

## **3A. Aesthetics and Land Use**

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### **INTRODUCTION**

This chapter discusses the potential aesthetic (or visual resource) impacts associated with the proposed project. This chapter includes a discussion of the qualitative aesthetic characteristics of the existing environment that would be potentially degraded by the implementation of the proposed project, and the consistency of the proposed project with established visual resources policies relevant to the project. This chapter also discusses the proposed project's consistency with existing land use policies and/or regulations and land use compatibility issues.

### **SETTING**

#### **Regional Character**

In general, Orange County is characterized by a variety of landforms including coastal shorelines, flatlands, hills, mountains, and canyons. The Pacific shorelines are characterized by broad sandy beaches, coastal bluffs, uplifted marine terraces, and tidal marshes. Major ridgelines occur in the Santa Ana Mountains, Lomas de Santiago, and the San Joaquin Hills.

The proposed project site is located in a predominantly urbanized area that includes primarily low and mid-rise buildings occupied primarily by general office uses and including limited retail sales and restaurant uses

#### **Onsite and Surrounding Visual Elements**

##### Existing Site Area

The proposed project site is located at the northwesterly corner of the intersection of MacArthur Boulevard and Jamboree Road in the City of Newport Beach. The site is predominately flat with slight slopes along the eastern portion of the site. The City of Newport Beach General Plan currently designates the site as Administrative, Professional and Financial. The proposed project site consists of 8.05 acres spread over two parcels, both of which are fully developed. The southern most parcel is developed with an Avis rental car storage facility and the northern most parcel is developed with Platt College (three, two-story buildings) and general office uses. In total the project site contains six buildings including two office structures and an automobile repair facility on the Avis lot. The project site also contains some light landscaping as a buffer between the two sites and along the eastern edge of the site (along MacArthur Boulevard).

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## Surrounding Area

The project site is located entirely within the City of Newport Beach, but is immediately west of the City of Irvine. JWA Airport is located approximately one mile to the north of the project site.

The proposed project site is located in an area with primarily commercial office uses. Properties across MacArthur Boulevard include one office building approximately 15 stories in height and several low-rise (4 stories or less) and mid-rise (5-10 stories) office buildings. To the south of the project site is a single-story retail shopping center that includes several eateries and service shops (including Supercuts, Yuki's Sushi, Celebrity Cleaners and Pizza Hut). Across the MacArthur/Jamboree intersection to the east are several mid-rise office buildings, while to the west are several more mid-rise buildings containing general office uses.

The proposed project site is not located near (within one mile) of sensitive receptors such as schools or residences.

## **Light and Glare**

The proposed project site currently produces minimal light in the area. The commercial structures along the southern portion of the site have minimal nighttime lighting which is primarily for security purposes. Similarly, the surrounding commercial and office buildings to the north, east and west produce low-level light and minimal glare. The major nighttime light sources are from street lights, building interiors, security lighting, and parking lot lighting.

## **Existing Viewers**

Viewer sensitivity is based, in part, on the visibility of resources in the landscape, the proximity of viewers to the visual resources, the vertical elevation of viewers relative to the visual resources, the frequency and duration of views, the number of viewers, and the types and expectations of the individuals and viewer groups. Generally, visual sensitivity increases with an increase in total number of viewers, the frequency of viewing, and the duration of views. However, visual sensitivity is generally higher for views seen by people who are driving for pleasure, engaging in recreational activities, or who are homeowners. Visual sensitivity is generally believed to be lower for people commuting to and from work.

As indicated above, the proposed project site is located in an urban area surrounded by a mix of uses including commercial, retail and office space in the City of Newport Beach. Figures 3A-1 through 3A-6 demonstrate the existing visual character of the proposed project site and the



SOURCE: Environmental Science Associates

Newport Beach Lexus EIR / 204224 ■

**Figure 3A-1**  
View from the project site looking north



SOURCE: Environmental Science Associates

Newport Beach Lexus EIR / 204224 ■

**Figure 3A -2**  
View of offices on the west side of Dove Street,  
across from the project site



SOURCE: Environmental Science Associates

Newport Beach Lexus EIR / 204224 ■

**Figure 3A-3**

View of buildings north of the project site, on MacArthur Boulevard



SOURCE: Environmental Science Associates

Newport Beach Lexus EIR / 204224 ■

**Figure 3A-4**

View of high-rise buildings on the east side of MacArthur Boulevard, across from the project site



SOURCE: Environmental Science Associates

Newport Beach Lexus EIR / 204224 ■

**Figure 3A-3**

View of buildings north of the project site, on MacArthur Boulevard



SOURCE: Environmental Science Associates

Newport Beach Lexus EIR / 204224 ■

**Figure 3A-4**

View of high-rise buildings on the east side of MacArthur Boulevard, across from the project site

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surrounding area. From the project site facing north (towards Bowsprit Drive), there is a three story office building that dominates the view. Facing south from the site, there are a few small commercial structures which front onto Bristol Street.

From the project site facing east, the view includes several office buildings including two high-rise buildings (approximately 15 stories) directly across from the project site on MacArthur Boulevard. Beyond the office buildings are the University of California, Irvine and the San Joaquin Wildlife Sanctuary; however neither of these uses are visible from the project site. From the site facing west, there are several low to mid-rise office buildings located at the intersection of Dove Street and the project site. Office buildings dominate the streetscape to the northwest of the site.

## **APPLICABLE REGULATIONS**

### **City of Newport Beach General Plan**

Development within the City of Newport Beach ranges from lower density single-family residential areas, to more intensely developed beachfront residential areas. Commercial areas range from master planned employment centers to marine industrial and visitor commercial areas. The City of Newport Beach General Plan delineates the planning guidelines and policies for development throughout the City. The General Plan designates groupings of small communities or “villages” within Newport Beach. Many of the newer developments within the City (including the proposed project site) are based on a “planned community” concept.

The General Plan Land Use Element divides the Land Use Plan into “Statistical Areas” within which the permitted uses and building intensity are specified. The project site is within the Land Use Element Airport Area (Statistical Area L4) and identified as part of Newport Place (NP), Block J, of Statistical Area L4. NP Block J includes “Administrative, Professional and Financial Commercial” and “Retail and Service Commercial” land use designations.

The Land Use Element to the City of Newport Beach General Plan, adopted in October 1998, sets forth a number of policies that are concerned with the orderly balance of residential, retail, commercial and public service facilities. The General Plan places an emphasis on preserving and enhancing the unique beauty, character, charm and quality of life found in the various residential and commercial villages within the City.

The goals and policies of the General Plan Land Use Element that apply to the proposed project include:<sup>1</sup>

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<sup>1</sup> City of Newport Beach. *General Plan – Land Use Element*, 1988, as amended January, 2000.

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**Policy L:** The City shall encourage its community commercial districts to reflect and complement the high quality of its residential areas. The City shall promote the prosperity of its several community commercial districts through the adoption and application of its planning, zoning, building and public works codes, regulations, policies and activities.

Guidelines

1. *The City desires to promote quality community commercial areas that reflect the City's attractive, enjoyable and valuable residential areas. Attractive in the sense of architecturally and aesthetically stylish with enduring designs, materials and landscaping. Enjoyable in the sense of both pride and ownership and compatibility with neighbors and community goals. Valuable in the sense of both market price and municipal revenue.*
2. *The City recognizes that its regulations and requirements have a significant effect on the success and the viability of commercial districts and individual business.*
5. *The City recognizes that "Looking Good is Good Business" and that well designed and maintained business districts are the most successful.*
6. *The City recognizes that to be successful its business districts must appeal to residents, visitors and tourists.*

**Newport Place Planned Community Zoning District**

The area bounded by Birch Street, MacArthur Boulevard, Jamboree Road and Bristol Street is zoned PC, Planned Community. General development regulations applicable to properties zoned PC at this location are set forth in the text of "Planned Community Development Standards, Newport Place." This text designates the southerly three acres of the project site as "Auto Center" and the northerly five acres as "Commercial/Professional and Business Offices."

**John Wayne Airport, Airport Land Use Plan**

The proposed project is located within the planning area for John Wayne Airport established by the Orange County Airport Land Use Commission (ALUC) and defined in the Airport Environs Land Use Plan (AELUP)<sup>2</sup> Development projects within this planning area are to be submitted to the ALUC for review for consistency with the ALUP.

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<sup>2</sup> Airport Land Use Commission, Airport Land Use Plan for John Wayne Airport [http://www.ocair.com/AELUP\\_text\\_version.htm](http://www.ocair.com/AELUP_text_version.htm), accessed online September 30, 2004.

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### Building Height Restrictions Zone

The ALUC has adopted Federal Aviation Regulation Part 77, Objects Affecting Navigable Airspace, to establish the maximum permissible height of structures within the John Wayne Airport planning area. FAR 77 defines "imaginary surfaces" above which physical structures may not project. The ALUC also uses FAR Part 77.23 standards for determining if a structure is an "obstruction."

### Noise Impact Zone

The ALUP identifies land uses which are "normally acceptable," "conditionally acceptable", and "normally unacceptable" within each noise impact zone delineated by the respective Community Noise Equivalent Level (CNEL) noise contour derived from studies of aircraft flight operations into and out of John Wayne Airport.

## **IMPACTS AND MITIGATION**

### **Methodology**

#### Aesthetics

Characterizing aesthetics can be highly subjective; therefore, the evaluation of aesthetic resources in the landscape requires the application of a process that objectively identifies the visual features of the landscape and their importance, and the sensitivity of receptors that view them. Sensitive receptors that have views of the project site are first identified and the relative importance of these views is determined. The project-related changes to the aesthetic character of the site and surrounding area are qualitatively evaluated based on the extent of proposed modification of the physical conditions and the estimated viewer sensitivity to this modification. A policy analysis will determine the project's consistency with relevant planning regulations and General Plan goals, objectives, and policies.

Light and glare impacts are determined through a comparison of the existing light sources with anticipated light levels consistent with the proposed lighting plan. If the project has the potential to generate lighting that is dispersed onto adjacent properties occupied by sensitive receptors, or to produce glare at sensitive receptor sites in the vicinity, mitigation measures will be identified as necessary to reduce potential impacts.

#### Land Use

The environmental baseline for the proposed project is based on project information pertaining to existing land use characteristics and patterns. The proposed project is assessed to determine whether it creates physical division within the community. In addition, the proposed project also is assessed to determine its conformity with applicable local plans and policies.



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## Criteria for Determining Significance

The criteria used to determine the significance of a potential impact are based on the model initial study checklist contained in Appendix G of the *CEQA Guidelines*. The proposed project may result in a significant impact if it would:

### Aesthetics

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings;
- Conflict with established plans or policies concerning visual resources;
- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area; or,
- Conflict with an applicable land use plan or policy.

### Land Use

- Physically divide an established community;
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or,
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

## Project Impacts

### **Potential Impact 3A1: Scenic vistas, scenic resources, existing visual character and quality.**

The proposed project site is located in an urban area that includes a mix of office and other commercial land uses. The proposed project site is predominantly flat with scattered amounts of ornamental vegetation and landscaping throughout. The existing structures located on the site would be removed as part of the proposed project. The proposed project site is not located within a scenic vista and redevelopment of the proposed project site would not obstruct the view of any scenic vistas.

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The project site is located in an area developed primarily with office buildings and including some retail sales and restaurant uses. Architecture ranges from modern, glass-clad mid-rise and high-rise buildings to single-story buildings clad in stucco as are common throughout southern California. The project site is currently developed with an Avis rental car storage facility and three, two-story office buildings housing Platt College and various other commercial offices.

Plans for the proposed project include a two-story automotive showroom and business office building and a four-story parking structure that includes ground floor and second floor service areas as well as rooftop parking. Figures 3A-7 through 3A-9 illustrate the existing conditions and the proposed conditions at the project site. These visual simulations indicate the overall scale and massing of the proposed project would be consistent with the surrounding area. Review of project plans by the City Planning Commission would ensure consistency with the surrounding area. With the inclusion of mitigation measure **M-3A.1** this impact would be less than significant.

Project development would result in an overall increase in building intensity on the site and would include parking on the roof of the parking structure. Since this type of parking cannot be landscaped in a manner similar to surface parking, it will be more visible to occupants of taller office buildings. There are many such parking structures in the vicinity of the site, however, and there is a reasonable expectation of this type of development in the area.

### **Mitigation Measures**

**M-3A.1** *In accordance with the City of Newport Beach General Plan and “Planned Community Development Standards, Newport Place,” the applicant shall submit design plans to the City of Newport Beach for review to ensure consistency with the surrounding area and all conditions of approval.*

### **Remaining Impacts**

The proposed project would not have a substantial adverse effect on a scenic vista, damage a scenic resource and/or degrade the existing visual character or quality of the site. Impacts would be less than significant.

### **Potential Impact 3A2: Consistency with established plans and policies concerning visual resources.**

The Newport Beach General Plan Land Use Element includes Policy L and Guidelines that promote attractive development in commercial areas. In addition and consistent with Policy L, development guidelines are included in “Planned Community Development Standards, Newport Place.”



**Existing Condition**



**Proposed Condition**

SOURCE: Environmental Science Associates

—Newport Beach Lexus EIR / 204224 ■

**Figures 3A-7**

View Eastbound on Jamboree Road from Bristol Street



**Existing Condition**



**Proposed Condition**

SOURCE: Environmental Science Associates

Newport Beach Lexus EIR / 204224 ■

**Figures 3A-8**

View South along MacArthur Boulevard opposite Bowsprit Drive



**Existing Condition**



**Proposed Condition**

SOURCE: Environmental Science Associates

—Newport Beach Lexus EIR / 204224 ■

**Figures 3A-9**

View of site across MacArthur Boulevard and Jamboree Road Intersection

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These have been revised as part of the project to ensure quality new development on the subject site. The proposed project would adhere to the requirements of Newport Place Planned Community for the proposed project site. Therefore, the design of the proposed project would be consistent with existing and future design guidelines as determined by the City of Newport Beach. This impact would be less than significant.

### **Mitigation Measures**

No mitigation is required.

### **Remaining Impacts**

The proposed project would be consistent with established plans and policies concerning visual resources. Impacts would be less than significant.

### **Potential Impact 3A3: New sources of light or glare that could affect surrounding uses.**

Redevelopment of the project site with the Newport Lexus automobile dealership would increase light and glare at the project site. The proposed project would implement nighttime building lighting, security lighting, and landscape lighting. Lighting on the project site would be detectable from the surrounding areas. However, the proposed project site is located in an urbanized area and redevelopment of the site with the proposed Lexus dealership would be consistent with existing development in the area. In addition, the proposed project is not located in the vicinity of any sensitive receptors such as schools or residences.

Neither the City of Newport Beach General Plan nor Municipal Code contains any specific lighting guidelines. However, generally accepted standards have been established by the Illuminating Engineering Society of North America (IESNA) a collection of engineers, architects, scientists and other professionals who aim to disseminate information for the improvement of the lighted environment.<sup>3</sup> With the inclusion mitigation measures **M-3A.2** through **M-3A.8**, potential light and glare impacts associated with the proposed project would be less than significant.

### **Mitigation Measures**

**M-3A.2** *All lighting fixtures shall be consistent with Illuminating Engineering Society of North America (IESNA) “sharp cut-off” fixtures, and will be fitted with flat glass lenses and internal and external shielding.*

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<sup>3</sup> Illuminating Engineering Society of North America [http://www.iesna.org/about/what\\_is\\_iesna.cfm](http://www.iesna.org/about/what_is_iesna.cfm), accessed online October 19, 2004.

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- M-3A.3** *All fixtures shall be parallel with the finished grade of the project site; no fixtures shall be tilted above a 90-degree angle.*
- M-3A.4** *Lighting levels will be appropriately designed to fall within the IESNA recommendations for automobile dealerships.*
- M-3A.5** *Site lighting systems and showroom lighting shall be grouped into control zones to allow for open, closing, and night light/security lighting schemes. All control groups shall be controlled by an automatic lighting control system utilizing a time clock, photocell, and low voltage relays.*
- M-3A.6** *Design and layout of the site shall take advantage of landscaping, on-site architectural massing, and off-site architectural massing to block light sources and reflection from cars.*
- M-3A.7** *The applicant shall submit a lighting plan and photometric plan to be reviewed by the City of Newport Beach. The lighting plan shall include design features (such as those mentioned above) to minimize impacts of light and glare on the surrounding area.*
- M-3A.8** *A post-installation inspection will be required to ensure that the site is not excessively illuminated and that illuminations lighting sources are properly shielded.*

### **Remaining Impacts**

The proposed project would not create significant new sources of light or glare that could affect surrounding uses. Impacts would be less than significant.

### **Potential Impact 3A4: Consistency with local land use policies.**

As previously described, the General Plan provides a long-term plan for the physical development within the City. The Land Use Element of the General Plan identifies the proposed distribution and intensity of uses of the land for housing, business, industry, open space, natural resources, public facilities, waste disposal sites, and other categories of public and private uses. Its aim is to correlate land use issues to a set of coherent development policies.

The Newport Beach General Plan Land Use Element designates the northerly five acres of the project site as “Administrative, Professional and Financial Commercial” and the southerly three acres as “Retail and Service Commercial.” The former designation includes professional and administrative office uses and the latter designation accommodates retail and service commercial uses including automobile sales.

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The Planned Community zoning designation for the project site requires more specific use and development standards than are included in the General Plan. These are provided in the text of “Planned Community Development Standards, Newport Place” (PC text). The PC text currently allows auto sales on the southerly three acres and commercial office uses on the northerly five acres. The City of Newport Beach Planning Department is currently revising the PC text to accommodate retail commercial uses including auto sales on both parcels. Consistent with the existing PC text, an automobile dealership will require a Use Permit.

The proposed project has also incorporated design features, including landscaping throughout the project site, that would increase compatibility with the existing land uses. The proposed project would not create any significant land use and planning impacts related to conflicts with either the City’s General Plan or Planned Community Development Standards. However, implementation of **M-3A.9** would ensure consistency with the City’s General Plan and Zoning Ordinance.

The proposed project is located within the ALUC AELUP for JWA; specifically the proposed project is located within the AELUP Noise Impact Zone and the Height Restriction Zone. As such the proposed project is subject to the requirements of the Federal Aviation Administration (FAA) and the ALUC. Implementation of **M-3A.10** would ensure compliance with all FAA and ALUC requirement; therefore impacts would be less than significant.

### **Mitigation Measures**

**M-3A.9**        *The applicant shall apply for a Use Permit from the City to allow the proposed use on the site. The City shall amend the text of “Planned Community Development Standards, Newport Place” to reflect the proposed use on the site and incorporate development standards reflecting the highest level of improvements as now exist in the project area .*

**M-3A.10**     *The applicant shall submit project plans to the FAA to be evaluated under FAR Part 77 and to the ALUC for a Determination of Consistency or Inconsistency with the AELUP.*

### **Remaining Impacts**

The proposed project will require amendments to local land use plans, however with implementation of the above mitigation measures, impacts would be less than significant.

### **Potential Impact 3A5: Cumulative aesthetic impacts**

This analysis is based on the Cumulative Projects List provided in Chapter 2. The listed projects include commercial/mixed-use and residential projects located within two miles of the project



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site that are currently under construction, approved but not built, or proposed for development. This development is occurring in an area that has already been impacted by urban development. The redevelopment of the proposed project would be aesthetically consistent with the character and level of development in the area. Therefore, the proposed project, in conjunction with the listed projects, will have no cumulative impacts on aesthetics in the area.

### **Mitigation Measures**

No mitigation is required.

### **Remaining Impacts**

Together with other area projects, the proposed project would not have a cumulative aesthetic impact. Impacts would not be cumulatively considerable.