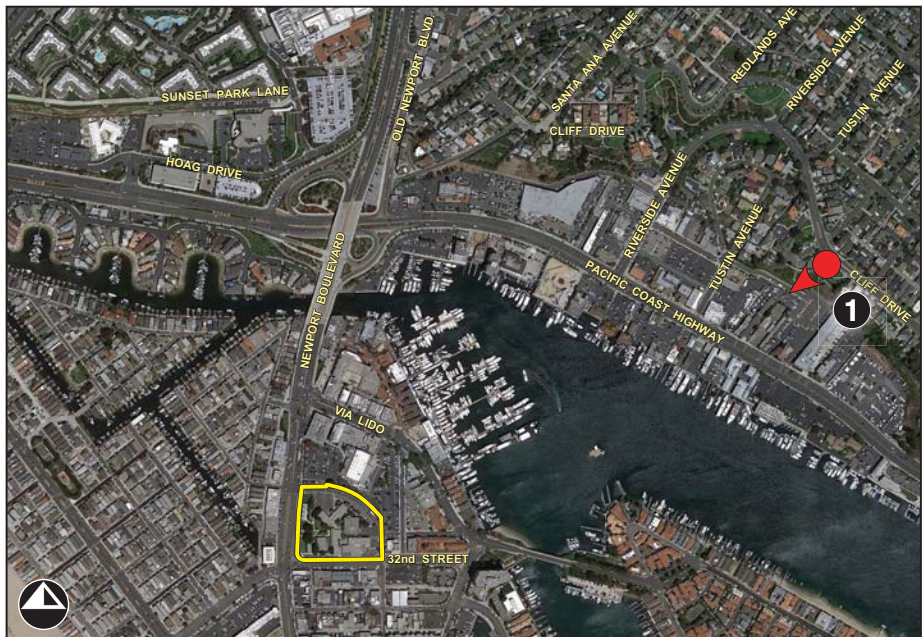
The three Key View locations are located at Ensign Park, Cliff Drive Park, and Sunset View Park. The specific photograph locations were verified in the field on December 12, 2013. Although multiple views within each Key View location were available, RBF staff (in consultation with the City), determined which locations afford the most representative view of the project site, as well as the greatest level of potential visual impact as a result of the project.




Key View 1. Views from Key View 1 (approximately 55 feet above mean sea level [msl]) are afforded from Ensign Park, which is located to the south of Newport Theatre Arts Center (2501 Cliff Drive); refer to Exhibit 5.2-2, Key View 1 - Existing Condition. This designated view park is situated approximately 0.54 mile to the northeast of the project site and is located atop a bluff that is approximately 45 feet higher in elevation than the project site.

Foreground views encompass developed commercial uses along Pacific Coast Highway (PCH) as well as Lido Channel (located in Newport Bay). Residential uses, Via Lido Bridge, and developed commercial uses are visible in middleground views. Background views include the Pacific Ocean and Catalina Island. Developed uses appear to be unified and of similar height. Some larger structures are present in middleground views, which provide some visual contrast within the view. Visible water features, including Newport Harbor and the Pacific Ocean provide visual contrast to the surrounding development, increasing the vividness of this view.



Source: Google Earth aerial, 2013.



-  Direction of Photo
-  Key View Location
-  Key View Number



Key View 2. Views from Key View 2 (approximately 78 feet above msl) are from Cliff Drive Park, which is located along Cliff Drive, to the east of Santa Ana Avenue; refer to Exhibit 5.2-3, Key View 2 - Existing Condition. This designated view park is situated approximately 0.47 mile to the northeast of the project site and is located atop a bluff that is approximately 69 feet higher in elevation than the project site. Based on the size and location of Cliff Drive Park, other public views were afforded (refer to Exhibit 5.2-4, Other Cliff Drive Park View Photographs). However, based on the site visit conducted by RBF and the City, it was determined that the view represented in Exhibit 5.2-3 offered the vantage point that could experience the greatest level of visual impact as a result of the proposed project.

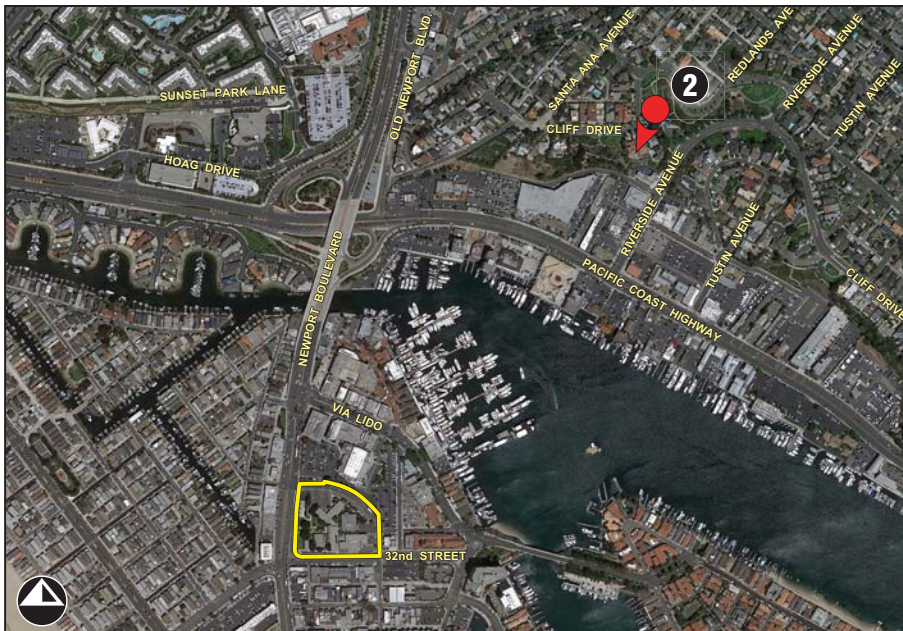
Foreground views include mature vegetation and developed commercial uses along PCH as well as Lido Channel. Via Lido Bridge and developed commercial uses are visible in middleground views. Background views include the Pacific Ocean and Catalina Island. Visible building heights vary with some larger structures present in middleground views, providing visual contrast in this landscape. Mature landscaping visible throughout this view also provides varying texture and color, increasing the visual contrast present in this view. Visible water features, including Newport Bay and the Pacific Ocean, also provide visual contrast to the surrounding development, increasing the vividness of this view.

Key View 3. Views from Key View 3 (approximately 81 feet above msl) are afforded from Sunset View Park, which is located along Sunset Park Lane, to the west of Hoag Hospital and to the south of the Villa Balboa residential community; refer to Exhibit 5.2-5, Key View 3 - Existing Condition. This designated view park is situated approximately 0.43 mile to the north of the project site and is located atop a bluff that is approximately 72 feet higher in elevation than the project site.

Foreground views include large structures and mature vegetation. Middleground and background views include Lido Channel and developed commercial and residential uses. Background views include the Pacific Ocean and Catalina Island. Overall, the visible building heights appear uniform, with a few exceptions in middleground views. Mature landscaping visible throughout this view, softening most of the visible hardscape and development. Some water features, including Newport Bay and the Pacific Ocean, are also afforded in middleground and background views.

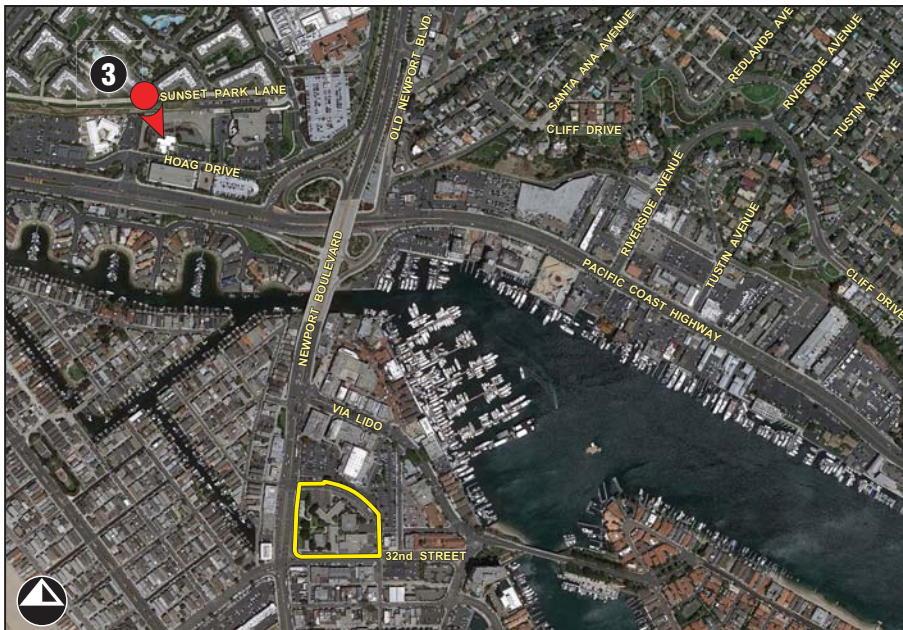
VISUAL CHARACTER/QUALITY




RBF conducted a photographic inventory of the project area to document the existing visual character and quality of the project site and its surroundings; refer to Exhibit 5.2-6, Existing On-Site Conditions, and Exhibit 5.2-7, Existing Surrounding Conditions. The project area is situated in a developed area of Newport Beach that accommodates a mix of land uses, including residential, institutional, commercial, and recreational/open space uses. The project site is specifically located in Lido Village, at the western portion of the Balboa Peninsula. This landscape setting is unique as a result of the waterfront exposure along Newport Harbor and the proximity to the Pacific Ocean.



- ▲ Direction of Photo
- Key View Location
- ② Key View Number





-  Direction of Photo
-  Key View Location
-  Key View Number



View of the existing on-site Fire Station No. 2 located in the southeastern portion of the site.



Typical view of on-site parking uses.



View of on-site structure associated with the former Newport Beach City Hall Complex.



View of on-site structures associated with the former Newport Beach City Hall Complex.



View of existing on-site landscaping along the western portion of the project site.



View of on-site structures along the southern portion of the project site.



View of commercial uses to the north of the project site.



View of commercial and institutional uses to the east of the project site.



View of mixed commercial uses to the south of the project site.



View of commercial uses to the west of the project site.



According to the Lido Village Design Guidelines, the project site serves as the gateway and connection point to West Newport, the Balboa Peninsula, and the Pacific Ocean. Lido Village provides local and regional destination retail, entertainment, and mixed-use services. Primary access to the Lido Village is provided by Newport Boulevard, Via Lido, and 32nd Street. This multi-modal village is not only accessed by pedestrians and vehicles, but also by residents and visitors who use watercraft and bicycles as common modes of transportation. Lido Village includes the project site (former City Hall), the Lido Theater and Via Lido Plaza, the Lido Marina Village, St. James Anglican Church and the First Church of Christian Scientist (currently vacant), as well as several retail, office, and residential properties. Lido Marina Village currently serves as a base for several commercial harbor excursion services. Surrounding communities include West Newport (to the west), Lido Island (to the east), and Balboa Peninsula (to the south and southeast).

The project site is currently occupied by the former Newport Beach City Hall Complex and the existing Fire Station No. 2. The City relocated City Hall staff from the site to the new Civic Center located at Newport Center in April of 2013, although the City continues limited use of various buildings. Fire Station No. 2 remains staffed and in operation at the project site. On-site structures consist of varying building materials (including brick, wood, and stucco) and vary in height from one to two stories with varying architectural treatments. The buildings were constructed at various times between 1945 (City Hall) and 2008 (Human Resource recruitment trailer). Ornamental landscaping (including mature trees) and multiple surface parking lots are also afforded on-site as well.

Land uses surrounding the project site include the following:

- North. Via Lido Plaza is present to the north of the project site. These uses include a mixed-use retail, entertainment, and commercial center that once accommodated an anchor supermarket, supporting retail, theater, restaurants, and office uses. The supermarket closed and the space is now occupied by a retail use specializing in marine-related products (West Marine). Structures range from one to two stories in height and consist of varying building materials and architectural styles.
- East. Lido Triangle is present to the east of the project site. Surface parking is situated directly to the east of the project site. East of Via Oporto are office and institutional uses; however, the City has approved an application for a multiple-family residential development at 3303 and 3355 Via Lido. These structures are one to three stories in height and building materials include stucco and brick materials.
- South. Mixed commercial (retail shops along 32nd Street) and residential uses are present to the south of the project site within an area known as Cannery Village. These uses include street-front commercial facades and vary in color treatments. Structures are one to two stories in height and building materials range from stone, brick, concrete, and stucco.
- West. Commercial uses (retail shops, restaurants, and a gasoline station west of and along Newport Boulevard) are present to the west of the project site. These structures range from one to two stories in height and building materials include stucco and glass. The uses also include street-front commercial facades and vary in color treatments.



SHADE AND SHADOW

Shade and shadow issues pertain to the blockage of direct sunlight by on-site buildings (which affect adjacent properties). Shading is an important environmental issue because the users or occupants of certain land uses, such as residential, recreational, churches, schools, outdoor restaurants, and pedestrian areas have expectations for direct sunlight and warmth from the sun. These land uses are termed “shadow-sensitive.”

In order to identify the proposed project’s potential shadow-related impacts, existing and project-generated morning, noon, afternoon, and evening shade patterns were compared for each of the four seasons. Specifically, four dates were used for analysis purposes:

- Winter and summer solstices (December 21 and June 21), when the sun is at its lowest and highest point, respectively; and
- Spring and fall equinoxes (March 21 and September 21), when day and night are of approximately equal length.

The longest shadows are cast during the winter months and the shortest shadows are cast during the summer months. The following discussion describes the summer/winter solstice and vernal/autumnal equinox phenomenon, local topography, and some general assumptions that affect shadow patterns in the project vicinity. Note that the analysis considers shadow effects associated with proposed building massing only; the shadow patterns associated with proposed landscaping are not addressed.

Summer and Winter Solstice

“Solstice” is defined as either of the two points on the ecliptic that lie midway between the equinoxes (separated from them by an angular distance of 90°). At the solstices, the sun’s apparent position on the celestial sphere reaches its greatest distance above or below the celestial equator, about 23.5° of the arc. At the time of summer solstice, approximately June 21st, the sun is directly overhead at noon at the Tropic of Cancer. In the Northern Hemisphere, the longest day and shortest night of the year occur on this date, marking the beginning of summer. At winter solstice, approximately December 21st, the sun is overhead at noon at the Tropic of Capricorn; this marks the beginning of winter in the Northern Hemisphere. Measuring shadow lengths for the winter and summer solstices represents the extreme shadow patterns that occur throughout the year. Shadows cast on the summer solstice are the shortest shadows during the year, becoming progressively longer until winter solstice when the shadows are the longest they are all year. Shadows are shown for summer and winter solstice, cast from 9:00 a.m. to 6:00 p.m. (summer) and to 3:00 p.m. (winter).

Vernal and Autumnal Equinox

An equinox is the moment when the sun passes over the equator. The event occurs twice a year, approximately March 21st and September 21st. The equinoxes are the two days each year when the middle of the sun is an equal amount of time above and below the horizon for every location on Earth. In the Northern Hemisphere, the March equinox is known as the vernal equinox and the September equinox is the autumnal equinox. In the Southern Hemisphere, the names are reversed. In practice, at the equinox, the day is longer than the night.



The equinoxes can be interpreted as virtual points in the sky. As Earth moves around the sun, the apparent position of the sun relative to the other stars moves in a full circle over the period of a year. This circle is called the ecliptic, and is also the plane of Earth's orbit projected against the whole sky. Other bright planets like Venus, Mars, and Saturn also appear to move along the ecliptic, because their orbits are in a similar plane to Earth's. Another virtual circle in the sky is the celestial equator, or the projection of the plane of Earth's equator against the whole sky. Because Earth's axis of rotation is tilted relative to the plane of Earth's orbit around the sun, the celestial equator is inclined to the ecliptic by about 23.5°.

Existing Shadow Patterns

Currently, multiple permanent and temporary structures are present within the boundaries of the project site. Exhibit 5.2-8, *Existing Shade/Shadow Patterns*, illustrates the existing shadow patterns present as a result of on-site structures. Currently, the shadows cast by on-site structures do not extend beyond the boundaries of the project site.

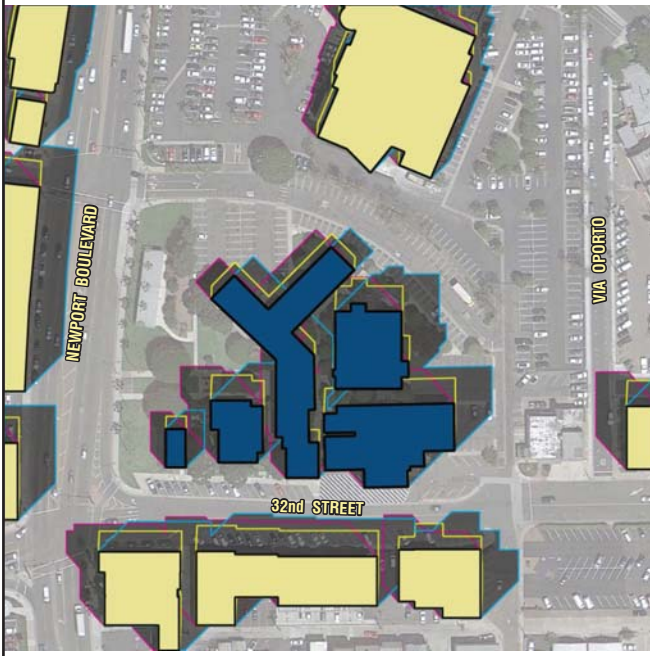
LIGHT AND GLARE

Lighting effects are associated with the use of artificial light during the evening and nighttime hours. There are two primary sources of light: light emanating from building interiors passing through windows and light from exterior sources (i.e., street lighting, building illumination, security lighting, parking lot lighting, and landscape lighting). Light introduction can be a nuisance to adjacent residential areas, diminish the view of the clear night sky and, if uncontrolled, can cause disturbances. Uses such as residences and hotels are considered light sensitive, because occupants have expectations of privacy during evening hours and may be subject to disturbance by bright light sources. Light spill is typically defined as the presence of unwanted light on properties adjacent to the property being illuminated. With respect to lighting, the degree of illumination may vary widely depending on the amount of light generated, height of the light source, presence of barriers or obstructions, type of light source, and weather conditions.

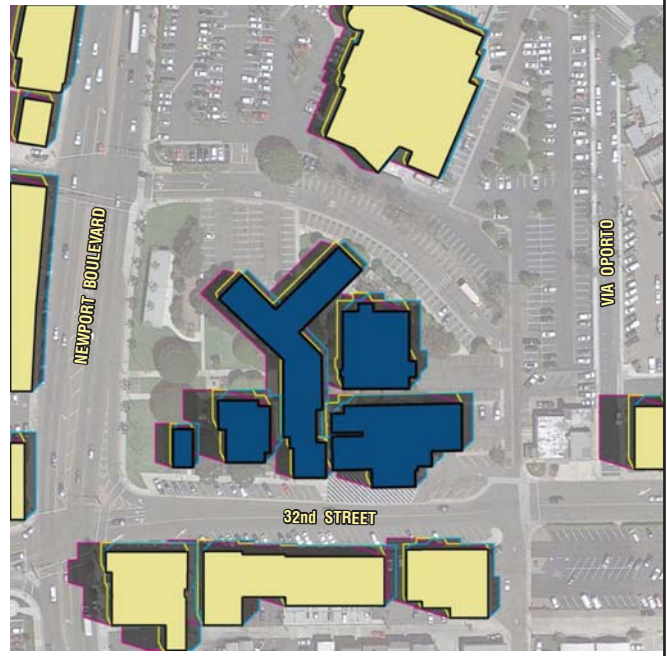
Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light by highly polished surfaces such as window glass or reflective materials and, to a lesser degree, from broad expanses of light-colored surfaces. Perceived glare is the unwanted and potentially objectionable sensation as observed by a person looking directly into the light source of a luminaire. Daytime glare generation is common in urban areas and is typically associated with buildings with exterior facades largely or entirely comprised of highly reflective glass. Glare can also be produced during evening and nighttime hours by the reflection of artificial light sources such as automobile headlights. Glare generation is typically related to either moving vehicles or sun angles, although glare resulting from reflected sunlight can occur regularly at certain times of the year. Glare-sensitive uses include residences, hotels, transportation corridors, and aircraft landing corridors.

Although on-site structures are generally unoccupied currently, security lighting is present on-site in association with on-site structures and surface parking areas. Surrounding light and glare are generated in the project area as a result of exterior security lighting as well as interior lighting for surrounding commercial and residential uses. The roadways located adjacent to the project site, namely Newport Boulevard and 32nd Street, and associated traffic signals also contribute to the existing light effects on the project site and in the surrounding area.

Late October to Early April



Winter Solstice



Vernal Equinox

Early April to Late October



Summer Solstice



Autumnal Equinox

Note: Based on the daytime lighting conditions throughout the year, the Vernal Equinox and Summer Solstice shadow patterns are represented from 9:00 a.m. and 6:00 p.m. and the Autumnal Equinox and Winter Solstice shadow patterns are represented from 9:00 a.m. to 3:00 p.m.

LEGEND

- 9 a.m. Shadow Pattern
- 12 p.m. Shadow Pattern
- 3 p.m. Shadow Pattern
- 6 p.m. Shadow Pattern

NOT TO SCALE



04/14 • JN 137892

LIDO HOUSE HOTEL
ENVIRONMENTAL IMPACT REPORT

Existing Shade/Shadow Patterns

Exhibit 5.2-8



5.2.2 REGULATORY SETTING

CITY OF NEWPORT BEACH GENERAL PLAN

City policies pertaining to scenic vistas and visual character are contained in the Natural Resources Element and Land Use Element of the General Plan. These relevant policies include the following:

Natural Resources Element

Goals:

- NR 20: Preservation of significant visual resources.
- NR 21: Not applicable.
- NR 22: Maintain the intensity of development around Newport Bay to be consistent with the unique character and visual scale of Newport Beach.

Policies:

- 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 [of the General Plan]. (Imp 2.1)
- NR 20.2 New Development Requirements: Require new development to restore and enhance the visual quality in visually degraded areas, where feasible, and provide view easements or corridors designed to protect public views or to restore public views in developed areas, where appropriate. (Imp 20.3)
- NR 20.3 [Not applicable.]
- 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. (Imp 2.1)
- NR 20.5 Public View Corridor Amenities: Provide public trails, recreation areas, and viewing areas adjacent to public view corridors, where feasible. (Imp 2.1, 16.11, 23.2)
- 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. (Imp 2.1)



Land Use Element

Policies:

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. (Imp 1.1)

LU 1.2 through LU 1.5 [Not applicable.]

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. (Imp 1.1)

CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM

The *City of Newport Beach Local Coastal Program Land Use Plan (CLUP)*, adopted July 14, 2009, and certified by the California Coastal Commission was prepared in accordance with the California Coastal Act of 1976. The Coastal Land Use Plan sets forth goals, objectives, and policies that govern the use of land and water in the coastal zone within the City and its sphere of influence, with the exception of Newport Coast and Banning Ranch. Coastal Act policies related to scenic and visual resources that are relevant to Newport Beach include the following:

- 30251. 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.

Scenic and Visual Resources

The following CLUP policies are applicable to the proposed project:

- 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.
- 4.4.1-2. Design and site new development, including landscaping, so as to minimize impacts to public coastal views.
- 4.4.1-3. [Not applicable.]
- 4.4.1-4. [Not applicable.]



- 4.4.1-5. Where feasible, require new development to restore and enhance the visual quality in visually degraded areas.
- 4.4.1-6. Protect public coastal views from the following roadway segments:¹
- 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 Drive.
 - 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/Westminster 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.
- 4.4.1-7. [Not applicable.]
- 4.4.1-8. [Not applicable.]
- 4.4.1-9. [Not applicable.]
- 4.4.1-10. Where feasible, provide public trails, recreation areas, and viewing areas adjacent to public coastal view corridors.

Bulk and Height Limitation. Concern over the intensity of development around Lower Newport Bay led to the adoption of a series of ordinances in the early 1970s that established more restrictive height and bulk development standards around the bay. The intent was to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach. As a result, new development within the Shoreline Height Limitation Zone is limited to a height of 35 feet. Residential development is limited to a height of 24 to 28 feet and non-residential development is limited to a height of 26 to 35 feet. Outside of the Shoreline Height Limitation Zone, heights up to 50 feet are permitted within the planned community districts. There are also

¹ Those roadway segments located in the project's viewshed are shown in **bold**.



two properties in the coastal zone that are within the High Rise Height Limitation Zone, which are permitted heights up to 375 feet. The first is the site of Newport Beach Marriott Hotel in Newport Center; the other is an undeveloped office site northeast of the Jamboree Road/State Route 73 interchange.

Building floor areas are strictly limited citywide. In the coastal zone, residential development is limited to floor areas ranging from 1.5 to 2.0 times the buildable area of the parcel (the land minus required setback yards), which typically translates to actual floor area ratios of 0.95 to 1.35. Nonresidential development floor area ratios range from 0.30 to 1.25.

- 4.4.2-1. Maintain the 35-foot height limitation in the Shoreline Height Limitation Zone, as graphically depicted on Map 4-3.
- 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.
- 4.4.2-3. Implement the regulation of the building envelope to preserve public views through the height, setback, floor area, lot coverage, and building bulk regulation of the Zoning Code in effect as of October 13, 2005 that limit the building profile and maximize public view opportunities.

CITY OF NEWPORT BEACH MUNICIPAL CODE

Section 20.30.100, *Public View Protection.*

- A. This section provides regulations to preserve significant visual resources (public views) from public view points and corridors. It is not the intent of this Zoning Code to protect views from private property, to deny property owners a substantial property right or to deny the right to develop property in accordance with the other provisions of this Zoning Code.
- B. Applicability. The provisions of this section shall 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 Figure NR 3 (Coastal Views), 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.
- C. Initial Evaluation. Discretionary applications involving a project site adjacent to an identified public view point or corridor shall be reviewed to evaluate the development's potential to impact public views.
- D. Visual Impact Analysis. Where a proposed development has the potential to obstruct a public view(s) from a identified public view point or corridor, as identified on General Plan Figure NR 3 (Coastal Views), a view impact analysis may be required by the Department. The view impact analysis shall be prepared at the project proponent's expense. The analysis shall 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.



- E. Landscape Standards. Landscape improvements shall 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.
- F. Other Development Features. Freestanding signs, rooftop equipment, antennas, and other project features shall be designed and sited to ensure they minimize impacts to public views.
- G. View Protection Easement. The review authority may require applicants to provide public view protection easements to protect public views. (Ord. 2010-21 § 1 (Exh. A)(part), 2010)

Section 20.30.060, *Height Limits and Exceptions.*

- A. This section establishes regulations for determining compliance with the maximum allowable height limits established for each zoning district by Part 2 of this title (Zoning Districts, Allowable Land Uses, and Zoning District Standards).
- B. Height of Structures and Measurement.
 - 1. Structure Height Established. Structures shall not exceed the maximum allowable height for the zoning district in which the structure is located, except as provided in subsection (C) of this section (Increase in Height Limit) or subsection (D) of this section (Exceptions to Height Limits).
 - 2. Height Measurement. Height shall be measured as the vertical distance from the established grade of the pad to the highest part of the structure, including any protective guardrails and parapet walls. Structures with sloping roofs shall be measured to the highest peak of the roof. Structures with flat roofs shall be measured to the top of the roof, guardrail, or parapet wall. The established grade of the pad shall be determined by one of the methods identified in Section 20.30.050 (Grade Establishment)
- C. Increase in Height Limit.
 - 1. Procedure. The base height limits established in Part 2 of this title (Zoning Districts, Allowable Land Uses, and Zoning District Standards) may be increased within specified areas with the adoption of a Planned Community District, adoption of a specific plan, or approval of a planned development permit, or site development review. The maximum height limit is not guaranteed by right and shall require approval of a discretionary action when all applicable findings are met in compliance with subsection (C)(3) of this section (Required Findings). Height limits established as part of an adopted planned community shall not be subject to this subsection.



2. Height Limit Areas. The height limit areas shall be as follows:
 - a. [Not applicable.]
 - b. [Not applicable.]
 - c. Nonresidential, Shoreline Height Limit Area. In this height limit area the base height limit for nonresidential and mixed-use structures with flat roofs is twenty-six (26) feet and the base height limit for structures with sloped roofs is thirty-one (31) feet. The height of a structure may be increased up to a maximum of thirty-five (35) feet with a flat roof or forty (40) feet with a sloped roof through the approval of a discretionary application as provided above. The shoreline height limit shall apply to all nonresidential zoning districts and mixed-use zoning districts within the boundaries of the Shoreline Height Limit Area shown on the High Rise and Shoreline Height Limit Areas Map (See Map H-1, attached to the ordinance codified in this title).
 - d. Nonresidential, Nonshoreline Height Limit Area. In this height limit area the base height limit for nonresidential and mixed-use structures with flat roofs is thirty-two (32) feet and the base height limit for structures with sloped roofs is thirty-seven (37) feet. The height of a structure may be increased up to a maximum of fifty (50) feet with a flat roof or fifty-five (55) feet with a sloped roof through the approval of a discretionary application as provided above. This height limit shall apply to all nonresidential, nonshoreline zoning districts and mixed-use zoning districts within its boundaries. The nonresidential, nonshoreline height limit area is identified as all of the area outside the Shoreline Height Limit Area shown on the High Rise and Shoreline Height Limit Areas Map (See Map H-1, attached to the ordinance codified in this title).
3. Required Findings. The review authority may adopt a Planned Community District, adopt a specific plan, or approve a planned development permit or site development review to allow an increase in the height of a structure above the base height only after first making all of the following findings in addition to the findings required for the discretionary permit application:
 - a. The project applicant is providing additional project amenities beyond those that are otherwise required. Examples of project amenities include, but are not limited to:
 - i. Additional landscaped open space;
 - ii. Increased setback and open areas; and
 - iii. Enhancement and protection of public views.
 - b. The architectural design of the project provides visual interest through the use of light and shadow, recessed planes, vertical elements, and varied roof planes;
 - c. The increased height will not result in undesirable or abrupt scale changes or relationships being created between the proposed structure(s) and existing



adjacent developments or public spaces. Where appropriate, the proposed structure(s) provides a gradual transition to taller or shorter structures on abutting properties; and

- d. The structure will have no more floor area than could have been achieved without the approval of the height increase.

Section 20.30.070, *Outdoor Lighting*.

This section establishes outdoor lighting standards in order to reduce the impacts of glare, light trespass, overlighting, sky glow, and poorly shielded or inappropriately directed lighting fixtures, and promote safety and encourage energy conservation.

A. General Outdoor Lighting Standards.

1. All outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained to shield adjacent properties and to not produce glare onto adjacent properties or roadways. Parking lot light fixtures and light fixtures on buildings shall be full cut-off fixtures.
2. Flashing, revolving, or intermittent exterior lighting visible from any property line or street shall be prohibited, except if approved as an accessory feature on a temporary basis in conjunction with a special event permit.
3. A photometric study may be required as part of an application for a zoning clearance if it is determined that there is potential for a negative impact to surrounding land uses or sensitive habitat areas.
4. If in the opinion of the Director existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.

B. Light Standards within Parking Lots. Light standards within parking lots shall be the minimum height required to effectively illuminate the parking area and eliminate spillover of light and glare onto adjoining properties and roadways. To accomplish this, a greater number of shorter light standards may be required as opposed to a lesser number of taller standards.

C. Outdoor Lighting Standards for Buildings, Statues, Other Manmade Objects, and Landscapes. Spotlighting or floodlighting used to illuminate buildings, statues, signs, or any other objects mounted on a pole, pedestal, or platform or used to accentuate landscaping shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the object intended to be illuminated to minimize glare, sky glow, and light trespass. The beam width shall not be wider than that needed to light the feature with minimum spillover. The lighting shall not shine directly into the window of a residence or directly into a roadway. Light fixtures attached to a building shall be directed downward.



- D. Outdoor Recreation/Entertainment Areas. Sports courts and similar facilities used for outdoor recreation or entertainment, located within a residential zoning district or closer than two hundred (200) feet to the boundary of a residential zoning district, shall not be lighted unless a minor site development review has been approved in compliance with Section 20.52.080 (Site Development Reviews). (Ord. 2010-21 § 1 (Exh. A)(part), 2010)

LIDO VILLAGE DESIGN GUIDELINES

City Hall Goals.

The relocation of the current City Hall site to a new state-of-the-art facility opens up a unique opportunity for redevelopment at a key intersection in Newport Beach. The site has a strong visual impact on the Village with connection to the beach along 32nd Street. Improvements should feature enhanced public spaces with a pedestrian focus. Major roadways should be improved, reinforcing pedestrian connectivity to the rest of the Village. New buildings should also relate to the mix of uses of the surrounding parcels. The following are goals for the City Hall Site:

- Provide quality outdoor spaces that are publicly accessible.
- Improve the Newport Boulevard and 32nd Street interfaces to create a secondary gateway.
- Provide for increased building heights on the City Hall Site with emphasis on mixed use zoning.
- Incorporate a dynamic tenant mix that maximizes value without compromising existing owners and their tenant mixes.
- Balance residential needs with visitor services.
- Use appropriate architectural styles with historic references in the design elements of new buildings.
- Provide emphasis for pedestrian connections and public space.

City Hall Edge Conditions.

The City Hall Site anchors the Village at the southwestern boundary, serving as the gateway and connection point to West Newport and the Pacific Ocean. The primary focus of this study area should promote Beach to Bay connectivity, public open space, and complementary tenant mixes within the area. Key improvement points should consider the following:

- Improving pedestrian connectivity within the parcel connecting the Beach to the Bay.
- Building and massing should address 32nd Street and complement the existing building forms.
- Incorporating public or civic spaces for people gathering and events.
- Include Village-wide landmark or monumentation improvements.
- Minimizing vehicular access along Newport Boulevard and 32nd Street to mitigate pedestrian and vehicular conflicts.
- Improving the pedestrian experience along Newport Boulevard and 32nd Street.

Northeast Corner of Newport Boulevard and 32nd Street. The Lido Village Design Guidelines note a Landmark Opportunity and Node Opportunity at the southwest corner of the project site. The Guidelines define a Landmark Opportunity as an opportunity to provide vertical elements, way-



finding, and orientation. A Node Opportunity notes an opportunity for formal and informal people places, outdoor living room, plazas, or building relief.

Primary Pedestrian Corridors. Primary Pedestrian Corridors are noted along the western and southern edges of the project site, along Newport Boulevard and 32nd Street respectively. A Primary Pedestrian Corridor is located along a primary roadway, encourages pedestrian-friendly safety measures, and enhances landscape elements.

Secondary Pedestrian Corridors. Secondary Pedestrian Corridors are noted along the eastern and northern edges of the project site, along Villa Way and internally through the site. A Secondary Pedestrian Corridor is located along secondary streets and off-street corridors, is of limited vehicular access, and includes both private and public conditions that encourage multi-modal use.

Street Focused Edges. Newport Boulevard and 32nd Street are described as Street Focused Edges. A Street Focused Edge includes image-defining facades with street orientation. These edges also create strong building/pedestrian interface and are encouraged to include a unified theme and character along each street segment.

Buffer Edges. Villa Way and the northern boundary of the project site are considered Buffer Edges. A Buffer Edge includes limited pedestrian and vehicular access and is intended to achieve softening between uses of differing intensities. This edge promotes landscape solutions with vertical emphasis and encourages façade enhancements that are visually attractive.

Service Edges. Villa Way is also described as a Service Edge. A Service Edge includes back service conditions. This edge encourages special screening applications and is of limited pedestrian access.

Pedestrian Connections and Open Space.

Because Lido Village is situated along Newport Harbor and within a short distance to the beach, it is important that the Guidelines promote the enhancement of that connectivity. Public improvements will be coordinated with land owners to ensure quality and continuity during the design process. Land owners will be encouraged, where needed, to incorporate clearly defined pedestrian pathways and nodes that encourage walkability and people places within the Village. Landscaping paired with hardscape treatments are intended to reinforce the area's maritime influences.

Streets offer vehicular and pedestrian circulation that reinforce the visual recognition of the location within the Village. Streets are a fundamental component of the public realm and are not just for vehicular conveyance. Any street improvements within the Village should be designed with the pedestrian in mind. Because there are major roadways and high volume streets, pedestrian safety is of utmost concern.

Architectural Guidelines.

Building forms and massing define and create dynamic urban spaces. Future building design and improvement components of Lido Village structures can be broken down into the simple design elements of base, body, and roof. By respecting these simple elements and utilizing the following architectural styles, new improvements will create a strong architectural theme and character for the Village. Application of good design principles that are sensitive to scale, proportion, identity,



lighting, colors, texture, and landscape are expected. Below are a series of elements and applications that should be considered when designing for new construction or rehabilitation within the Village. An integrated approach using modern construction practices and authentic materials will ensure quality and continuity.

- Building orientation and site planning;
- Building form and massing;
- Façade treatments;
- Storefronts and street interface;
- Roofs considerations;
- Materials and applications;
- Material wrapping;
- Door treatments;
- Windows and glazing;
- Shading and awnings;
- Building signage;
- Architectural lighting;
- Parking; and
- Back treatments.

Landscape Character.

The landscape tree rhythms, paving textures, shrub massing are intended to be the unifying element of the Village. A simple palette of palm, evergreen shade trees, and semi-tropical varieties with a simple groundplane of rich paving materials will provide visitors and residents with an enhanced experience. High quality materials should be used to improve the “sense of place” that recalls the rich and colorful history of Lido Village. Progressive applications with these classic materials should be considered but used appropriately to convey modern and timeless execution. Decorative banners, colorful planters adjacent to storefronts, and lively public and private plazas should be encouraged to improve excitement and flair within the Village. Amenity features such as site furnishings, fountains, lighting, and signage will also complement and unify Lido Village.

Conceptual Monumentation.

The southwestern corner of the project site is identified as a potential Monumentation location. As an underlying theme throughout the Village, landscape, hardscape, and open space improvements should draw influences from the Coastal and/or Nautical themes. For example, drawing inspiration from the proud sailing heritage of Newport Beach, a series of icon sail elements could be introduced as vertical features within the Village. Much like the different regattas, such as the Newport to Ensenada Race or the Flight of the Snowbirds, the sails should be of varying sizes and configurations. These sails would be light and thematic, made from high-tech weather resistant material that could be transparent during the day and light up at night. Clusters of these sails could be placed throughout the Village replicating the pageantry and excitement of these heralded regattas and the area’s maritime heritage. These elements could also serve as the thematic monumentation, announcing ones arrival into Lido Village.



Arrival Gateway Intersections.

The southwest corner of the project site is also identified as a Secondary Intersection. The Arrival Gateway Intersection (identified at the intersection of Newport Boulevard and Via Lido, to the north of the project site) is a primary focal point for creating a statement and setting the 'theme' for Lido Village. Secondary intersections will provide an opportunity to further enhance the pedestrian experience and strengthen the identity of the Village. The secondary intersections (including Newport Boulevard and 32nd Street) will feature elements of the Arrival Gateway Intersection, such as enhanced paving and a unified plant palette, only on a smaller scale. These areas also provide an opportunity for way-finding signage, celebration banners and graphics and civic art or water features. Tertiary intersections will also incorporate these themes, but again, on a smaller scale.

Streetscapes.

The streets within the Lido Village serve a dual purpose: vehicular and pedestrian movement and an aesthetically pleasing environment to the Village as a whole. Scale and the experience between buildings, pedestrian interfaces, and traffic volumes will be addressed for each level of streetscape design. Because the Village has evolved organically over time without a cohesive master plan, each of the streets has its own unique character and purpose. By addressing the individual elements that compose a streetscape, the streets within Lido Village will be different than other districts, thereby informing residents and visitors that this is a unique place.

Newport Boulevard. Newport Boulevard serves as the major thoroughfare, providing access to and from Balboa Peninsula. This high volume arterial corridor has a significant impact on the Village in both design and conveyance. Because of its high volume, special attention to the pedestrian safety and vehicular interface needs to be addressed. It is the intent of these guidelines to improve the pedestrian safety along Newport Boulevard while not interrupting traffic flows, and trip volumes or restricting retail visibility.

One of the principal aspects of the concept plan is to create a wide, green buffer on the east (northbound) side of the road. Creating a protected pedestrian space adjacent to the street will provide a much greater sense of place and aesthetic for Lido Village. This buffer will be contained by open space 'bookends': the Arrival Gateway Intersection at Via Lido and the Secondary Intersection at 32nd Street.

The west (southbound) side of Newport Boulevard is currently devoid of vegetation and severely lacks pedestrian access. Trees in tree grates are proposed in front of the retail buildings to soften the environment, and enhanced crosswalks should be provided at each intersection to further promote pedestrian access.

32nd Street. 32nd Street serves as the southern boundary and transitional street between Lido Village and Cannery Village. This street also serves as the principal visual and physical link connecting Lido Village to the beach. This linkage shall be reinforced by widening sidewalks, enhancing crosswalks, and utilizing way-finding graphics and signage.

Presently, there is no vegetation on the south side of 32nd Street adjacent to the commercial buildings. Conceptual improvements may include 'finger islands' that would occur every four parking spaces to create a street-tree rhythm of canopy and palm trees. Head-in, diagonal parking



would create an increased driver awareness that, in turn, will slow down vehicular traffic, making the street more pedestrian friendly.

The enhanced paving, street tree rhythm, and other thematic elements such as signage, streetscape lighting, graphic banners, and site furnishings will extend between intersections at Newport Boulevard and Via Lido. Future development for 32nd Street to the west of Newport Boulevard should incorporate the same patterns and materials to further emphasize the Bay to Beach linkage.

Open Space Network and Connectivity.

Plazas and courtyards, both public and private, afford the opportunity for community gatherings and a setting for a multitude of events and activities. A Farmer's Market, festivals, and cultural celebrations, children's play areas, relaxation spaces for shoppers, patios for dining, and spaces for public art are some of the general programing elements.

A large 'Civic Plaza' is envisioned near Newport Boulevard and 32nd Street that will serve as the focal point for pedestrian and Village activities. Multiple, small 'Waterfront Plazas' will serve as features for activities and events relating to the Harbor. The improved streetscape system will be a critical element, serving as passive open spaces and corridors, which will connect the various open space plazas and courtyards throughout Lido Village. Pedestrian connections will be the vital link that will make Lido Village a truly enjoyable destination.

The project site is noted to include Primary Pedestrian Connections, Civic Plaza areas, and Secondary Pedestrian Connections.

Village Features and Amenities.

The Village Features and Amenities section of the Guidelines includes all of the proposed site furnishings and amenities around Lido Village. In keeping with the concept that the landscape elements will be the unifying theme of this district, all of the features will follow the guidelines of being modern, timeless, and simple. Forms will be clean and refined, with materials being consistent throughout. Listed features and amenities include the following:

- Site furnishings;
- Hardscape and paving;
- Pottery;
- Outdoor lighting;
- Monumentation and signage;
- Screening and wall treatments;
- Water features; and
- Public art.

Irrigation Guidelines.

Irrigation systems for Lido Village shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible. The following is a list of some of the strategies property owners should undertake to ensure optimum irrigation efficiency:



- All of the plant species selected for these Guidelines have a low to medium water usage rating and shall be planted with like species according to their respective Water Use Classifications of Landscape Species (WUCOLS) plant factor in order to prevent excess water use.
- The amount of water used for irrigation shall be calculated in accordance with California Assembly Bill 1881 that mandates a 70 percent reduction from the baseline evapotranspiration rate for Newport Beach.
- Turf grass should be used sparingly throughout the Village. Even in these cases, artificial-turf or other alternatives should be explored.
- All irrigation systems on the site shall be designed to prevent runoff, over-spray, low-head drainage, and other similar conditions where water flows off the intended planting area.
- Irrigation systems shall include a 'smart' (ET) irrigation controller, which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions.
- On-site irrigation should be either a drip-line or point-to-point drip irrigation system with low precipitation rate heads/nozzles in turf areas and low-flow bubbler emitters at all tree locations.
- Use of future reclaimed water system should be mandatory if such a system is implemented and available to the site.

Landscape Plant Palette.

The general Plant Palette for public spaces and private property in Lido Village will further reinforce the design concepts of modern, timeless, and simple. California-friendly plant species have been selected for their durability, resistance to disease, low water use requirements, for their historical and current use around Newport Beach.

The landscape, as mentioned, will be the unifying element that ties together the Village and creates a sense of place for residents and visitors. The groundplane will be simple and bold, consisting of multiple 'tiered' layers of plants to provide depth and continuity throughout the Village. By limiting the overall palette and creating a noticeable rhythm with the plants, the character and image of Lido Village will be emphasized and remembered as a specific destination, and a special place in Newport Beach.

5.2.3 IMPACT THRESHOLDS AND SIGNIFICANCE CRITERIA

Appendix G of the *CEQA Guidelines* contains the Environmental Checklist form used during preparation of this EIR. Accordingly, a project may create a significant adverse environmental impact if it would:



- Have a substantial adverse effect on a scenic vista (refer to Impact Statement AES-1);
- Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway (refer to Section 8.0, *Effects Found Not to be Significant*);
- Substantially degrade the existing visual character or quality of the site and its surroundings (refer to Impact Statements AES-2 and AES-3); and/or
- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area (refer to Impact Statement AES-4).

Based on these standards, the effects of the proposed project have been categorized as either a “less than significant impact” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant and unavoidable impact.

5.2.4 IMPACTS AND MITIGATION MEASURES

SCENIC VIEWS AND VISTAS

AES-1 PROJECT IMPLEMENTATION COULD HAVE A SUBSTANTIAL ADVERSE AFFECT ON A SCENIC VIEW OR VISTA.

Impact Analysis: As previously noted, the project site is located within the viewshed of three City-designated public views and represent views toward Newport Bay and the Pacific Ocean (identified visual resources). Other designated scenic views in the City are not anticipated to be significantly impacted by the proposed project due to existing topography, structures, vegetation, and proximity. It should be noted that views along Lido Island Bridge (also referenced as Via Lido Bridge) were considered, but rejected from further analysis as they are looking away from the project site and towards Newport Bay. Additionally, views from the Newport Boulevard Bridge (also referenced as the Arches Bridge) were considered and rejected from further analysis as they are also looking away from the project site towards Newport Bay. In both of these cases, the project site is not visible from these public vantage points.

Implementation of the proposed project would result in increased building heights, particularly on the northern and eastern portions of the proposed structure. Building heights along the western portion of the building (along Newport Boulevard) would range from 30 to 58.5 feet in height. Building heights along the southern portion of the building (along 32nd Street) would be approximately 30 feet in height. Building heights along the northern and western portions of the building would be up to 58.5 feet in height.

Photosimulations were prepared for each Key View location in order to demonstrate the degree of change resulting from project implementation; refer to Exhibit 5.2-1. The simulations have been utilized to depict, at a conceptual level of detail, the “proposed” project conditions. These simulations are intended to provide the reader with information on the form, size, and scale of the proposed structures within the project area. A three-dimensional wire frame model was created



using Computer Aided Design and Drafting (CADD) files supplied by the project architect. Imaging software was used to align the computer model to the site photographs. The computer model was then superimposed over photographs from each of the Key Views and minor camera alignment changes were made to all known reference points within the view. Foreground masking of objects was performed with Adobe Photoshop to enhance realism.

The following analyzes the project's effects on scenic views, as experienced from three designated View Parks (Ensign Park [Key View 1], Cliff Drive Park [Key View 2], and Sunset View Park [Key View 3]).

Key View 1. Views from Key View 1 are from recreational users located at Ensign Park, located approximately 0.54-mile to the east of the project site; refer to Exhibit 5.2-9, Key View 1 - Existing and Proposed Conditions. Foreground views toward PCH as well as Lido Channel would remain upon project completion. Residential uses, Via Lido Bridge, and developed commercial uses are visible in middleground views would also remain. The topmost portions of the new structures would be visible along the developed urban skyline. The visible portions of the new structures would appear similar in massing to existing structures in middleground views. The new structures would not result in substantial view obstruction of the Pacific Ocean and Catalina Island in background views.

Implementation of the proposed project would preserve and maintain existing designated public views from Ensign Park. Project implementation would result in a less than significant impact in this regard.

Key View 2. Views from Key View 2 are from recreational users located at Cliff Drive Park, located approximately 0.47-mile to the northeast of the project site; refer to Exhibit 5.2-10, Key View 2 - Existing and Proposed Conditions. Foreground views toward mature vegetation and developed commercial uses along PCH as well as Lido Channel would remain upon project construction. Via Lido Bridge and developed commercial uses are visible in middleground views would also remain visible. New structures would be slightly visible along the skyline. The visible portions of the new structures would appear similar in massing to existing structures in middleground views. The new structures would not result in view obstruction of the Pacific Ocean and Catalina Island in background views.

Implementation of the proposed project would preserve and maintain existing designated public views at Cliff Drive Park. Project implementation would result in a less than significant impact in this regard.

Key View 3. Views from Key View 3 are from recreational users located at Sunset View Park, located approximately 0.43-mile to the north of the project site; refer to Exhibit 5.2-11, Key View 3 - Existing and Proposed Conditions. Foreground views of large structures and mature vegetation would remain. Middleground and background views toward Lido Channel and developed commercial uses would appear similar to the existing condition upon project completion. New structures would be visible along the skyline. However, these new structures would appear similar in massing to the existing structures in middleground views and would not result in substantial view obstruction of the Pacific Ocean and Catalina Island in background views. Particular background views from Sunset View Park toward the Pacific Ocean and Catalina Island would remain, as the proposed structure are not situated within the line-of-sight to these visual resources.

Existing Condition



Proposed Condition





Existing Condition



Proposed Condition





Implementation of the proposed project would preserve and maintain existing designated public views at Sunset View Park. Project implementation would result in a less than significant impact in this regard.

Consistency with the California Coastal Act

As analyzed in the Key View analysis presented above, implementation of the proposed project would not impair the existing views to the Pacific Ocean and Newport Bay from these public coastal areas. Further, as discussed in Impact Statement AES-3, the proposed project would be similar in character to the surrounding community. Thus, the proposed project would be consistent with Section 30251 of the California Coastal Act and impacts in this regard are less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

SHORT-TERM VISUAL CHARACTER/QUALITY

AES-2 PROJECT CONSTRUCTION ACTIVITIES COULD TEMPORARILY DEGRADE THE VISUAL CHARACTER/QUALITY OF THE SITE AND ITS SURROUNDINGS.

Impact Analysis: As described in Section 3.5, *Phasing/Construction*, structural demolition, project grading, and construction of the proposed project is anticipated to occur in one phase (over a 14-month period of time). All on-site structures would be demolished, site clearing/grading would occur, and construction of the new hotel structure would occur. However, it should be noted that the existing Newport Beach Fire Department Fire Station No. 2 would remain. Other features such as street/infrastructure improvements, public parkway/plaza areas and landscaping would also be installed.

Surrounding sensitive receptors that would have views for a long duration of the project site during construction include residential uses (associated with mixed uses to the east and south) of the project site. Sensitive receptors that would have moderate and short duration views would include pedestrians and bicyclists, as well as motorists traveling along Newport Boulevard and 32nd Street. More distant views of the project site, such as those from Ensign Park, Cliff Drive Park, and Sunset View Park would only be exposed to the visible top portions of the on-structures as they are erected.

During construction, the character/quality of the project site and its surroundings would be altered. Demolition debris, graded surfaces, construction debris, construction equipment, truck traffic, and partially completed building construction would be visible. Additionally, soil would be stockpiled and equipment for grading activities would be staged at various locations throughout the project site. The duration and intensity of project construction would vary with each stage. Most of the heavy grading equipment would be on-site for the period needed to complete the demolition of the existing on-site structures and rough grading.

Adjoining residents, pedestrians, and motorists would have direct views of the project's construction activities, which would visibly degrade the character for this area. Mitigation Measure AES-1 would require the preparation of a Construction Management Plan, which specifies requirements for



equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). All staging areas would be required to be sited and screened in a manner that would minimize public views and views from surrounding residents to the staging areas. Temporary construction fencing would be likely 8 feet in height and comprised of an opaque material to screen on-site construction activities as well as provide security and protection. Implementation of Mitigation Measure AES-1 would minimize the visual impacts, as viewed by the surrounding residents, pedestrians/bicyclists, and motorists. As these impacts are temporary in nature and would cease upon project completion, the project's construction-related impacts to the visual character or quality of the site and its surroundings would be reduced to less than significant levels with implementation of Mitigation Measure AES-1.

Mitigation Measures:

AES-1 Prior to issuance of any grading and/or demolition permits, whichever occurs first, a Construction Management Plan shall be submitted for review and approval by the Director of Community Development. The Construction Management Plan shall, at a minimum, indicate the equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). Staging areas shall be sited and/or screened in order to minimize public views to the maximum extent practicable. Construction haul routes shall minimize impacts to sensitive uses in the City by avoiding local residential streets.

Level of Significance: Less Than Significant With Mitigation Incorporated.

LONG-TERM VISUAL CHARACTER/QUALITY

AES-3 PROJECT IMPLEMENTATION COULD DEGRADE THE VISUAL CHARACTER/QUALITY OF THE SITE AND ITS SURROUNDINGS.

Impact Analysis: The visual analysis of a proposed project must consider its visual quality and compatibility in consideration of the area's visual sensitivity. The analysis provided below examines the proposed project for compatibility with the character of the surrounding residential and recreational land uses, in consideration of the following visual elements:

- Architectural features (e.g., repetition of design elements: materials, texture, colors, form, type of construction, details, and building systems);
- Scale (e.g., size relationships between adjacent buildings, and between buildings and adjacent open spaces); and
- Front, side, and rear yard setbacks.

The proposed hotel would be comprised of guestrooms, public areas, and back of house (operational) areas; refer to Exhibit 3-4, *Conceptual Aerial View*. Guestrooms would include standard king, double queen, extended stay suites, extended stay villas, and a presidential suite. The hotel would also include meeting rooms, accessory retail spaces, a restaurant, lobby bar, rooftop patio, guest pool, and recreational areas. The four-story hotel would be organized around a central courtyard with outdoor pool, fire place, water feature, and formal lawn area. Guestrooms and suites, including a Presidential Suite and extended stay suites and villas, would occupy levels two through four. The villas would be two-stories and include a rooftop terrace and private entry with a front



yard and porch. Ballroom and meeting areas would be housed in a separate building, separate from the sleeping accommodations areas of the hotel. The rooftop patio would include a bar area, fire pit, and cabanas and provide views of the bay and ocean.

The proposed site layout, building architecture, and landscaping is planned to be consistent with the Lido Village Design Guidelines and the Lido Village Master Plan. The hotel would be four stories with architectural features up to 58.5-feet in height. Main access to the hotel would be accomplished from Newport Boulevard at Finley Street, along the western portion of the project site. The four-story massing of the new building would create a sense of arrival at the entry, while stepping down in scale and providing architectural articulation along Newport Boulevard and 32nd Street. Proposed building materials would vary, including used brick, wood siding, trim work, iron work, and historic architectural roof elements (e.g., dormers and copulas). The architecture would also include the residential vernacular of local coastal homes, and the hotel's residential scale would increase the pedestrian scale of the project site in context of the surrounding commercial uses. The upper levels of the proposed hotel would be set back away from the street edges, preserving the pedestrian scale along 32nd Street and Newport Boulevard.

The project proposes public open spaces consisting of pedestrian plazas, landscape areas, and other amenities to be located along Newport Boulevard and 32nd Street; refer to [Exhibit 3-3, *Conceptual Site Layout*](#). Landscaping within the public plaza space along Newport Boulevard would include a variation of grasses, shrubs, and trees. This plaza area would also include architectural features such as sea glass, sand, and shell paving "planks", reclaimed wood benches for seating, interactive water feature, interpretive pylons, park gateway monuments, wood decks with seating, a lawn terrace, and a park gateway. Landscaping would also be provided along the perimeter of the proposed hotel site and existing Fire Station No. 2 site. Based on the project plans, the two *Ficus microcarpa* trees located between Newport Boulevard and the former City Hall buildings, existing "special trees", would be retained. Four other existing "special trees" (*Pinus halepensis*) would be removed. The row of palm trees along Newport Boulevard would be either retained, relocated, or removed. The Applicant proposes to evaluate the palm trees along Newport Boulevard. If possible, the Applicant would relocate these trees on-site; otherwise, these trees would be removed as part of the project.

Project implementation would alter the visual character of the site and its surroundings, as the former Newport Beach City Hall Complex would be replaced with the proposed hotel and associated parkways/landscaping. Surrounding land uses provide a mix of uses consistent with retail/restaurant and hotel uses focused toward a more visitor-oriented character. The proposed project, with the proposed setbacks to Newport Boulevard and 32nd Street, is considered compatible in massing and scale to the surrounding uses. Further, the increase of building heights (up to 58.5 feet) would not result in a substantial change in the character of the area, as surrounding buildings (particularly to the north and east of the project site) include structures that can range from 12 to 110 feet. The proposed building heights for portions of the structure located along Newport Boulevard and 32nd street (up to 30 feet in height) would be similar to height as the surrounding buildings to the west and south (generally ranging in height from 11 to 35 feet). Thus, with implementation of the recommended Mitigation Measure AES-2 (which would ensure compliance with the Lido Village Design Guidelines), implementation of the proposed project would result in less than significant impacts pertaining to a degradation of character/quality at the project site and surrounding area.



Shade/Shadow Impacts

Implementation of the proposed project would result in the construction of a new hotel structure that would be up to 58.5 feet in height. Shadows introduced by the proposed buildings are not anticipated to shade any shadow sensitive uses for an extended period time, as shadows would move as the sun moves throughout the day; refer to Exhibit 5.2-12, *Proposed Shade/Shadow Patterns*. Resultant shade/shadow patterns onto the surrounding area would extend further than the existing shade/shadow patterns. However, the majority of these shadows would be onto parking areas. The southern-most portions of the commercial structure to the north would have increased shading, however, these shading impacts would be minimal, for a short period of time, and this use is not considered to be shadow-sensitive. Thus, impacts in this regard would be less than significant.

Consistency with the California Coastal Act

The California Coastal Act requires that the visual quality of coastal areas be considered and protected as a resource of public importance. Permitted development shall be sited and designed 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.

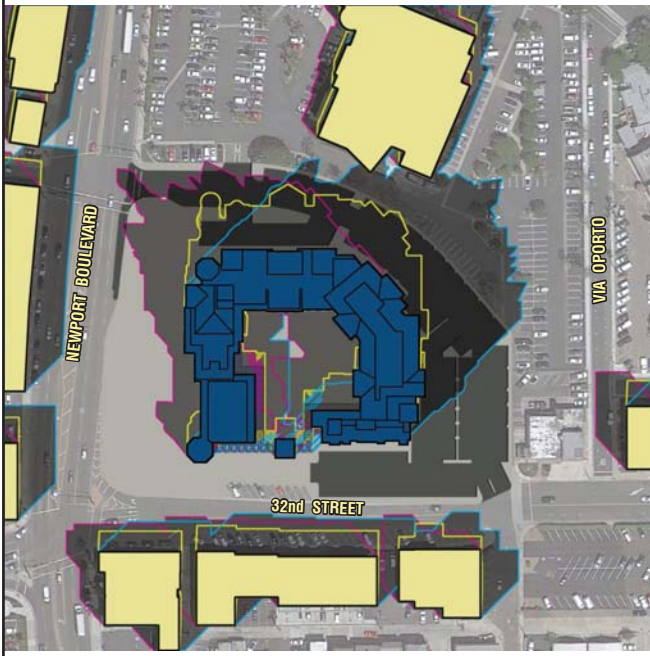
Implementation of the proposed project would not significantly alter a natural land form. As noted, the project site is relatively flat, developed with urban uses and devoid of natural landforms. The proposed project would result in the development of passive recreation/open space uses within the western portion of the project site, which would buffer taller portions of the project site from Newport Boulevard that serves as the primary means of connecting the public to the beach. The proposed project would not result in the degradation of the recreational character of the project area, but would rather enhance these uses. The proposed project is considered compatible in massing and scale to the surrounding uses.

Mitigation Measures:

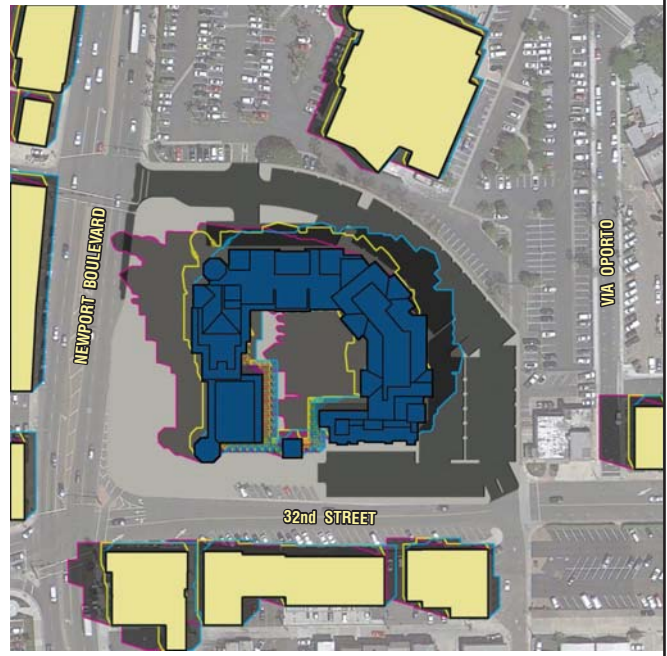
AES-2 Prior to issuance of a building or grading permit for new construction, the Landscape Concept Plan and Plant Palette shall be submitted to the Director of Community Development for review and approval. Landscaping shall complement the proposed site design and surrounding streetscape and must also be consistent with the Lido Village Design Guidelines.

Level of Significance: Less Than Significant With Mitigation Incorporated.

Late October to Early April



Winter Solstice

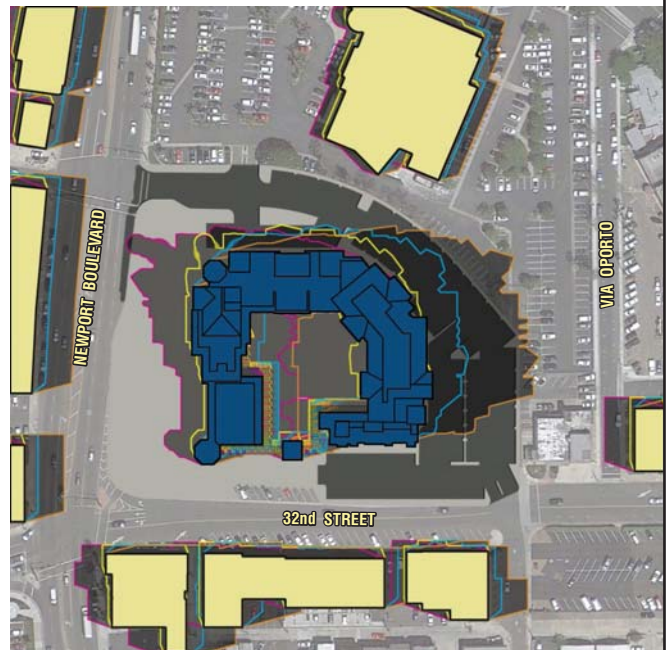


Vernal Equinox

Early April to Late October



Summer Solstice



Autumnal Equinox

Note: Based on the daytime lighting conditions throughout the year, the Vernal Equinox and Summer Solstice shadow patterns are represented from 9:00 a.m. and 6:00 p.m. and the Autumnal Equinox and Winter Solstice shadow patterns are represented from 9:00 a.m. to 3:00 p.m.

LEGEND

- 9 a.m. Shadow Pattern
- 12 p.m. Shadow Pattern
- 3 p.m. Shadow Pattern
- 6 p.m. Shadow Pattern

NOT TO SCALE



04/14 • JN 137892

LIDO HOUSE HOTEL
ENVIRONMENTAL IMPACT REPORT

Proposed Shade/Shadow Patterns

Exhibit 5.2-12



LIGHT AND GLARE

AES-4 IMPLEMENTATION OF THE PROPOSED PROJECT COULD GENERATE ADDITIONAL LIGHT AND GLARE BEYOND EXISTING CONDITIONS.

Impact Analysis:

Short-Term (Construction) Impacts

Short-term light and glare impacts associated with construction activities would likely be limited to nighttime lighting (for safety and security purposes) in the evening hours. In accordance with Municipal Code Section 10.28.040, *Construction Activity-Noise Regulations*, noise associated with the project's construction activities would be limited to the hours of 7:00 a.m. and 6:30 p.m. on weekdays and between 8:00 a.m. and 6:00 p.m. on Saturday. Noise associated with construction activities is prohibited on Sundays and Holidays. Therefore, as the construction noise activities would cease by 6:30 p.m. (at the latest), inherently, the construction-related light and glare would also cease by 6:30 p.m. Construction staging areas may also require security lighting for equipment stored on-site. In order to minimize any potential light/glare impacts to sensitive uses, all construction-related lighting would be down-directed and oriented away from adjacent residential areas and would consist of the minimal wattage necessary to provide safety at the construction site (Mitigation Measure AES-3). Impacts in this regard would be reduced to less than significant upon implementation of the City's Municipal Code requirements and the recommended Mitigation Measure AES-3.

Long-Term (Operational) Impacts

Light sources associated with the project would include new street lights, security lights, and interior lights, which may create light spillover and glare impacts on surrounding land uses in the absence of mitigation. Compliance with the City's Municipal Code, Section 20.30.070, *Outdoor Lighting*, would minimize the project's lighting impacts through the use of lighting design, shielding, direction, and siting techniques to reduce spillover onto adjacent properties. All lighting would be required to utilize directional lighting techniques (without compromising site safety or security) that direct light downwards and minimize light spillover onto adjacent light sensitive receptors. Landscape lighting levels would be required to respond to the type, intensity, and location of use. Lighting requirements for the safety and security of pedestrians and vehicular movements would be anticipated. Compliance with the City's Municipal Code would ensure that long-term (operational) light and glare impacts as a result of street lighting, security lights, and interior lights would be reduced to less than significant levels.

Vehicle headlights are another source of nighttime lighting. The proposed ingress/egress would be similar to the existing roadway conditions. The proposed project would also result in similar surface parking lot lighting conditions compared to the existing condition. No sensitive uses are located immediately next to parking lots. No new headlight conditions would be introduced at the ingress/egress locations. Thus, impacts in this regard would be less than significant.



Mitigation Measures:

AES-3 All construction-related lighting shall be located and aimed away from adjacent residential areas and consist of the minimal wattage necessary to provide safety and security at the construction site. A Construction Safety Lighting Plan shall be approved by the City Engineer prior to issuance of the grading permit application.

Level of Significance: Less Than Significant With Mitigation Incorporated.

5.2.5 CUMULATIVE IMPACTS

SCENIC VIEWS AND VISTAS

- **THE PROPOSED PROJECT, COMBINED WITH OTHER RELATED CUMULATIVE PROJECTS, COULD HAVE AN ADVERSE EFFECT ON A SCENIC VISTA.**

Impact Analysis: Section 15355 of the *CEQA Guidelines* requires an analysis of cumulative impacts, which are defined as, “two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts.” As outlined in [Table 4-1, *Cumulative Projects List*](#), and illustrated on [Exhibit 4-1, *Cumulative Projects Map*](#), cumulative projects that may be located within a designated scenic vista, as well as the viewshed of the proposed project include Hoag Hospital Phase III (Site 11), 2300 Newport Boulevard (Site 13), and Sunset Ridge Park (Site 25). Upon construction of these cumulative projects, new structures could increase view blockage to visual resources. These visual impacts would be analyzed on a project-by-project basis, as required by CEQA. It should be noted that the proposed Hoag Hospital Phase III (Site 11) would be required to maintain a building height below the elevation of Sunset View Park. As discussed in Impact Statement AES-1 above, the proposed project would preserve and maintain the intent of the existing designated public views at Ensign Park, Cliff Drive Park, and Sunset View Park. Further, Impact Statement AES-1 also determined that implementation of the proposed project would not impair the existing views to the Pacific Ocean and Newport Bay from public coastal areas, consistent with Section 30251 of the California Coastal Act. Thus, although cumulative development may increase view blockage to visual resources as seen from scenic views and vistas, the proposed project would not contribute to a cumulatively significant impact in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

SHORT-TERM VISUAL CHARACTER/QUALITY

- **PROJECT CONSTRUCTION ACTIVITIES, COMBINED WITH CONSTRUCTION ACTIVITIES FOR OTHER RELATED CUMULATIVE PROJECTS, COULD TEMPORARILY DEGRADE THE VISUAL CHARACTER/QUALITY OF THE DEVELOPMENT SITES AND THEIR SURROUNDINGS.**



Impact Analysis: As outlined in Table 4-1, *Cumulative Projects List*, and illustrated on Exhibit 4-1, *Cumulative Projects Map*, cumulative projects that may be located within the viewshed of the proposed project include Hoag Hospital Phase III (Site 11), 2300 Newport Boulevard (Site 13), Sunset Ridge Park (Site 25), and Marina Park (Site 24). Due to the existing topography, structures, and vegetation, these views would not include significant views toward site disturbance or grading activities. The construction of the upper levels of the proposed structures may be visible from these locations. However, views to these construction activities would be minimal, and short-term in nature. Further, these cumulative projects are not anticipated to all undergo construction at the same time. However, should construction occur at the same time, implementation of the recommended Mitigation Measure AES-1 would ensure that the proposed project does not result in cumulatively considerable impacts pertaining to the degradation of character/quality during construction. Thus, an overall cumulatively considerable significant impact is not anticipated and the proposed project would not contribute to the cumulative degradation of character/quality at the project site during construction.

Mitigation Measures: Refer to Mitigation Measure AES-1.

Level of Significance: Less Than Significant With Mitigation Incorporated.

LONG-TERM VISUAL CHARACTER/QUALITY

- **PROJECT IMPLEMENTATION, COMBINED WITH OTHER RELATED CUMULATIVE PROJECTS, COULD DEGRADE THE VISUAL CHARACTER/QUALITY OF THE DEVELOPMENT SITES AND THEIR SURROUNDINGS.**

Impact Analysis: Based on the projects identified in Table 4-1, cumulative projects that may be located within the viewshed of the proposed project include Hoag Hospital Phase III (Site 11), 2300 Newport Boulevard (Site 13), Sunset Ridge Park (Site 25), and Marina Park (Site 24). As discussed in Impact Statement AES-3, implementation of proposed project would result in less than significant impacts to the change in character/quality upon implementation of recommended Mitigation Measure AES-2. Due to the distance of the project site from cumulative project locations, as well as intervening trees and structures, views to the project as well as other cumulative projects would not be readily visible cumulatively. The upper-most portions of new structures could be visible cumulatively. However, these view changes would be similar to the existing visible urban development in the City. Further, other cumulative projects would be analyzed on a project-by-project basis, as required by CEQA. Thus, cumulative impacts to long-term character/quality would be less than significant, and the proposed project would not significantly contribute to cumulative long-term visual impacts.

Mitigation Measures: Refer to Mitigation Measure AES-2.

Level of Significance: Less Than Significant Impact.



LIGHT AND GLARE

- **PROJECT IMPLEMENTATION, COMBINED WITH OTHER RELATED CUMULATIVE PROJECTS, COULD CUMULATIVELY CONTRIBUTE TO SIGNIFICANT LIGHT/GLARE IMPACTS.**

Impact Analysis:

Short-Term (Construction) Impacts

Cumulatively considerable increased lighting as a result of construction of cumulative projects could occur. Implementation of the proposed project would result in short-term lighting impacts until 6:30 p.m. Impacts in this regard would be reduced to less than significant upon implementation of the City's Municipal Code requirements and the recommended Mitigation Measure AES-3. Cumulative projects would also be required to comply with the City's Municipal Code Requirements pertaining to hours of construction. Thus, an overall cumulatively considerable significant impact would not result and the proposed project would not contribute to cumulative nighttime lighting impact within the project area.

Long-Term (Operational) Impacts

Development of cumulative projects could also result in increased lighting in the City. Light sources associated with the project would include new street lights, security lights, architectural accent lighting, and interior lights, which may create light spillover and glare impacts on surrounding land uses in the absence of mitigation. Compliance with the City's Municipal Code, Section 20.30.070, Outdoor Lighting, would minimize the project's lighting impacts through the use of lighting design, shielding, direction, and siting techniques to reduce spillover onto adjacent properties. All lighting would be required to utilize directional lighting techniques (without compromising site safety or security) that direct light downwards and minimize light spillover onto adjacent light sensitive receptors. Landscape lighting levels would be required to respond to the type, intensity, and location of use. Lighting requirements for the safety and security of pedestrians and vehicular movements would be anticipated. Compliance with the City's Municipal Code would ensure that long-term (operational) light and glare impacts as a result of street lighting, security lights, and interior lights would be reduced to less than significant levels.

With compliance with the City's Municipal Code, the project would not cumulatively contribute to the creation of new lighting in the general area. Further, cumulative projects would also be subject to compliance with the City's Municipal Code pertaining to lighting. Thus, based on the existing urban lighting that occurs within the area and the project's cumulative contribution after implementation of the City's Municipal Code requirements, the proposed project would not result in significant cumulatively considerable nighttime lighting impacts within the project area.

Mitigation Measures: Refer to Mitigation Measure AES-3.

Level of Significance: Less Than Significant With Mitigation Incorporated.



5.2.6 SIGNIFICANT UNAVOIDABLE IMPACTS

Upon implementation of the recommended Mitigation Measures AES-1 and AES-2, the proposed project would not have a substantial adverse effect on a scenic vista, nor would the project result in the degradation of character/quality. Implementation of the proposed project would not introduce substantial amounts of lighting in the project area upon implementation of Mitigation Measure AES-3. Further, implementation of the proposed project would not result in cumulatively considerable impacts to aesthetics/light and glare. Thus, the project would result in less than significant impacts to aesthetics/light and glare after implementation of recommended Mitigation Measures.