

5. Environmental Analysis

5.11 PUBLIC SERVICES

This section of the Draft Environmental Impact Report (DEIR) addresses public services including: Fire Protection and Emergency Services, Police Protection, School Services, and Library Services. Park Services are addressed in Section 5.12, *Recreation*. Public and private utilities and service systems, including water, wastewater, and solid waste services and systems, are addressed in Section 5.14. Responses to service provider letters are included as Appendix K to this DEIR.

5.11.1 Fire Protection and Emergency Services

5.11.1.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal

International Fire Code

The International Fire Code includes specialized technical fire and life safety regulations that apply to the construction and maintenance of buildings and land uses. Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire safety requirements for new and existing buildings.

State

California Health and Safety Code

State fire regulations in Sections 13000 et seq. of the California Health and Safety Code include regulations for building standards (also in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

Local

City of Newport Beach Municipal Code

The City of Newport Beach Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed development projects. The following provisions focus on fire services impacts:

- **Chapter 2.20 (Emergency Services):** Addresses preparation and implementation of plans for protection of persons and property in the event of an emergency; the assignment of powers and duties to certain City officials; and the coordination of emergency service functions of the City with all other public agencies and affected private persons, corporations, and organizations. An emergency council is established and its members' powers and duties are described. It is the duty of the emergency council to

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develop and recommend, for adoption by the city council, emergency and mutual aid plans and agreements as well as ordinances, resolutions, rules, and regulations to implement such plans and agreements.

- **Chapter 3.12 (Property Development Tax):** Funds public improvements and facilities consisting of fire stations and fire-fighting equipment, public City libraries, and public City parks that cannot be funded by the ordinary revenues of the City. The excise tax is imposed upon the construction and occupancy of residential, commercial, and industrial units or buildings in the City.
- **Chapter 9.04 (Fire Code):** Adopts the 2010 California Fire Code and the 2009 International Fire Code, which outline specific fire prevention features to be integrated into new development plans prior to issuance of construction permits.
- **Section 9.04.140 (Very High Fire Hazard Severity Zone):** Identifies areas in the City that are considered a Very High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection. Areas in the zone are required to adhere to additional fire prevention guidelines to minimize susceptibility to fire hazards.
- **Chapter 10.48 (Weed and Rubbish Abatement):** Authorizes the Fire Marshal to declare weeds, dry grass, brush, garden refuse, and all rubbish a public nuisance and fire hazard. Requires property owners who receive a notice to remove and abate the hazard or be charged a nuisance abatement services fee.

City of Newport Beach Emergency Management Plan

The emergency management plan provides guidance for Newport Beach's response to extraordinary emergency situations from natural disasters, technological incidents, and national security emergencies. This plan determines the actions to be taken by the City to prevent disasters where possible, reduce the vulnerability of residents to any disasters, protect citizens from the effects of disasters, respond effectively to the actual occurrence of disasters, and provide for recovery in the aftermath of an emergency.

Existing Conditions

The Newport Beach Fire Department (NBFD) provides fire protection services for the entire City of Newport Beach. Automatic aid is given to and received from the cities of Costa Mesa, Huntington Beach, and Laguna Beach and the Orange County Fire Authority.

The department is divided into three divisions: Fire Operations, Life Safety Services, and Marine Operations. As an "all risk" fire department, NBFD is responsible for reducing loss of life and property from fire, medical, and environmental emergencies, such as hazardous material problems, beach rescues, traffic accidents, cliff rescues, high rise incidents, wildland fires, major flooding, disaster operations, etc.

Stations, Equipment, and Staffing

NBFD has eight fire stations throughout the City in eight districts that encompass the immediate geographical area around the station. Overall, NBFD is staffed with 148 full-time employees, including 116

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firefighting personnel, 38 of whom are on duty at any time, and 12 full-time lifeguards. The three closest stations to the project site are listed in Table 5.11-1 and shown on Figure 5.11-1, *Public Services*.

Table 5.11-1 Nbfd Stations Serving the Project Site

Station	Location	Distance to Project Site	Equipment	Daily Staffing
Station 3	Fashion Island 868 Santa Barbara Drive	0.2 mile	1 Fire Engine 1 Ladder Truck 1 Paramedic Van 1 Command Vehicle	2 Captain 2 Engineer 3 Firefighter 2 Firefighter Paramedics 1 Battalion Chief
Station 4	Balboa Island 124 Marine Avenue	1.3 miles	1 Fire Engine	1 Captain 1 Engineer 1 Firefighter Paramedic
Station 5	Corona Del Mar 410 Marigold Avenue	1.9 miles	1 Fire Engine 1 Paramedic Van	1 Captain 1 Engineer 1 Firefighter 2 Firefighter Paramedics

Source: Poster 2016.

Response Times

NBFD's response time objective for a priority incident requiring full personal protective equipment is less than 5 minutes and 20 seconds, 90 percent of the time. For priority incidents not requiring full personal protective equipment, the performance objective is less than 5 minutes, 90 percent of the time. Currently, the City-wide average response time for priority incidents (with full personal protective equipment or without) is 5 minutes and 44 seconds, 64 percent of the time (Poster 2016). The response time objectives are goals, not mandatory. Accordingly, NBFD concludes there are no major deficiencies in the level of fire protection services. More specifically, NBFD is able to adequately provide fire and emergency services to the Newport Center/Fashion Island area and has no plans for additional fire stations (Poster 2016).

Funding

Equipment and staffing funding for NBFD comes primarily from the City's general funds. However, a property excise tax in Chapter 3.12 of the municipal code funds public improvements that include fire stations and equipment. Additionally, the fire department generates fees for various fire, life safety, and marine operations services that are budgeted each year to partially offset department expenses.

5.11.1.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- FP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to

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maintain acceptable service ratios, response times or other performance objectives for fire protection services.

5.11.1.3 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.11-1: The proposed project would introduce a projected 224 new residents into the Nbfd service boundary, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]

Impact Analysis: Buildout of the proposed project would introduce 100 condominium units and a projected 224 new residents in the project area.

Nbfd indicates that there are no existing deficiencies in the level of fire protection service in the Newport Center/Fashion Island area (Poster 2016). Given the proximity of the project site to the Fashion Island fire station (0.2 mile), Nbfd estimates a response time of less than 5 minutes, 90 percent of the time (Poster 2016). Therefore, increases in service demand generated by the proposed project would not have substantial impact on Nbfd's ability to adequately serve the project area. As stated above, the Nbfd is capable of providing adequate fire and emergency services to Newport Center and there are no plans for additional fire stations.

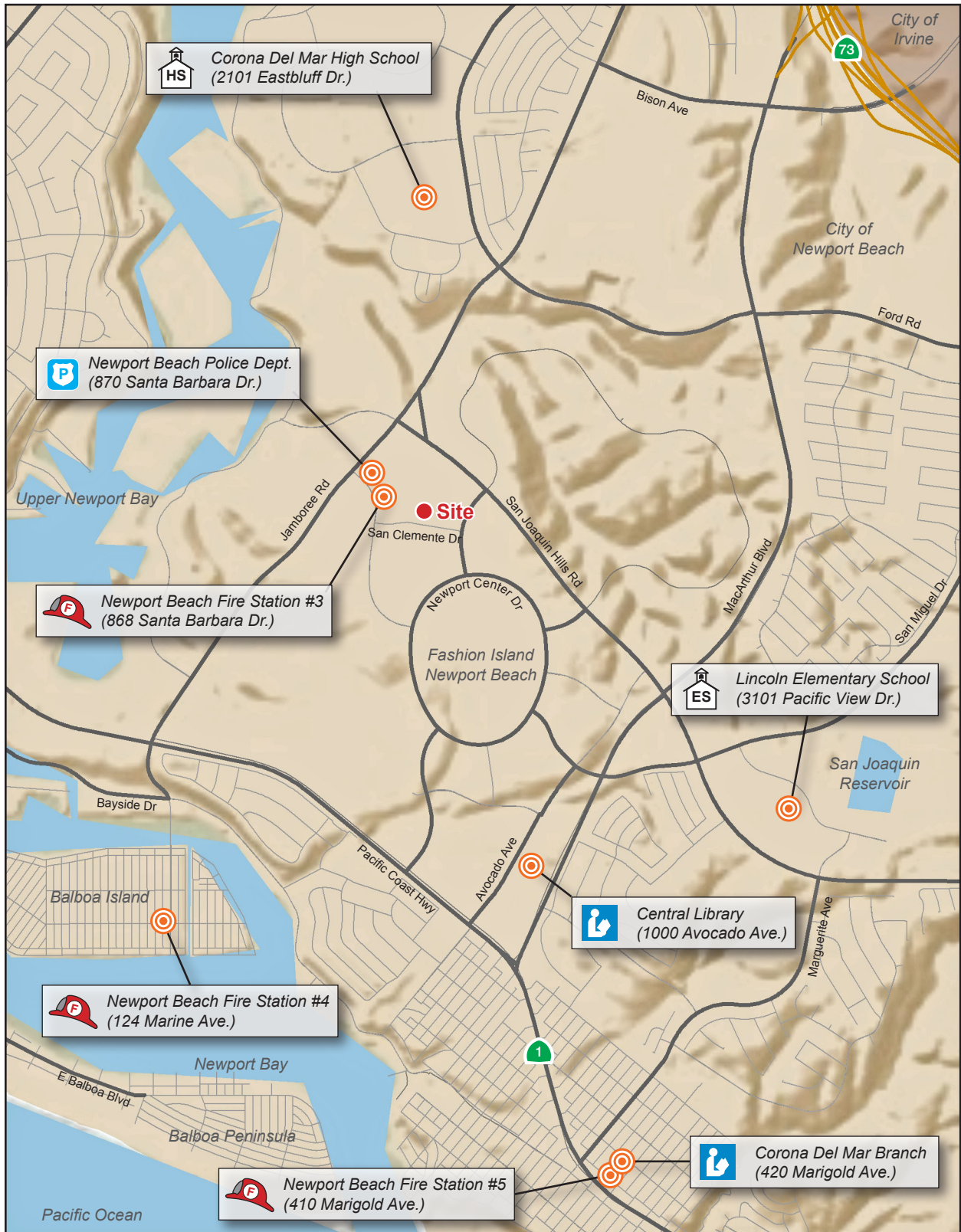
All new development, including the proposed tower, would be required to comply with the existing International Fire Code and California Fire and Building Codes in the California Health and Safety Code. In addition, Chapter 10.48 of the City's municipal code authorizes the Fire Marshal to regulate weed and rubbish abatement in the City to reduce potential fire hazards from dry grasses, brush, garden refuse, etc. By complying with these federal, state, and local regulations, adequate fire and emergency safety elements would be integrated into the project, thereby reducing the risk for fire hazards.

The proposed project would also be required to pay a property excise tax per Chapter 3.12 of the City's municipal code. The project would also generate property taxes for the City's general fund, which provides Nbfd with funding. Thus, impacts from the proposed project would be less than significant.

5.11.1.4 CUMULATIVE IMPACTS

The geographic area for cumulative analysis of fire protection services is the city boundary of Newport Beach. New residents and workers associated with cumulative projects listed in Table 4-1 are expected to increase demand for fire protection services and would contribute to the need to expand facilities and operate such services. However, as stated above, all new development projects are required to pay an excise tax upon the construction and occupancy of any residential, commercial, or industrial use. This would encompass all cumulative projects listed in Table 4-1 with the exception of several capital improvement projects.

Figure 5.11-1 - Public Services
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Base Map Source: USGS, NOAA, 2016

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All proceeds from the tax, collected under Chapter 3.12 of the City's municipal code, shall be put into a fund entitled "Capital Outlays Fund for Acquiring, Constructing, and Equipping of Fire Stations, Libraries, and Parks," and used only for the purpose of acquiring, building, improving, expanding, and equipping City fire stations, libraries, and parks. Thus, there is a funding mechanism in place to pay for any required improvements to NBFD's facilities and equipment as fire service demands increase with new development. Overall, the proposed project's increase in demand for fire protection services, in conjunction with the demand from cumulative projects, would not result in significant cumulative impacts.

5.11.1.5 EXISTING REGULATIONS AND STANDARD CONDITIONS

Existing Regulations

Federal

- International Fire Code

State

- California Health and Safety Code

Local

- City of Newport Beach Municipal Code
 - Chapter 2.20 (Emergency Services)
 - Chapter 9.04 (Fire Code)
 - Section 9.04.140 (Very High Fire Hazard Severity Zone)
 - Chapter 10.48 (Weed and Rubbish Abatement)

City of Newport Beach Standard Conditions of Approval

There are no specific City-adopted standard operating conditions of approval related to fire protection and emergency services that are applicable to the proposed project at this time; however, project-specific conditions of approval may be applied to the project by the City during the discretionary approval (site development review, tentative tract map, etc.) subsequent design, and/or construction process.

5.11.1.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.11-1.

5.11.1.7 MITIGATION MEASURES

No mitigation measures are required.

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5.11.1.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts are less than significant.

5.11.2 Police Protection

5.11.2.1 ENVIRONMENTAL SETTING

Existing Conditions

The Newport Beach Police Department (NBPD) provides police services, crime prevention and investigation, community awareness programs, and traffic control to the entire City of Newport Beach. All law enforcement agencies in Orange County provide mutual aid to one another. The primary agencies providing aid to the City would be the Orange County Sheriff's Department and the Costa Mesa Police Department. Police headquarters is at 870 Santa Barbara Drive, approximately 0.2 mile northwest of the project site (see Figure 5.11-1, *Public Services*).

Staffing and Equipment

The NBPD currently has 140 full-time sworn officers and 80 full-time civilian personnel. At this time, there are no specific plans for expansion of police facilities or addition of staff or equipment inventory (Johnson 2016).

Response Times

NBPD's goal response time for emergency calls is 4 minutes, with a current average response time of 3:42 minutes. For non-emergency calls, the goal response time is 6 minutes, with a current average response time of 5:48 minutes (Johnson 2016).

Funding

Funding for NBPD comes primarily from the City's general fund. In addition, NBPD generates revenue from various police services, such as penalty fees or service request fees. These sources of funding provide NBPD with adequate staffing, equipment, and facilities to provide the City a high level of police services.

5.11.2.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- PP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

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5.11.2.3 ENVIRONMENTAL IMPACTS

Impact 5.11-2: The proposed project would introduce a 100-unit condominium unit and up to 224 new residents into the Newport Beach Police Department service boundary, thereby marginally increasing the requirement for police protection facilities and personnel. [Threshold PP-1]

Impact Analysis: Development of the Museum House project would introduce approximately 224 new residents to the Newport Center area. This could result in additional demands on police protection services, including additional police officers, professional staff, and equipment.

Although there are no current law enforcement staffing standards for the City, the Newport Beach General Plan (2006) notes that the ratio of 1.7 officers per 1,000 residents allows the NBPD to meet the needs of the City's permanent and transient population (Newport Beach 2006). Based on this ratio, the project would generate the need for an additional 0.37 officer. However, NBPD currently provides police services to the existing museum building, and demand for police services would not be substantially increased by the replacement of the museum facility with the proposed residential use. Based on the 1.7 officers per 1,000 residents ratio, the project would not need one additional full-time officer. The NBPD also does not expect the project to adversely affect its ability to provide adequate police service to other areas of the City (Johnson 2016). Thus, project impacts on police services would be less than significant, and the project would not necessitate any physical construction of new or expanded facilities.

5.11.2.4 CUMULATIVE IMPACTS

The geographic area for cumulative analysis of police protection services is the City boundary. Cumulative projects listed in Table 4-1 would result in an increased demand for police services and may require NBPD to hire additional staff, purchase new equipment, or expand existing facilities. NBPD's operating budget is primarily generated through tax revenues and fees collected from penalties and requested services. Increased property and sales tax from cumulative projects would increase the City's general fund in rough proportion to population increases, providing funding for any improvements necessary to maintain adequate police protection facilities, equipment, and/or personnel.

Although cumulative demand for police services would gradually increase as new development projects are constructed, the need for new officers, equipment, and facilities would not occur all at once and would gradually be funded as development continues. Cumulative impacts may affect the way NBPD schedules and deploys field personnel, but NBPD does not expect these changes to adversely impact its ability to provide adequate levels of service citywide (Johnson 2016). Additionally, any environmental impacts of new or altered police facilities required in the future would be subject to separate CEQA review. Therefore, police services would not be adversely affected by the proposed project in conjunction with cumulative projects.

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5.11.2.5 EXISTING REGULATIONS AND STANDARD CONDITIONS

Existing Regulations

Local

- City of Newport Beach Municipal Code Chapter 12.16 (Enforcement and Obedience)

City of Newport Beach Standard Conditions of Approval

There are no specific City-adopted standard operating conditions of approval related to police protection services that are applicable to the proposed project at this time; however, project-specific conditions of approval may be applied to the project by the City during the discretionary approval (site development review, tentative tract map, etc.) subsequent design, and/or construction process.

5.11.2.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.11-2.

5.11.2.7 MITIGATION MEASURES

No mitigation measures are required.

5.11.2.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts are less than significant.

5.11.3 School Services

5.11.3.1 ENVIRONMENTAL SETTING

Regulatory Background

State

California State Assembly Bill 2926: School Facilities Act of 1986

To assist in providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorizes a levy of impact fees on new residential and commercial/industrial development. The bill was expanded and revised in 1987 through the passage of AB 1600, which added Sections 66000 et seq. to the Government Code. Under this statute, payment of impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

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California Senate Bill 50

Senate Bill (SB) 50, passed in 1998, provides a comprehensive school facilities financing and reform program and enables a statewide bond issue to be placed on the ballot. Under the provisions of SB 50, school districts are authorized to collect fees to offset the costs associated with increasing school capacity as a result of development and related population increases. The funding goes to acquiring school sites, constructing new school facilities, and modernizing existing school facilities. SB 50 establishes a process for determining the amount of fees developers would be charged to mitigate the impact of development on school districts from increased enrollment. According to Section 65996 of the California Government Code, development fees authorized by SB 50 are deemed to be “full and complete school facilities mitigation.”

Under this legislation, three levels of developer fees may be imposed upon new development by the governing school district. Level I fees are assessed based upon the proposed square footage of residential, commercial/industrial, and/or parking structure uses. Level II fees require the developer to provide one-half of the costs of accommodating students in new schools, and the state provides the remaining half. To qualify for Level II fees, the governing board of the school district must adopt a School Facilities Needs Analysis and meet other prerequisites in accordance with Section 65995.6 of the California Government Code. Level III fees apply if the state runs out of bond funds, allowing the governing school district to impose 100 percent of the cost of school facility or mitigation on the developer, minus any local dedicated school monies.

Local

City of Newport Beach Municipal Code

The municipal code identifies land use categories, development standards, and other general provisions that ensure consistency between the City’s General Plan and proposed projects. The following provision from the municipal code focuses on school services impacts:

- Chapter 19.48 (School Sites and Fees): Requires developers to dedicate to school district a portion of their subdivision to construct the schools necessary to maintain adequate public school services. The City may also impose fees or dedication requirements on new residential subdivisions to provide interim school facilities to alleviate overcrowding caused by new residential development.

Existing Conditions

Students in the project area are served by Newport-Mesa Unified School District (NMUSD). The project site is within the school attendance boundaries for Lincoln Elementary School (K-6) and Corona Del Mar High School (7-12) (see Figures 5.11-1, *Public Services*, and 5.11-2, *School District Boundaries and Cumulative Residential Projects*). Table 5.11-2 provides additional details for each school, including current enrollment and student capacity. As shown, NMUSD currently has sufficient capacity for future students at Lincoln Elementary School and Corona Del Mar High School.

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Table 5.11-2 NMUSD Schools Serving the Project Site

Schools	Grades	Total Capacity	2014–2015 Enrollment	Remaining Capacity
Lincoln Elementary School 3101 Pacific View Drive Corona Del Mar, CA	K-6	645	566	79
Corona Del Mar High School 2101 Eastbluff Drive Newport Beach, CA	7-12	2,828	2,556	272
Total		3,473	3,122	351

Source: Zareczny 2016.

School funding comes predominantly from federal, state, and local contributions, such as business and personal income taxes, sales tax, property tax, etc. NMUSD charges Level I developer impact fees pursuant to SB 50. As of March 2016, residential development fees are \$1.84 per square foot (Zareczny 2016).

5.11.3.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- SS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for school services.

5.11.3.3 ENVIRONMENTAL IMPACTS

Impact 5.11-3: The proposed project would generate approximately 20 additional students who would impact the school enrollment capacities at Lincoln Elementary School and Corona Del Mar High School in the Newport-Mesa Unified School District. [Threshold SS-1]

Impact Analysis: Student generation rates are used by school districts, including NMUSD, to estimate the number of students generated by new development in order to determine whether or not existing school facilities would be adequate for future student enrollment. Using these student generation rates, the proposed 100-unit condominium tower would introduce approximately 20 students into the attendance area of Lincoln Elementary School and Corona Del Mar High School (see Table 5.11-3).

Figure 5.11-2 - School District Boundaries and Cumulative Residential Projects
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- City Boundary
- Unified School District**
 - Irvine Unified School District
 - Laguna Beach Unified School District
 - Newport-Mesa Unified School District
 - Santa Ana Unified School District
- NMUSD Schools**
 - ① Newport Elementary School
 - ② Newport Heights Elementary School
 - ③ Pomona Elementary School
 - ④ Rea Elementary School
 - ⑤ Victoria Elementary School
 - ⑥ Whittier Elementary School
 - ⑦ Lincoln Elementary School
 - ⑧ Newport Coast Elementary School
 - ⑨ Ensign Middle School
 - ⑩ Newport Harbor High School
 - ⑪ Corona Del Mar High School

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Table 5.11-3 Museum House Student Generation

Proposed Land Use	Units	Student Generation Rate	Generated Students	Current Enrollment + Generated	Existing Capacity	Remaining Capacity
Multifamily Residential	100	E.S. = 0.097	10	E.S. = 576 H.S. = 2,566	E.S. = 645 H.S. = 2,828	E.S. = 69 H.S. = 262
		M.S. = 0.028	3			
		H.S. = 0.066	7			

Source: Zareczny 2016.

Notes: E.S. = elementary school (K-6); M.S. = middle school (7-8); H.S. = high school (9-12)

The generated middle school students are added to the high school attendance because Corona Del Mar High School provides school services to grades 7 through 12.

As shown in Table 5.11-3, Lincoln Elementary School and Corona Del Mar High School would be able to accommodate the estimated 20 additional students generated by the proposed project.

NMUSD would receive Level I development impact fees of \$1.84 per square foot of residential development per SB 50 (Zareczny 2016). The fees would be collected by NMUSD at the time of issuance of building permits. As stated in Government Code Section 65995(h), “The payment or satisfaction of a fee, charge, or other requirement levied or imposed ...are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization ...on the provision of adequate school facilities.” Payment of these fees would offset impacts from increased demand for school services associated with development of the proposed project by providing an adequate financial base to construct and equip new and existing schools. Overall, NMUSD would be able to provide adequate school facilities for the projected student residents of the proposed project, and payment of impact fees would ensure that impacts are offset and remain less than significant.

5.11.3.4 CUMULATIVE IMPACTS

A number of cumulative projects listed in Table 4-1 have a residential component that would generate additional student population in Newport Beach. Of these, only 150 Newport Center, Back Bay Landing, Newport Banning Ranch, Ebb Tide, Lido Villas, Villas at Fashion Island (formerly San Joaquin Plaza Apartments), 10 Big Canyon, Plaza Corona Del Mar, AERIE Project, Meridian (Santa Barbara) Condominiums, and Newport Marina-ETCO Development projects are within NMUSD’s boundary (see Figure 5.11-2, *School District Boundaries and Cumulative Residential Projects*).

Thus, NMUSD student generation rates are used to determine the total number of students generated by the proposed project and the aforementioned cumulative projects within NMUSD’s boundary (see Table 5.11-4).

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Table 5.11-4 Cumulative Projects Served by NMUSD, Student Generation

Project Name	Dwelling Units (DUs)	Student Generation Rate	Generated Students
<i>Museum House (Proposed Project)</i>	100	E.S. = 0.097 M.S. = 0.028 H.S. = 0.066	E.S = 225 M.S. = 65 H.S. = 153
150 Newport Center	49		
Back Bay Landing	49		
Newport Banning Ranch	1,375		
Ebb Tide	83		
Lido Villas	23		
Villas at Fashion Island (formerly San Joaquin Plaza Apartments)	524		
10 Big Canyon	1		
Plaza Corona Del Mar	6		
AERIE Project	8		
Meridian (Santa Barbara) Condominiums	79		
Newport Marina-ETCO Development	27		
Total	2,324 DUs		

Source: Zareczny 2016.
E.S. = elementary school (K-6); M.S. = middle school (7-8); H.S. = high school (9-12)

In total, the Museum House project and cumulative projects would generate approximately 443 students (225 elementary school, 65 middle school, and 153 high school students). However, the only cumulative projects that would be served by the same NMUSD schools as the Museum House project—Lincoln Elementary and Corona Del Mar High School—are 150 Newport Center, Back Bay Landing, Villas at Fashion Island (formerly San Joaquin Plaza Apartments), 10 Big Canyon, and the Meridian (Santa Barbara) Condominiums. Additionally, the Plaza Corona Del Mar and AERIE Project would be served by Corona Del Mar High School (but not Lincoln Elementary). Therefore, Table 5.11-5 analyzes cumulative school impacts specific to Lincoln Elementary and Corona Del Mar High School.

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Table 5.11-5 Lincoln Elementary School and Corona Del Mar High School Cumulative Impacts

Project Name	Generated Students	Current Enrollment	Current Enrollment + Generated	Existing Capacity	Remaining Capacity
<i>Museum House (Proposed Project)</i>	E.S. = 10 M.S. = 3 H.S. = 7				
150 Newport Center	E.S. = 5 M.S. = 1 H.S. = 3				
Back Bay Landing	E.S. = 5 M.S. = 1 H.S. = 3				
Villas at Fashion Island (formerly San Joaquin Plaza Apartments)	E.S. = 51 M.S. = 15 H.S. = 35	E.S. = 566 H.S. = 2,556	E.S. = 645 H.S. = 2,632	E.S. = 645 H.S. = 2,828	E.S. = 0 H.S. = 196
10 Big Canyon	E.S. = 0 M.S. = 0 H.S. = 0				
Meridian (Santa Barbara) Condominiums	E.S. = 8 M.S. = 2 H.S. = 5				
Plaza Corona Del Mar*	M.S. = 0 H.S. = 0				
AERIE Project*	M.S. = 0 H.S. = 1				

Source: Zareczny 2016.

E.S. = elementary school (K-6); M.S. = middle school (7-8); H.S. = high school (9-12)

Note: The generated middle school students are added to the high school attendance because Corona Del Mar High School provides school services to grades 7 through 12.

* Plaza Corona Del Mar and the AERIE project are only served by Corona Del Mar High School and would have no impact on Lincoln Elementary School's capacity.

As shown, Lincoln Elementary School and Corona Del Mar High School would not exceed existing capacity to serve future students generated by the proposed project and cumulative projects served by the two schools.

Generally, as NMUSD's enrollment increases, administrators would be required to seek short-term and long-term methods to accommodate those added students. In recognition of these conditions, the State Legislature provided authority for school districts to assess impact fees for both residential and nonresidential development projects. NMUSD currently has a Level I fee program in place under SB 50, which assesses fees based on the proposed square footage of residential, commercial/industrial, and/or parking structure uses. Current Level I fees are \$1.84 per square foot of residential development and \$0.30 per square foot of commercial development (Zareczny 2016). Those fees, as authorized under Education Code Section 17620(a) and Government Code Section 65995(b), are collected by municipalities at the time building permits are issued and conveyed to the affected school district in accordance with a defined fee structure. The legislature has declared that the payment of these fees constitutes full mitigation for the impacts generated by new

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development, per Government Code Section 65995. Overall, cumulative impacts related to NMUSD's citywide school services are less than significant.

5.11.3.5 EXISTING REGULATIONS AND STANDARD CONDITIONS

Existing Regulations

State

- California State Assembly Bill 2926: School Facilities Act of 1986
- California Senate Bill 50

Local

- City of Newport Beach Municipal Code, Chapter 19.48 (School Sites and Fees)

City of Newport Beach Standard Conditions of Approval

There are no specific City-adopted standard operating conditions of approval related to school services that are applicable to the proposed project at this time; however, project-specific conditions of approval may be applied to the project by the City during the discretionary approval (site development review, tentative tract map, etc.) subsequent design, and/or construction process.

5.11.3.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.11-3.

5.11.3.7 MITIGATION MEASURES

No mitigation measures are required.

5.11.3.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts are less than significant.

5.11.4 Library Services

5.11.4.1 REGULATORY BACKGROUND

Local

City of Newport Beach Municipal Code

The City of Newport Beach Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed development projects. The following provision focuses on library services:

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- **Chapter 3.12 (Property Development Tax):** Funds public improvements and facilities consisting of fire stations and fire-fighting equipment, public City libraries and public City parks, which cannot be met by the ordinary revenues of the City. The excise tax is imposed upon the construction and occupancy of residential, commercial and industrial units or buildings in the City.

5.11.4.2 ENVIRONMENTAL SETTING

Existing Conditions

The Newport Beach Public Library (NBPL) provides library services to the City with four branches and a concierge service building where patrons can drop off and pick up books on hold and search the library catalog. Library services provided at each branch include wireless internet, printing, interlibrary loans, home-bound service, computer training classes, and book clubs for children, teens, and adults. Branch locations are listed in Table 5.11-6.

Table 5.11-6 Newport Beach Public Libraries

NBPL Library	Address	Driving Distance to Project Site
Central Library	1000 Avocado Avenue, Newport Beach, CA 92660	1.2 miles
Mariners Branch	1300 Irvine Avenue, Newport Beach, CA 92660	3.7 miles
Balboa Branch	100 East Balboa Boulevard, Balboa, CA 92661	5.7 miles
Corona Del Mar Branch	420 Marigold Avenue, Corona Del Mar, CA 92625	2.5 miles
Newport Coast Community Center (concierge service)	6401 San Joaquin Hills Road, Newport Coast, CA 92657	3.7 miles

The Central Library is closest to the project site and would serve future residents of the Museum House project (see Figure 5.11-1, *Public Services*). The Central Library is 71,000 square feet and has amenities such as student and children programs, passport services, a credit union, and a café. NBPL has plans to expand the Corona Del Mar Branch and anticipates opening the renovated library in spring 2017. Renovations for the Balboa Branch are planned for 2020.

5.11.4.3 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- LS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for library services.

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5.11.4.4 ENVIRONMENTAL IMPACTS

Impact 5.11-4: The proposed project would introduce approximately 224 additional residents to the project area and would increase service needs for NBPL libraries. [Threshold LS-1]

Impact Analysis: The project would introduce 224 new residents into the project area, increasing the demands on City library services. The existing library space, collections, and programs provided by Central Library are considered adequate for the existing residents, and the proposed residential development would have a nominal impact on library services (Hetherington 2016).

Additionally, although future project residents would be mainly served by the Central Library, they would have access to all four libraries within NBPL's system (see Table 5.11-5). As stated above, NBPL also has plans to expand the existing Corona Del Mar Branch and Balboa Branch in 2017 and 2020, respectively. The libraries would be larger and have more resources and facilities to serve a larger population.

Furthermore, NBPL would continue receiving funding for library facilities and resources through the City's general fund; the property excise tax per Chapter 3.12 of the City's municipal code (\$0.21 per square foot of gross floor area); and library activities, such as fines, facility rentals, passport photo/execution fees, and grants and private donations. Overall, project impacts to library services would be less than significant.

5.11.4.5 CUMULATIVE IMPACTS

There are a number of cumulative projects with residential components listed in Table 4-1. Future residents of these projects would be served by different libraries within the NBPL system based on their geographic location.

The Museum House project would be served by the Central Library. Cumulative residential projects likely to also be primarily served by the Central Library include 150 Newport Center, Newport Place Residential, Back Bay Landing, Villas at Fashion Island (formerly San Joaquin Plaza Apartments), Uptown Newport Mixed Use Development, 10 Big Canyon, and Meridian (Santa Barbara) Condominiums. The other cumulative residential projects would be served by closer branch libraries, including the Balboa, Mariners, and Corona Del Mar branch libraries. However, as previously stated, future residents would have access to all four libraries within NBPL's system. Additionally, as stated above, the Corona Del Mar and Balboa Branch libraries are planned for expansion in 2017 and 2020, respectively, and would have more space, resources, and amenities to serve a larger population.

In addition, funding for library services is allocated through the City's general fund and property excise tax per Chapter 3.12 of the City's municipal code. Therefore, as new developments within the City occur, property and sales tax would increase in rough proportion and contribute to an increase in the City's general fund and consequently a larger allocation of funds towards library services. Overall, cumulative project impacts on library services would be less than significant.

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5.11.4.6 EXISTING REGULATIONS AND STANDARD CONDITIONS

There are no existing regulations or specific City-adopted standard operating conditions of approval related to library services that are applicable to the proposed project at this time; however, project-specific conditions of approval may be applied to the project by the City during the discretionary approval (site development review, tentative tract map, etc.) subsequent design, and/or construction process.

5.11.4.7 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.11-4.

5.11.4.8 MITIGATION MEASURES

No mitigation measures are required.

5.11.4.9 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts are less than significant.

5.11.5 References

- Hetherington, Tim (library services director). 2016, February 19. Questionnaire Response. Newport Beach Public Library.
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- Newport Beach, City of. 2006, July. City of Newport Beach General Plan Update EIR: Public Services. http://newportbeachca.gov/PLN/General_Plan/GP_EIR/Volume_1/16_Sec4.11_Public_Services.pdf.
- . 2011, September 9. Newport Banning Ranch Draft Environmental Impact Report Volume I, Section 4.14, Public Services and Facilities. http://www.newportbeachca.gov/pln/CEQA_REVIEW/Newport%20Banning%20Ranch%20DEIR/Newport%20Banning%20Ranch_DEIR/Newport%20Banning%20Ranch_DEIR_September%202011/4.14%20Public%20Services%20and%20Facilities.pdf.
- . 2014, March. City of Newport Beach General Plan Land Use Element Draft Supplemental Environmental Impact Report. SCH No. 2013101064. Volume I. Prepared by PlaceWorks.
- . 2015, May. Budget Detail Adopted for the Fiscal Year 2015-16. <http://www.newportbeachca.gov/home/showdocument?id=21402>.
- Poster, Scott (fire chief/fire marshal). 2016, March 1. Questionnaire Response. Newport Beach Fire Department.
- Zareczny, Ara (facilities analyst). 2016, March 1. Questionnaire Response. Newport-Mesa Unified School District.

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