

4.1 LAND USE AND RELATED PLANNING PROGRAMS

4.1.1 INTRODUCTION

Appendix G of the California Environmental Quality Act (CEQA) Guidelines requires that land use issues be evaluated as part of the environmental review process. This section describes the existing land use and planning setting for the Sunset Ridge Park site and surrounding area. In addition, the Project's compatibility with existing and planned land uses adjacent to and in the vicinity of the site is analyzed, as well as consistency with applicable planning and policy documents.

This section describes the land use conditions for the Project site (and the immediate vicinity) and discusses potential land use impacts that could result from implementation of the proposed Project, including use of a portion of the Newport Banning Ranch property for soil export and road improvements on West Coast Highway. Pursuant to the CEQA Guidelines (14 *California Code of Regulations* [CCR], §15125[a]), the discussion of the Project site is based on the conditions of the site when the Notice of Preparation (NOP) was published on May 8, 2009.

4.1.2 REGULATORY SETTING

One aspect of land use planning considered under CEQA is the consistency of the proposed Project with relevant planning documents. This EIR section also addresses the Project's compatibility with existing and planned land uses adjacent to and in the vicinity of the Project site. Relevant planning documents associated with this Project include the *City of Newport Beach General Plan*, the City of Newport Beach Local Coastal Land Use Plan, and the California Coastal Act; the Project site is located within the coastal zone. The focus is on policy documents that are intended to provide guidance on development. To provide a comprehensive analysis, the evaluation of applicable programs, goals, and policies are consolidated in this section.

State

California Coastal Act

In 1972, the United States Congress passed the Coastal Zone Management Act (16 *United States Code* [USC] §§1451–1464). The Coastal Zone Management Act declared a national policy “to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations”. It sought to encourage and assist States in developing and implementing management programs for the use of coastal land and water resources, “giving full consideration to ecological, cultural, historic, and esthetic values as well as the needs for compatible economic development”.

In California, the voters adopted the Coastal Zone Conservation Act (Proposition 20) in 1972. It required that development 1,000 yards inland from California's mean high tide obtain a permit from a regional or State coastal commission. It created a temporary California Coastal Zone Conservation Commission and six regional commissions to develop a statewide plan for coastal protection. The California Coastal Plan was submitted to the Legislature in 1975 and led to the passage of the California Coastal Act in 1976.

The California Coastal Act of 1976 (*California Public Resources Code* §30000 et seq.) establishes policies guiding development and conservation along the California coast. Section 30001 of the Coastal Act finds:

- (a) That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.
- (b) That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.
- (c) That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.
- (d) That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.

As set forth in the Coastal Act Section 30001.5, the State's basic goals for the coastal zone are to:

- (a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

Local Coastal Program

The California Coastal Act establishes a State agency, the California Coastal Commission, whose mandate is to protect and enhance the resources of the coastal zone mapped by the Legislature. The Legislature found that "to achieve maximum responsiveness to local conditions, accountability, and public accessibility, it is necessary to rely heavily on local government and local land use planning procedures and enforcement". Therefore, implementation of California Coastal Act policies is accomplished primarily through requiring local governments to prepare a Local Coastal Program (LCP) for areas within their jurisdictions that lie within the coastal zone boundary which will then establish the policies governing the

issuance of permits by the local governments for development within the coastal zone. A Local Coastal Program is defined by Coastal Act Section 30108.6 as follows:

Local coastal program means a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps and (d) within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of and implement the provisions and policies of, this division at the local level.

An LCP typically consists of a local jurisdiction's General Plan or Coastal Land Use Plan (CLUP) and an Implementation Program or Implementation Action Plan (IAP). The CLUP indicates the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and, where necessary, a listing of implementing actions. The Implementation Program consists of the zoning ordinance, zoning district maps, and other legal instruments necessary to implement the land use plan. A local government may submit its LCP to the Coastal Commission for certification either at one time or in two phases, in which case the CLUP must be submitted first followed by the Implementation Program. Once prepared by a local government, the LCP is submitted to the California Coastal Commission for certification that the LCP conforms to the requirements of the Coastal Act. Amendments to a certified LCP also require review and approval by the California Coastal Commission prior to becoming effective.

After certification of an LCP, Coastal Development Permit (CDP) authority is delegated to the local government. The California Coastal Commission retains original permit jurisdiction over certain specified lands, such as submerged lands, tidelands, and public trust lands, and has appellate authority over development approved by local government in specified geographic areas and for major public works projects and energy facilities. In issuing CDPs, the local government must make the finding that the development conforms to the certified LCP.

Coastal Act Consistency

Consistent with Section 30001 and the basic goals of Section 30001.5, and except as may be otherwise specifically noted in the Coastal Act, the policies of Section 30200 of the Coastal Act constitute the standards by which the adequacy of local coastal programs and, the permissibility of proposed developments subject to these provisions are determined.

Section 30007.5 states:

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar policies.

City of Newport Beach

City of Newport Beach General Plan

State law requires Cities and Counties, as political subdivisions of the State, to adopt general plans that provide a comprehensive set of policies and guidelines that form the basis for land use decisions. In accordance with State planning law, general plans are required to contain the following elements: Land Use, Circulation, Conservation, Open Space, Noise, Safety, and Housing.

The *City of Newport Beach General Plan* is the long-range guide for growth and development in the City. On July 25, 2006, the General Plan was adopted and the Final EIR was certified by the Newport Beach City Council. At the General Municipal Election held on November 7, 2006, the City Electorate approved a measure related to City Charter Section 423 (often referred to as the “Greenlight Initiative”), which requires electorate approval of any major amendment to the General Plan.

A general plan functions as a guide for the type of community that is desired for the future and provides the means to achieve it. The *City of Newport Beach General Plan* contains the following ten elements: Land Use; Harbor and Bay; Housing; Historical Resources; Circulation; Recreation; Arts and Cultural; Natural Resources; Safety; and Noise. In addition, The General Plan contains an implementation program. The implementation program constitutes the principal set of actions and procedures necessary to carry out the goals and policies of the General Plan. A brief description of the General Plan Elements that pertain to the proposed Project is provided below. Goals and policies included in the elements that are relevant to the proposed Project are identified in Table 4.1-2 with a consistency analysis for the proposed Project.¹

Land Use Element

The General Plan Land Use Element presents goals and policies pertaining to how existing development is to be maintained and enhanced and how new development is to be implemented. It provides guidance regarding the ultimate pattern of development in Newport Beach at buildout. Policies related to urban form are also contained in the Land Use Element. Land Use Element goals and policies support the inclusion of active and passive recreational areas within in the community to serve residents and visitors. The Land Use Element of designates the Project site as follows: 13.7 acres as Parks and Recreation (PR) and 5.2 acres as Open Space/Residential Village (OS/[RV]).

Natural Resources Element

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

Related to the proposed Project, the topics of water quality and water supply are addressed in Section 4.10, Hydrology and Water Quality, and Section 4.11, Public Services and Utilities, respectively. Air quality is addressed in Section 4.4, Air Quality and Climate Change. Biological

¹ For ease of reading, Tables 4.1-2, 4.1-3, and 4.1-4 have been placed at the end of the section.

resources are addressed in Section 4.6, Biological Resources. Archaeological and paleontological resources are addressed in Section 4.7, Cultural and Paleontological Resources. Visual resources are addressed in Section 4.2, Aesthetics.

According to the Natural Resources Element of the City's General Plan, there are no sites in the City classified as significant Mineral Resource Zones (MRZ). Other than oil and gas resources, there is no active mining or resource recovery occurring within the City. The entire Project site is identified on the City's *General Plan Update EIR's* Figure 4.5-3, Oil Production Areas, in the Newport Oil Field.

Harbor and Bay Element

The goals and policies pertaining to harbor issues are intended to guide the content of regulations related to development of, and the activities conducted on, the water. Additional goals and policies recognize the important component of land use decisions related to waterfront property around Newport Harbor. The aim of the Harbor and Bay Element goals and policies is to preserve the diversity and charm of existing uses without unduly restricting the rights of waterfront property owners. Goals and policies within the Harbor and Bay Element have been organized to address both water- and land-related issues, provision of public access, water quality and environmental issues, visual characteristics, and the management of the harbor and the bay. Many of the goals and policies of the Harbor and Bay Element are the same as the Natural Resources Element. The Project site is not adjacent to the waterfront, bay, or harbor.

Housing Element

The Housing Element is designed to facilitate attainment of the City's Regional Housing Needs Allocation, and to foster the availability of housing affordable to all income levels to the extent possible given Newport Beach's constraints. Newport Beach is committed to achieving its housing goals and continues to encourage the development of additional housing units, wherever and whenever feasible.

The Housing Element is a comprehensive statement of the City's housing policies and serves as a specific guide to implement these policies. The Element examines current housing needs; estimates future housing needs; and establishes goals, policies, and programs pertaining to those needs. Housing programs are intended to be responsive to current and future needs. They are also established within the context of available community, State, and federal economic and social resources and realistic, quantified housing objectives. The Project site does not contain any housing units; no housing is proposed as a part of the Project. The Project is proposed to respond to a citywide deficiency in parklands particularly to serve residents of the West Newport area.

Historical Resources Element

This Element addresses the protection and sustainability of Newport Beach's historic and paleontological resources. Goals and policies are intended to recognize, maintain, and protect the community's unique historical, cultural, and archeological sites and structures. Preserving and maintaining these resources helps to create an awareness and appreciation of the City's rich history. Cultural resources are addressed in Section 4.7, Cultural and Paleontological Resources.

Circulation Element

The Circulation Element governs the City of Newport Beach's current and long-term mobility system. The goals and policies in this element are closely correlated with the Land Use Element and are intended to provide a balance between the City's future growth and land use development, roadway size, traffic service levels, and community character. As noted in the Circulation Element, the element is also consistent with the Transportation Demand Management Ordinance and the Local Coastal Program. The Circulation Element includes three Master Plan maps: the Master Plan of Streets and Highways, the Bikeways Master Plan, and the Equestrian and Hiking Trails Master Plan.

As a part of the Project, a park access road would be constructed from West Coast Highway through Newport Banning Ranch (a private property) to the park. The City of Newport Beach General Plan Circulation Element and the Orange County Master Plan of Arterial Highways (MPAH) depict a north-south roadway through the Newport Banning Ranch property in this general location. The City's Circulation Element designates this roadway as a Primary Arterial Road.²

The City proposes the widening of a portion of the northern side of West Coast Highway from Superior Avenue to a point west of the access road consistent with the standards of the City's General Plan Circulation Element and the Orange County MPAH. Additionally, the City is proposing a signal on West Coast Highway at the proposed access road. If signalized, all vehicular turning movements would be allowed. Because West Coast Highway is a State Highway, California Department of Transportation (Caltrans) approvals would be required. Traffic is addressed in Section 4.3, Transportation and Circulation.

There are Class I and Class II bikeway facilities along Superior Avenue and West Coast Highway. As noted on the Circulation Element's Figure CE4, Bikeways Master Plan, a Class I bikeway (Bicycle Path) provides for bicycle travel on a paved right-of-way separated from any street or highway. It includes sidewalk bikeways adjacent to a street. A Class II bikeway (Bicycle Lane) provides a striped and stenciled lane for bicycle travel on a street or highway. A Class I and Class II facility are designated on the south side of West Coast Highway. A Class II facility is located on both Superior Avenue and West Coast Highway abutting the Project site. There are no existing or planned equestrian trails in the Project area.

Recreation Element

The primary purpose of the Recreation Element is to ensure that the balance between the provision of sufficient parks and recreational facilities are appropriate for the residential and business population of Newport Beach. Specific recreational issues and policies contained in the Recreation Element include: parks and recreational facilities, recreational programs, shared facilities, coastal recreation and support facilities, marine recreation, and public access.

Table 4.1-1 identifies parkland in the City of Newport Beach as well as West Newport. The City has identified an existing citywide park deficiency (exclusive of beach recreation acreage) of 67.7 acres, 53.4 acres of which is in Service Area 1, West Newport. This is based on the standard of 5 acres of parkland per 1,000 persons. Service Area 1 (which includes the Project site) is generally bound on the north by the Newport Terrace Condominium development and the Newport Banning Ranch property; on the south by the Pacific Ocean; on the northeast by

² **Primary Arterial** — A primary arterial highway is usually a four-lane, divided roadway. A primary arterial is designed to accommodate 30,000 to 45,000 average daily trips (ADT) with a typical daily capacity of 34,000 vehicles per day (VPD) (Source: City of Newport Beach General Plan Circulation Element).

the City of Costa Mesa; on the east by Newport Boulevard; and on the west by the Santa Ana River. The service area extends to the southeast to include a portion of the Balboa Peninsula (east of the Newport Pier). With the inclusion of beach acreage, there is not a citywide deficit. Even with the inclusion of beach recreation acreage, a 19.4-acre deficiency occurs in West Newport.

The General Plan identifies three planned parks in West Newport, Newport Center, and Newport Coast which would help alleviate the deficiency. The park in Newport Coast has been completed. As identified in the General Plan, the fastest growing recreational demand in Newport Beach is the need for additional sports fields. The Recreation Element states “There is a future park site identified in this service area, Sunset Ridge Park which is designated as an active park to include ball fields, picnic areas, a playground, parking, and restrooms”.

**TABLE 4.1-1
PARKLAND ACREAGE NEEDS**

Service Area	Existing Park Acreage (as of September 2009)					
	Park Acres Needed	Park Acres Existing	Park Acres Deficit (-) Excess (+)	Active Beach Recreation Acreage	Combined Park/Beach Acreage	Total Deficit (-) Excess (+)
1. West Newport	62.5	9.1	-53.4	34.0	43.1	-19.4
2. Balboa Peninsula	26.6	6.5	-20.1	44.0	50.5	+23.9
3. Newport Heights/Upper Bay	60.5	50.2	-10.3	0.0	50.2	-10.3
4. Santa Ana Heights	7.0	7.6	+0.6	0.0	7.6	+0.6
5. Lower Bay	19.0	0.1	-18.9	0.0	0.1	-18.9
6. Balboa Island	17.0	0.3	-16.7	1.0	1.3	-15.7
7. Eastbluff	32.5	71.0	+38.5	0.0	71.0	+38.5
8. Big Canyon	16.3	0.0	-16.3	0.0	0.0	-16.3
9. Newport Center	24.5	10.4	-14.1	8.8	19.2	-5.3
10. Corona del Mar	46.1	23.9	-22.2	11.4	35.3	-10.8
11. Harbor View	56.6	99.5	+42.9	0.0	99.5	+42.9
12. Newport Coast ^a	47.0	69.3 ^a	+22.3	0.0	69.3	+22.3
Totals	415.6^b	347.9	-67.7^d	99.2^c	447.1	+31.5^d

^a Newport Coast includes public and private parks, including 14 acres of Newport Ridge park dedicated for public use upon City acceptance. Private Park Area is 58.1 ac. Newport Coast parks use and maintenance are subject to the terms of the Pre-Annexation Agreement.

^b 83,120 x 5 ac. per thousand = 415.6 ac.

^c Includes beach area where active recreation takes place (i.e., typically within 100 feet of the water). In addition, there are 174 acres of passive beach open space, 136 acres of open space land in the Upper Bay Ecological reserve, and an undetermined amount of water open space in the Upper Bay and Newport Harbor.

^d Deficit/excess acreage if no additional parks are built.

Source: City of Newport Beach 2009.

Arts and Cultural Element

The Arts and Cultural Element notes that arts and cultural activities play an important role in community life and have been a valued component of Newport Beach for over 125 years. The City has a wide range of art and cultural organizations, resources, attractions, and activities that are a source of community pride and enrichment. These achievements have evolved over time and have been the result of the dedication and involvement of numerous individuals, groups, and organizations. However, without intervention, coordination, preservation and promotion, art

and cultural activities and resources can easily be lost through destruction, indifference, or through unintended land use decisions or policies.

The goals and policies of the Arts and Cultural Element are intended to be a guide for meeting the future cultural needs of the community. Future challenges in Newport Beach require maximizing the community's cultural arts potential by coordinating with various community groups, businesses, agencies, citizens and the City to create active and cohesive cultural and arts programs. The Element is intended to serve as a mechanism for integrating these resources in order to provide improved and expanded arts and cultural facilities and programs to the community. No goals or policies of the Arts and Cultural Elements are applicable to the proposed Project.

Safety Element

The primary goal of the Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from natural and human-induced hazards. This Safety Element recognizes and responds to public health and safety risks that could affect Newport Beach residents. The Safety Element specifically addresses coastal hazards, geologic hazards, seismic hazards, flood hazards, wildland and urban fire hazards, hazardous materials, aviation hazards, and disaster planning. The type and location of hazards have been identified in this element, as well as policies and programs to minimize risks. As these issues are applicable to the proposed Project, they are addressed in Section 4.8, Geology and Soils, 4.9, Hazards and Hazardous Materials, and Section 4.10, Hydrology and Water Quality.

Noise Element

The Noise Element of a General Plan is a tool for including noise control in the planning process in order to maintain compatible land uses with environmental noise levels. The Noise Element identifies noise-sensitive land uses and noise sources, and defines areas of noise impact for the purpose of developing policies to ensure that Newport Beach residents will be protected from excessive noise intrusion.

The Noise Element follows the revised State Guidelines in Section 46050.1 of the *California Health and Safety Code* and quantifies the community noise environment in terms of noise exposure contours for both short-term and long-term levels of growth and traffic activity. The Project's potential noise effects are addressed in Section 4.5, Noise, of this EIR.

City of Newport Beach Zoning Code

The Newport Beach Zoning Ordinance is the primary tool for implementing the City's General Plan. It provides development standards (i.e., setbacks, building height, site coverage, parking, and sign requirements). In addition to guiding the uses, designs, and improvements of development projects, the Zoning Ordinance provides detailed guidance for private development based on, and consistent with, the land use policies established in the General Plan.

City of Newport Beach Local Coastal Program Coastal Land Use Plan (CLUP)

More than 63 percent of the City of Newport Beach, including the Project site, is located in the coastal zone. The CLUP was first approved by the Coastal Commission on October 13, 2005, and was adopted on December 13, 2005. The CLUP was amended by the Coastal Commission

on February 5, 2009, and adopted by the City on July 14, 2009. The City is preparing the Implementation Program. Because the City does not have an adopted Implementation Program for the LCP, it does not have the ability to issue CDPs; all coastal development permits for development that requires a CDP in the City are processed by the California Coastal Commission.

The Coastal Land Use Plan was derived from the Land Use Element of the General Plan and is intended to identify the distribution of land uses in the coastal zone. Because the *City of Newport Beach General Plan* was prepared in consideration of the CLUP approved in 2005, many of the CLUP policies were directly incorporated into the General Plan Land Use, Natural Resources, Recreation, and Public Safety Elements. The CLUP organizes the coastal resources planning and management policies under the following chapters: Chapter 2 – Land Use and Development, Chapter 3 – Public Access and Recreation, and Chapter 4 – Coastal Resource Protection.

The City of Newport Beach CLUP applies only to properties within the incorporated boundary of the City. Therefore, the CLUP applies to the 13.7 acres of the Project site located within the incorporated boundaries of the City. This portion of the site has a Coastal Land Use Plan designation of Parks and Recreation (PR). The portion of the Project site (Newport Banning Ranch property) where the access road is proposed is a Deferred Certification Area (DCA).

A brief summary of these CLUP components and their relationship to the Sunset Ridge Park Project site (within the City boundaries) follows. Policies of the CLUP and California Coastal Act applicable to the Project are identified in Tables 4.1-3 and 4.1-4, respectively. The consistency of the Project with these policies is provided in these tables.

Chapter 2. Land Use and Development

Chapter 2 of the CLUP was derived from the Land Use Element of the City's General Plan and is intended to identify the distribution of land uses in the coastal zone. It provides the Land Use Map, discusses the coastal development review process, and identifies specific policies by development category. The Coastal Land Use Plan Map designates the Project site as Parks and Recreation (PR). The PR category applies to land used or proposed for active public or private recreational use. Permitted uses include parks (both active and passive), golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities. That portion of the site within the City's Sphere of Influence (Newport Banning Ranch property) is a Deferred Certification Area (DCA).

Chapter 3. Public Access and Recreation

The CLUP identifies two basic types of public access: vertical access (or access to the shoreline) and lateral access (or access along the shoreline). The City has developed an extensive system of access to ocean beaches and the bay. Virtually all of the Pacific Ocean shoreline beaches are public and the bay is accessible via public beaches, parks, shoreline trails, walkways and boardwalks. The City requires all new development, causing or contributing to adverse public access impacts, to provide easements or dedications in areas where public access is inadequate. Although the Project site is within the coastal zone, the site is not immediately contiguous to beaches or the bay. The site is inland from West Coast Highway.

Chapter 4. Coastal Resource Protection

Chapter 4 addresses coastal resource protection with respect to biological resources, wetlands and deepwater areas, water quality, scenic and visual resources, and paleontological and cultural resources. As these issues are applicable to the proposed Project, they are addressed in Section 4.2, Aesthetics, Section 4.6, Biological Resources, Section 4.7, Cultural and Paleontological Resources, and Section 4.10, Hydrology and Water Quality.

4.1.3 EXISTING CONDITIONS

On-Site Land Uses

Land uses within and surrounding the Project site are shown on the aerial photograph presented in Section 3.0, Project Description (Exhibit 3-5). The Project site is vacant and undeveloped. There is limited infrastructure on the Project site including drainage channels, unimproved roads, and a soundwall along Superior Avenue. The Project site is irregularly shaped with varying topography with the northeastern portion of the site at a higher elevation than the southern and western portions. The site ranges in elevation from approximately 76 feet above mean sea level (msl) in the northeastern portion of the site, 44 feet above msl in the northwestern portion of the site, and slopes downward to approximately 10 feet above msl at the intersection of West Coast Highway at Superior Avenue. The Project site has been previously graded, and is subject to regular maintenance activities for fuel modification and weed abatement. Additionally, there are active oil operations on the adjacent Newport Banning Ranch property; two abandoned oil well sites are located on the western portion of the Project site (within the Newport Banning Ranch property) in the vicinity of the proposed access road; there are also two abandoned well sites in the area associated with the proposed haul road and export soil sites.

Surrounding Land Uses

The Project site is located in West Newport Beach in an urban environment that consists of multi-family residential, commercial, institutional, and open space uses. The site is generally bound by the Newport Crest Condominium development to the north, West Coast Highway to the south, Superior Avenue to the east, and oil field operations and undeveloped open space on the Newport Banning Ranch property to the west. The Villa Balboa Condominiums, The Versailles at the Bluff Condominiums, and Hoag Memorial Hospital Presbyterian (Hoag Hospital) are located east of Superior Avenue. A neighborhood retail center is located on the southwestern corner of West Coast Highway and West Balboa Boulevard (Superior Avenue becomes West Balboa Boulevard south of West Coast Highway). Single-family residences are located south of West Coast Highway. More specifically, the Project site is bound by the land uses listed below and depicted on Exhibit 3-5, Surrounding Land Uses.

North: Newport Crest, a 3-story, 460-unit residential condominium development.

South: West Coast Highway, a State highway;

Lido Sands, a single-family residential community, located south of West Coast Highway;

Neighborhood retail on the southeastern corner of West Coast Highway and West Balboa Boulevard (Superior Avenue becomes West Balboa Boulevard south of West Coast Highway).

East: Superior Avenue;

Villa Balboa and The Versailles at the Bluff Condominium developments (673 total units) east of Superior Avenue;

Hoag Hospital campus including the hospital's cogeneration facility east of Superior Avenue;

Sunset View Park, located between the Villa Balboa Condominiums and the Hoag Hospital campus, and perpendicular to Superior Avenue. Sunset View Park consists of a 0.28-acre consolidated park site and a 0.52-acre (20-foot-wide) linear park. The park separates the condominium developments from Hoag Hospital facilities in its lower campus along West Coast Highway.

West and Northwest: The 401-acre Newport Banning Ranch property has been a producing oil field since the early 1940s. The property contains over 470 producing/potentially producing and abandoned oil well sites and related oil facility infrastructure. Of the approximate 470 oil well sites, the City operates 16 wells and an oil processing facility near West Coast Highway; West Newport Oil Company (the current operator of the oil field) has approximately 90 producing/ idle oil wells available for oil operations with approximately 50 oil wells operational at any time. The property is currently fenced to preclude public access onto the oil field. The property owner has proposed to develop the 401-acre property with residential, resort, retail, recreational, and open space uses consistent with the City of Newport Beach General Plan Land Use designation of Residential Village (RV).

Land Use Designations

As shown on Exhibit 3-6, Existing General Plan Land Use Designations, the Land Use Element of the City's General Plan designates the Project site as follows: 13.7 acres as Parks and Recreation (PR) and 5.2 acres as Open Space/Residential Village (OS/[RV]). As stated in the General Plan, "The PR designation applies to land used or proposed for active public or private recreational use. Permitted uses include parks (both active and passive), golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities".

The OS(RV) land use designation identifies a Primary Use of Open Space (OS) and an Alternative Use of Residential Village (RV) as described below:

Primary Use:

The General Plan states that "Open Space, including significant active community parklands that serve adjoining residential neighborhoods if the site is acquired through public funding."

Alternative Use:

The General Plan states that if a site is "not acquired for open space within a time period and pursuant to terms agreed to by the City and property owner, the site may be developed as a residential village containing a mix of housing types, limited supporting retail, visitor accommodations, school, and active community parklands, with a majority

of the property preserved as open space. The property owner may pursue entitlement and permits for a residential village during the time allowed for acquisition as open space”.

Zoning Designations

As shown on Exhibit 3-7, Existing Zoning Designations, the zoning designation for the portion of the Project site in the City of Newport Beach (13.7 acres) is Open Space Active (OS-A); there is not a City zoning designation for the unincorporated portion of the Project site.

The City Zoning Code states that the open space districts regulations are intended to:

- A. Provide suitable locations for large public or private sites permanently designated for park or open space use.
- B. Protect public health and safety by limiting lands subject to flooding, landslides or other hazards to open space uses.
- C. Allow the Planning Commission and City Council to consider the most appropriate use of a site following discontinuance of a large public or private open space use without the encumbrance of a base zoning district that may or may not provide appropriate regulations for development of the site. The additional purposes of each open space district are as follows:
 - *Open Space-Active (OS-A) District.* To provide areas for active recreational land uses.
 - *Open Space-Passive (OS-P) District.* To provide areas limited to passive recreational land uses where access is limited or otherwise controlled.

The County of Orange zoning designation for the portion of the Project site (5.2 acres) proposed for the access road is Local Business with an Oil Production Overlay [C1(O)]. The Orange County Zoning Code states that “The C1 District is established to provide for the development and maintenance of medium intensity commercial uses serving the needs of both the surrounding neighborhood and the local community”. In any district where the district symbol is followed by the letter “O”, thus (O), oil drilling and production of oil, gas, and other hydrocarbon substances is permitted.

With respect to the proposed export soil sites and haul road on the Newport Banning Ranch property, these areas traverse areas both within the City and within the City’s Sphere of Influence. Zoning designations for these areas are as follows:

- ***City of Newport Beach:*** The area located within the jurisdictional boundaries of the City of Newport Beach is zoned “Planned Community District 25” (PC-25). The City of Newport Beach Municipal Code §20.35.010 states that a PC District is intended to “Provide for the classification and development of parcels of land as coordinated, comprehensive projects so as to take advantage of the superior environment which can result from large-scale community planning... Include various types of land uses, consistent with the General Plan, through the adoption of a development plan and text materials which set forth land use relationships and development standards”. The boundary of the existing Planned Community District (PC-25) includes portions of the Newport Banning Ranch property as well property owned by the Newport-Mesa Unified

School District parcel. PC-25 zoning permits residential and professional office/light industrial uses.

- **County of Orange:** R-4(O), Suburban Multi-family residential uses. The R-4 Zone permits one dwelling unit for each 3,000 square feet of net land area (i.e., approximately 14.5 dwelling units/acre [du/ac]). The letter “O” identifies that oil drilling and production of oil, gas, and other hydrocarbon substances is permitted.
- **County of Orange:** C1(O), Local Business with an Oil Production Overlay.

Coastal Land Use Plan Designations

As shown on Exhibit 3-8, Coastal Land Use Plan, that portion of the Project site located within the City’s incorporated boundaries has a Coastal Land Use Plan designation of Parks and Recreation (PR). The PR category applies to land used or proposed for active public or private recreational use. Permitted uses include parks (both active and passive), golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities. The portion of the Project site (Newport Banning Ranch property) where the access road, haul road, and export soils sites are proposed is a Deferred Certification Area (DCA).

4.1.4 PROJECT DESIGN FEATURES AND STANDARD CONDITIONS

Project Design Features

No land use Project Design Features have been identified.

4.1.5 METHODOLOGY

This section describes the land use conditions for the Project site (and the immediate vicinity) and discusses potential land use impacts that could result from implementing the proposed Project. This land use analysis is based on field observations, use of aerial photography, and a review of related planning documents referenced in this section.

Land use-related planning programs relevant to the proposed Project and discussed in this section include the *City of Newport Beach General Plan*, the City’s Zoning Code, the City’s Local Coastal Plan, and the California Coastal Act. The proposed Project was compared for consistency with the land use designation and applicable policies of these planning programs. Environmental impacts associated with environmental issues – including but not limited to noise, aesthetics, and traffic – are addressed in their respective sections of this EIR. These environmental issues are only discussed in this section to the extent that they would result in an incompatible land use. This section addresses the relationship of proposed Project land use changes to relevant planning policies. Tables 4.1-2, 4.1-3, and 4.1-4 address the Project’s consistency with the General Plan, Local Coastal Plan, and the California Coastal Act.

4.1.6 THRESHOLDS OF SIGNIFICANCE

Threshold criteria for evaluating land use effects are based on the review of applicable provisions of the City of Newport Beach Initial Study Checklist. The Project would result in a significant impact related to land use and planning programs if it would:

Threshold 4.1-1 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, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

As previously discussed in Section 2.3.3, Effects Found Not to be Significant, through the preparation of the Initial Study, the City determined that the proposed Project would not have a significant impact for the following thresholds and that no further analysis was required:

- Physically divide an established community.

The Project site is an undeveloped vacant parcel. Residential uses are located directly to the north of the site. Development of the site as a park would not physically divide an established community, but would allow for the implementation of a public park.

The following threshold is addressed as a part of the assessment of biological resources in Section 4.6, Biological Resources, of this EIR:

- Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.1.7 ENVIRONMENTAL IMPACTS

Threshold 4.1-1 ***Would the project 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, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?***

Compatibility with Surrounding Off-Site Land Uses

Land use incompatibility can occur where differences between nearby uses result in differences in the physical scale of development, significant noise levels, and significant traffic levels, among other factors, such that Project-related significant unavoidable direct and indirect impacts impede use of the existing land uses as they were intended. The proposed Project would allow for the implementation of a public park with active and passive recreational uses, as well as an access road to the park from West Coast Highway. No night lighting would be provided with the exception of limited low-profile bollard lighting for public safety in the parking lot, along the walkways, and lighting on the restroom structure.

Land Uses to the North: Land uses to the north include the Newport Crest Condominium development and portions of the 401-acre Newport Banning Ranch property. The condominiums have a General Plan land use designation of Multiple-Unit Residential (RM). The property to the north/northwest has a General Plan designation of Open Space/Residential Village (OS/RV).

Currently, those residents with condominium units facing the Project site view an undeveloped property. With the implementation of the proposed Project, residents with existing views of the site would view park uses rather than an undeveloped parcel. While the proposed park would be contiguous to the existing residential development, a landscaped buffer would be provided on the park between the residences and the active park uses. The buffer would vary in height and would vary in width from approximately 60 feet to 80 feet. All active park uses would be sited south of the buffer. Park uses would range from approximately 105 feet (pedestrian walkway) to 133 feet (north soccer field) to 156 feet (baseball field) from the existing residences. At its

closest point, the access road into the park would be approximately 82 feet from the nearest condominium unit; the parking lot would be approximately 134 feet from the nearest unit. No pedestrian access would be provided into or out of the park from the residential development.

Active park uses on the site would include one baseball field and two soccer fields. The baseball field backstop and associated safety fencing (approximately 25 feet high or 67 feet above msl); would be below the height of the top of adjacent second story condominium balcony walls (first living space level) (approximately 68 feet above msl).

As addressed in greater detail in Section 4.2, Aesthetics, the aesthetic effects of the proposed Project are less than significant. As addressed in Section 4.5, Noise, the anticipated noise impacts from vehicular traffic and activities at the Project site would be less than significant. While the Project would result in short-term significant noise impacts during construction, these construction-related noise impacts would cease upon completion of grading and construction.

Therefore, the proposed Project is considered compatible with land uses to the north of the site.

Land Uses to the South: The Project is proposed adjacent to West Coast Highway, a six-lane divided highway, to the south. The residences located on the southern side of West Coast Highway are approximately 120 to 130 feet south of the roadway centerline; a 6-foot-high block wall separates residences from West Coast Highway providing both noise reduction and visual separation. There are also differences in elevation between the Project site and the residences. The Project site ranges in elevation from approximately 76 feet above msl in the northeastern portion of the site, 44 feet above msl in the northwestern portion of the site, and slopes downward to approximately 10 feet above msl at the intersection of West Coast Highway at Superior Avenue. No land use compatibility impacts are expected between the proposed park and these existing land uses.

Land Uses to the East: The Project site is contiguous to Superior Avenue, a four-lane, divided roadway. To the east and northeast of Superior Avenue are the Villa Balboa Condominiums, The Versailles at the Bluff Condominiums, and Sunset View Park. The condominiums have a General Plan land use designation of "Multiple-Unit Residential." In total, the Villa Balboa and The Versailles at the Bluff Condominium complexes have 673 dwelling units. Sunset View Park is a passive linear park with walking trails. This park has several vantage points that are designated as a "Public View Point" (Figure NR3/Coastal Views in the General Plan). The proposed Project would be separated from the existing residential uses and Sunset View Park by Superior Avenue. The proposed Project is considered compatible with land uses east of the site.

Land Uses to the West: The site is contiguous to existing undeveloped property. The 401-acre Newport Banning Ranch property has been a producing oil field since the early 1940s. The property contains over 470 producing/potentially producing and abandoned oil well sites and related oil facility infrastructure. Of the approximately 470 oil well sites, the City operates 16 wells and an oil processing facility near West Coast Highway; West Newport Oil Company (the current operator of the oil field) has approximately 90 producing/idle oil wells available for oil operations with approximately 50 oil wells operational at any time. The property has a General Plan land use designation of Open Space/Residential Village (OS/RV). As previously identified, the property is fenced to preclude public access onto private property.

The Newport Banning Ranch property is currently proposed for development with up to 1,375 residential dwelling units (du), 75,000 square feet (sf) of commercial uses, and a 75-room hotel; no actions have been taken by the City regarding this proposal. Approximately 45 acres

are proposed for active and passive park uses; approximately 249 acres (approximately 62 percent) of the site are proposed for natural resources protection in the form of open space, third-party habitat restoration; and 20 acres would be used for the consolidation of oil facility operations in two locations until the complete cessation of oil operations.

The *City of Newport Beach General Plan's* Circulation Element and the Orange County MPAH depict a future north-south roadway through the Newport Banning Ranch property from West Coast Highway to 19th Street. The City's Circulation Element designates this roadway as a Primary Road. This road would be constructed as a part of the proposed Newport Banning Ranch project.

The access road from West Coast Highway for the proposed Sunset Ridge Park Project would be constructed on the Newport Banning Ranch property and would generally follow the alignment identified in the City's General Plan Master Plan of Streets and Highways and the Orange County MPAH. Both the Sunset Ridge Park Project and the proposed Newport Banning Ranch project would use the same access roadway from West Coast Highway. However, since the park requires a smaller roadway, only the eastern half of the access road would be constructed as a part of the park project. Existing fencing on the Newport Banning Ranch property would be relocated to continue to prohibit access onto the oil fields. Should the Newport Banning Ranch development project be approved and constructed in the future, the roadway would be widened on the west side of the access road consistent with the General Plan Master Plan of Streets and Highways and the Orange County MPAH.

Off-site existing oil field operations and undeveloped open space would not be adversely affected by the implementation of a public park. The conceptual landscape plan proposes both native and non-native plant materials and would be designed to preclude and/or mitigate for any potential indirect impacts to off-site biological resources. The park is considered a compatible land use with the existing land uses to the west.

The proposed development plan for the Newport Banning Ranch project proposes a roadway (as previously described) with a resort hotel and residential development west of the proposed access road and proposed Project. A park and open space are proposed east of the proposed access road and proposed Project. The proposed Project is considered compatible with these potential future land uses.

In summary, the proposed Project is considered a compatible land use with existing and proposed land uses bordering the Project site. No significant land use compatibility impacts would be associated with the Project.

Policy Analysis

General Plan and Zoning Designations

The proposed development of the Project site as an active park is consistent with the City's General Plan and zoning designations for that portion of the site in the City. The City's General Plan designates the Project site as follows: 13.7 acres as Parks and Recreation (PR). That portion of the site proposed for the access road (5.2 acres), as well as the proposed haul road and export soils site are designated Open Space/Residential Village (OS/[RV]).

Under both the OS and RV designations, the *City of Newport Beach General Plan's* Circulation Element and the Orange County MPAH depict a north-south roadway in the general location proposed for the park access road.

Local Coastal Program Coastal Land Use Plan

The Coastal Land Use Plan designation for that portion of the site within the incorporated boundaries of the City is “Parks and Recreation”. Development of the site to permit active and passive park uses is consistent with the Parks and Recreation designation. The remainder of the Project site (access road, haul road, export soils sites) is a Deferred Certification Area (DCA). Project implementation would require a Coastal Development Permit from the California Coastal Commission.

Table 4.1-3 evaluates the Project’s consistency with the City’s Local Coastal Program, and Table 4.1-4 evaluates the Project’s consistency with the California Coastal Act.

As identified through the consistency analysis presented in these tables, the proposed Project would not conflict with the intent of applicable land use plan or policy of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.

Impact Summary: *Less Than Significant With Mitigation.* The overall Mitigation Program set forth in this EIR addresses all potential impacts associated with the Project. With the exception of short-term construction-related air quality and noise effects, all Project impacts can be mitigated to a level that is considered less than significant. Upon completion of construction, short-term air quality and noise impacts would cease. As such, the proposed Project is considered consistent with the intent of applicable planning programs and associated goals and policies.

4.1.8 CUMULATIVE IMPACTS

Implementation of the Sunset Ridge Project would be compatible and consistent with existing land uses in the vicinity of the Project site. In addition, the proposed Project would be consistent with the City’s General Plan. The proposed Project would also be consistent with the City’s Zoning Code and the Local Coastal Plan. Because the proposed Project would result in a new community park that is compatible with surrounding land uses and is anticipated by these relevant planning documents, the Project’s contribution to cumulative land use and planning impacts is less than significant.

4.1.9 MITIGATION PROGRAM

Project Design Features

No land use Project Design Features have been identified.

Mitigation Measures

Please refer to the Mitigation Program set forth in Sections 4.1 through 4.11 of this EIR.

4.1.10 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts related to land use compatibility and planning programs would occur with implementation of the proposed Project.

**TABLE 4.1-2
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS**

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Land Use Element	
Land Use Element Goal LU 2	
A living, active, and diverse environment that complements all lifestyles and enhances neighborhoods, without compromising the valued resources that make Newport Beach unique. It contains a diversity of uses that support the needs of residents, sustain and enhance the economy, provide job opportunities, serve visitors that enjoy the City's diverse recreational amenities, and protect its important environmental setting, resources, and quality of life.	The Project would allow for the development of a public 18.9-acre active and passive park that includes baseball and soccer fields, pedestrian paths, a garden area, playground and picnic area, parking, and restroom facilities. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).
Policies	
<p>LU Policy 2.1: Resident-Serving Land Uses</p> <p>Accommodate uses that support the needs of Newport Beach's residents including housing, retail, services, employment, recreation, education, culture, entertainment, civic engagement, and social and spiritual activity that are in balance with community natural resources and open spaces. (Imp 1.1, 2.1)</p> <p>Implementation Program 1.1: Insure that Private Development and Capital Improvements are Consistent with the General Plan: California statutes require that a city's decisions regarding its physical development must be consistent with the adopted General Plan. As entitlements for the development of private properties are guided by the City's ordinances and Charter requirements, implicitly they must be consistent with the General Plan. As a consequence, it is necessary for Newport Beach to review all subdivision and development applications and make written findings that they are consistent with all goals and policies of the General Plan (see Imp 12.1 and Imp 13.1). If the Project is found to be inconsistent, it cannot be approved without revisions of the General Plan and, as necessary, its implementing ordinances.</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	The proposed Project is consistent with the General Plan land use designation. The <i>City of Newport Beach General Plan's</i> Recreation Element identifies a citywide park deficiency of which the greatest need is in the service area of West Newport. As identified in the General Plan, the fastest growing recreational demand in Newport Beach is the need for additional sports fields. The General Plan identifies the Sunset Ridge Park site in West Newport as an active park to include ball fields, picnic areas, a playground, parking, and restrooms. The Project would allow for the development of a public active and passive park that includes baseball and soccer fields, pedestrian paths, a garden area, playground and picnic area, parking, and restroom facilities. Therefore, the proposed Project would support the needs of Newport Beach's residents by developing an active and passive park at this site which is within and accessible to the West Newport area. The proposed Project would provide additional active and passive recreational park facilities in the City consistent with the General Plan land use designation for this site. The Project is included on and is consistent with the City's Capital Improvement Program. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>LU Policy 2.2: Sustainable and Complete Community Emphasize the development of uses that enable Newport Beach to continue as a self-sustaining community and minimize the need for residents to travel outside of the community for retail, goods and services, and employment. (<i>Imp 1.1, 24.1</i>)</p> <p>Implementation Programs 1.1, 24.1: See Implementation Program 1.1 above. Implementation Program 24.1 is not applicable to the proposed Project as it addresses the preparation of a City strategic plan for fiscal and economic sustainability.</p>	<p>Please refer to the response to Land Use Policy 2.1. The proposed park would serve an identified need in the City as well as West Newport Beach. Therefore, the development of Sunset Ridge Park would enable City residents, in particular West Newport residents, to minimize the need to travel further distances to use active playfields and for other passive recreational uses. The Project is included on and is consistent with the City's Capital Improvement Program. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>LU Policy 2.6: Visitor Serving Uses Provide uses that serve visitors to Newport Beach's ocean, harbor, open spaces, and other recreational assets, while integrating them to protect neighborhoods and residents. (<i>Imp 1.1, 2.1, 5.1, 24.1</i>)</p> <p>Implementation Programs 1.1, 2.1, 24.1: See Implementation Program 1.1 above. Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan. Implementation Program 24.1 is not applicable to the proposed Project as it addresses the preparation of a City strategic plan for fiscal and economic sustainability.</p> <p>Implementation Program 5.1: Review and Revise Coastal Land Use Plan for Consistency with the General Plan: The General Plan's updated goals and policies were written in consideration of the CLUP approved by the California Coastal Commission on February 8, 2006. Many of its policies were directly incorporated in the Land Use, Harbor and Bay, Natural Resources, Recreation, and Safety Elements. However, there are a number of policies in the updated General Plan that may deviate from those in the approved CLUP. Among these are policies for the inclusion of housing and mixed-use developments in portions of the coastal zone and the revised land use classification and density/intensity system. It will be necessary to review and amend the CLUP for consistency and submit these to the Coastal Commission for certification.</p>	<p>Development of the Project site as a community park with active playfields is primarily intended for the use of residents in West Newport; however, it would also serve residents in the entire City and could serve visitors, particularly during sporting events where teams may come from a larger area. The Project is consistent with the land use designation for the site set forth in the City's General Plan and Coastal Land Use Plan. The Project is included on and is consistent with the City's Capital Improvement Program. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>LU Policy 2.7: Oil and Gas Facilities</p> <p>Prohibit the construction of new onshore oil processing, refining, or transportation facilities, including facilities designed to transport oil from offshore tracts, with the exceptions of slant drilling from onshore oil fields or for the consolidation and more efficient production of wells should Banning Ranch be annexed to the City. (<i>Imp 2.1, 5.1</i>)</p> <p>Implementation Programs 2.1, 5.1: See Implementation Program 5.1 above. Implementation Program 2.1 is not applicable to the proposed Project as it addresses City’s requirement to amend the Zoning Code for maintain consistency with the General Plan.</p>	<p>There are two abandoned well sites within that portion of the Project site located on Newport Banning Ranch property. No new oil operations are proposed in this location. The Project is consistent with this policy (see Section 4.9, Hazards and Hazardous Materials).</p>
<p>LU Policy 2.8: Adequate Infrastructure</p> <p>Accommodate the types, densities, and mix of land uses that can be adequately supported by transportation and utility infrastructure (water, sewer, storm drainage, energy, and so on) and public services (schools, parks, libraries, seniors, youth, police, fire, and so on). (<i>Imp 1.1, 10.2, 11.1</i>)</p> <p>Implementation Program 1.1: See Implementation Program 1.1 above.</p> <p>Implementation Program 10.2: Maintain Development Tracking and Monitoring Program: Implementation Program 10.2 is not applicable to the Project; park development will not impact the remaining development capacity in the City.</p> <p>Implementation Program 11.1: CEQA Review Development and Entitlement Applications: Applications for entitlement and development in the City of Newport Beach shall be subject to review in accordance with the City Council Policy Manual Implementation Measures for CEQA. Environmental analyses shall include assessment of the Project’s consistency with General Plan policies pertaining to each environmental topic under discussion. To the extent permitted by state law and court decisions, the General Plan Program EIR can be used as citywide framework from which Project EIRs can be tiered. The Program EIR shall not be used for any Project that is more intense than, or inconsistent, with the General Plan.</p>	<p>The City can provide all necessary infrastructure, including water, sewer, storm drains, and electrical facilities for the Project. Police and Fire service providers have indicated that they would be able to serve the proposed Project. An EIR has been prepared for the proposed Project; the City’s General Plan Update EIR has been used in the preparation of this Project-specific EIR. The EIR has also been prepared in accordance with Newport Beach City Council Policy K-3, “Implementation Procedures for the California Environmental Quality Act”. The Project is included on and is consistent with the City’s Capital Improvement Program. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation; Section 4.11, Public Services and Utilities).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Land Use Element Goal LU 3	
A development pattern that retains and complements the City's residential neighborhoods, commercial and industrial districts, open spaces, and natural environment.	Please refer to the response to Land Use Policy 2.1. The park is proposed to alleviate a portion of a citywide park deficiency. As such, the Project would provide additional recreational opportunities in the City rather than place additional burdens on existing facilities or adversely affect existing neighborhoods. Section 4.1, Land Use and Related Planning Programs, finds that the Project is compatible with surrounding existing and proposed land uses. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).
Policies	
LU Policy 3.7: Natural Resource or Hazardous Areas Require that new development is located and designed to protect areas with high natural resource value and protect residents and visitors from threats to life or property. (<i>Imp 2.1, 6.1</i>) Implementation Programs 2.1, 6.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan. Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan.	The Project site has been disturbed by prior grading and construction by Caltrans and the City; the majority of the site contains disturbed vegetation and non-native grasslands. However, the site contains sensitive biological resources primarily in the area of the proposed park access road. A biological assessment and a jurisdictional delineation were prepared as a part of the EIR. To the degree feasible, the Project avoids rather than mitigates for impacts to resources. A Mitigation Program has been developed to mitigate impacts to significant biological resources and protected resources in order to fully mitigate the impact. As a public park, this land use would not adversely affect property or personal safety. Section 4.1, Land Use and Related Planning Programs, finds that the Project is compatible with surrounding existing and proposed land uses. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs; Section 4.6, Biological Resources; Section 4.11, Public Services and Utilities).
Land Use Element Goal LU 4	
Management of growth and change to protect and enhance the livability of neighborhoods and achieve distinct and economically vital business and employment districts, which are correlated with supporting infrastructure and public services and sustain Newport Beach's natural setting.	Please refer to the response to Land Use Policy 2.1. The provision of a public park in the West Newport area is a benefit to the City. The potential impacts of the park are addressed in this EIR. The City can provide all necessary infrastructure, including water, sewer, storm drains, and electrical facilities for the Project. Police and Fire service providers have indicated that they would be able to serve the proposed Project. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.3, Transportation and Circulation; Section 4.11, Public Services and Utilities).
Policies	
LU Policy 4.1: Land Use Diagram Accommodate land use development consistent with the Land Use Plan. Figure LU1 depicts the general distribution of uses throughout the City and	Please refer to the response to Land Use Policy 2.1. The Project would allow for the development of a public park as designated in the City's General Plan. The proposed Project is consistent with the General Plan Land Use designation of PR

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

<p>City of Newport Beach General Plan Relevant Goals, Policies, and Programs</p>	<p>Consistency Analysis</p>
<p>Figure LU2 through Figure LU15 depict specific use categories for each parcel within defined Statistical Areas. Table LU1 (Land Use Plan Categories) specifies the primary land use categories, types of uses, and, for certain categories, the densities/intensities to be permitted. The permitted densities/intensities or amount of development for land use categories for which this is not included in Table LU1, are specified on the Land Use Plan, Figure LU4 through Figure LU15. These are intended to convey maximum and, in some cases, minimums that may be permitted on any parcel within the designation or as otherwise specified by Table LU2 (Anomaly Locations).</p> <p>The density/intensity ranges are calculated based on actual land area, actual number of dwelling units in fully developed residential areas, and development potential in areas where the General Plan allows additional development.</p> <p>To determine the permissible development, the user should:</p> <ol style="list-style-type: none"> a. Identify the parcel and the applicable land use designation on the Land Use Plan, Figure LU4 through Figure LU15 b. Refer to Figure LU4 through Figure LU15 and Table LU1 to identify the permitted uses and permitted density or intensity or amount of development for the land use classification. Where densities/intensities are applicable, the maximum amount of development shall be determined by multiplying the area of the parcel by the density/intensity. c. For anomalies identified on the Land Use Map by a symbol, refer to Table LU2 to determine the precise development limits. d. For residential development in the Airport Area, refer to the policies prescribed by the Land Use Element that define how development may occur. (<i>Imp 2.1, 5.1, 10.2</i>) <p>Implementation Programs 2.1, 5.1, 10.2: See Implementation Program 5.1 10.2 above. Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan. Implementation Program 10.2 is not applicable to the Project; park development will not impact the remaining development capacity in the City.</p>	<p>and OS/RV. This EIR includes an evaluation of the Project's consistency with the City's Coastal Land Use Plan and the California Coastal Act and is considered compatible with the intent of these policies. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Land Use Element Goal LU 5.6	
Neighborhoods, districts, and corridors containing a diversity of uses and buildings that are mutually compatible and enhance the quality of the City's environment.	The provision of additional recreational opportunities diversifies land uses within the City. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).
Policies	
<p>LU Policy 5.6.1: Compatible Development Require that buildings and properties be designed to ensure compatibility within and as interfaces between neighborhoods, districts, and corridors. <i>(Imp 2.1)</i></p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	Section 4.1, Land Use and Related Planning Programs, finds that the Project is compatible with surrounding existing and proposed land uses. For example, the park has been designed to include landscape buffers between existing residences and active park uses. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).
<p>LU Policy 5.6.2: Form and Environment Require that new and renovated buildings be designed to avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open spaces, or adversely modify wind patterns. <i>(Imp 2.1)</i></p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	Only one building would be constructed as a part of the proposed Project. An approximately 1,300 sf, one-story structure would be located on the western portion of the Project site between the parking area and the ball fields. The structure would include restroom facilities and storage for park maintenance and sports equipment. No reflective materials would be used on the structure. The only lighting would be for public safety. Low-profile bollard lighting would be provided along the walkways and parking lot as well as on the restroom structure. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics).
<p>LU Policy 5.6.3: Ambient Lighting Require that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location. <i>(Imp 2.1)</i></p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	Please refer to the response to Policy 5.6.2. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics).
<p>LU Policy 5.6.4: Conformance with the Natural Environmental Setting Require that sites be planned and buildings designed in consideration of the property's topography, landforms, drainage patterns, natural vegetation, and relationship to the Bay and coastline, maintaining the environmental character that distinguishes Newport Beach. <i>(Imp 2.1, 8.1)</i></p> <p>Implementation Programs 2.1, 8.1: Implementation Program 2.1 is not</p>	The Project site has been subject to prior modification through grading for prior Caltrans and City road projects. Therefore, on-site landforms are not natural topographical features nor are they coastal bluffs. As a part of the Project, the topography of the site would be modified through grading and development of the site for the park and the associated access road. The design of the proposed Project has taken into account the topography of the site to the degree feasible

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan. Implementation Program 8.1 is not applicable to this Project; it requires the City to periodically review codes and ordinances.	while balancing the need to flatten areas for recreational uses and provide adequate and safe access; doing this would minimize grading and the export of cut material from the site and would provide public views from the site, while minimizing biological and topographical modifications. Where sensitive biological resources would be removed, these resources would be mitigated. The slopes around the perimeter of the property would also be graded and vegetated to appear as natural as possible. The site drainage patterns would remain similar to existing conditions. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics; Section 4.6 Biological Resources; Section 4.10, Hydrology and Water Quality)
Land Use Element Goal LU 6.1	
A diversity of governmental service, institutional, educational, cultural, social, religious, and medical facilities that are available for and enhance the quality of life for residents and are located and designed to complement Newport Beach's neighborhoods.	The Project would provide for active and passive park uses to improve the quality of life and compliment West Newport, an area that has a deficiency of recreational facilities.
Policies	
<p>LU Policy 6.1.2: Siting of New Development</p> <p>Allow for the development of new public and institutional facilities within the City provided that the use and development facilities are compatible with adjoining land uses, environmentally suitable, and can be supported by transportation and utility infrastructure. (<i>Imp 1.1, 14.2, 22.1–23.2</i>)</p> <p>Implementation Programs 1.1, 14.2, 22.1-23.2: See Implementation Program 1.1 above. Implementation Program 14.2 is not applicable to the Project which requires the City to coordinate with school districts regarding school facilities. Implementation Program 22.1 is not applicable; it requires the Fire and Police Departments to implement facility plans. Implementation Program 24.1 is not applicable to the proposed Project as it addresses the preparation of a City strategic plan for fiscal and economic sustainability.</p> <p>Implementation Program 23.1: Maintain and Update Parks and Recreation Facility Plans: The City shall maintain, periodically update, and implement its plans for the development, operation, programming, and maintenance of its system of parks throughout the City. Resident recreational needs should be monitored on a continuing basis to correlate these with park facilities and recreational programs.</p> <p>Once each five years, the City should comprehensively review the status of its park system and assess the need for improvements, including new or</p>	<p>Section 4.1, Land Use and Related Planning Programs, finds that the Project is compatible with surrounding existing and proposed land uses. For example, the park has been designed to include landscape buffers between existing residences and active park uses.</p> <p>The City can provide all necessary infrastructure, including water, sewer, storm drains, and electrical facilities for the Project. Police and Fire service providers have indicated that they would be able to serve the proposed Project. The Project is included on and is consistent with the City's Capital Improvement Program.</p> <p>The proposed Project is consistent with the General Plan land use designation. The <i>City of Newport Beach General Plan's</i> Recreation Element identifies a citywide park deficiency of which the greatest need is in the service area of West Newport. As identified in the General Plan, the fastest growing recreational demand in Newport Beach is the need for additional sports fields. The General Plan identifies the Sunset Ridge Park site in West Newport as an active park to include ball fields, picnic areas, a playground, parking, and restrooms. The Project would allow for the development of a public active and passive park that includes baseball and soccer fields, pedestrian paths, a garden area, playground and picnic area, parking, and restroom facilities. Therefore, the proposed Project would support the needs of Newport Beach's residents by developing an active and passive park at this site which is within and accessible to the West Newport area. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.2,</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>renovated facilities. These shall be prioritized and a funding program defined for their implementation. Park users and the community shall be involved in identifying and prioritizing the improvements.</p> <p>Implementation Program 23.2: Maintain and Improve Parks and Recreation Facilities: Through the CIP and development approval process, the City shall implement the park improvements specified by the Recreation Element. Parks should be designed in consideration of their adjoining land uses, particularly to prevent impacts on residential neighborhoods due to lighting, noise, site access, and parking and minimize lighting impacts on any adjacent habitat areas. Facilities shall be designed and properties landscaped to complement the quality of the neighborhood in which they are located. Additionally, the City shall consider assisting Orange County with the management, operation, and maintenance of Upper Newport Bay Ecological Reserve, including the Peter and Mary Muth Center.</p>	<p>Aesthetics; Section 4.3, Transportation and Circulation; Section 4.11, Public Services and Utilities).</p>
<p>LU Policy 6.1.3: Architecture and Planning that Complements Adjoining Uses</p> <p>Ensure that the City’s public buildings, sites, and infrastructure are designed to be compatible in scale, mass, character, and architecture with the district or neighborhood in which they are located, following the design and development policies for private uses specified by this Plan. Design impacts on adjoining uses shall be carefully considered in development, addressing such issues as lighting spillover, noise, hours of operation, parking, local traffic impacts, and privacy. (<i>Imp 22.1–23.2</i>)</p> <p>Implementation Programs 22.1, 23.1, 23.2: See Implementation Programs 22.1, 23.1, and 23.2 above.</p>	<p>Please refer to the response to Policy 6.1.2. The City’s Zoning Code (Chapter 20.66.030 Off-Street Parking and Loading Spaces Required) does not specify a parking rate for city parks, but rather indicates that the parking requirement for Park and Recreational Facilities would be “As specified by Use Permit”. The Institute of Transportation Engineer (ITE’s) <i>Parking Generation</i> document contains parking information for a City Park (Land Use Category 411). Applying this peak parking rate to the Project (5 parking spaces per acre), the parking requirement would be 96 spaces. Since the Project includes 97 parking spaces, it is consistent with this policy (see Section 4.3, Transportation and Circulation). The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics).</p>
<p>Land Use Element Goal LU 6.2</p>	
<p>Residential neighborhoods that contain a diversity of housing types and supporting uses to meet the needs of Newport Beach’s residents and are designed to sustain livability and a high quality of life.</p>	<p>The provision of additional recreational opportunities diversifies land uses within the City. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs)</p>
<p>Policies</p>	
<p>LU Policy 6.2.5: Neighborhood Supporting Uses</p> <p>Allow for the integration of uses within residential neighborhoods that support and are complementary to their primary function as a living environment such as schools, parks, community meeting facilities, religious facilities, and comparable uses. These uses shall be designed to ensure compatibility with adjoining residential addressing such issues as noise,</p>	<p>Please refer to the response to Land Use Policy 2.1. The development of Sunset Ridge Park would enable City residents, particularly those in West Newport, to minimize the need for traveling further distances to enjoy active playfields and passive recreational uses. Development of the site as a community park with active playfields is primarily intended for the use of residents in West Newport; however, it would also serve residents in the entire City and could serve visitors,</p>

TABLE 4.1-2 (Continued)
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<p>lighting, and parking. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City’s requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>particularly during sporting events. With exception of low-profile lighting for public safety, no night lighting would be provided as a part of the Project. No direct access would be provided between the park and the existing residences to the north. The proposed Project is consistent with this policy and with the City’s General Plan. Compatibility with noise and parking are discussed below (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.6, Transportation and Circulation; Section 4.5, Noise).</p>
Land Use Element Goal LU 6.3: Newport Banning Ranch	
<p>Preferably a protected open space amenity, with restored wetlands and habitat areas, as well as active community parklands to serve adjoining neighborhoods.</p>	<p>The park access road, haul road, and export soils sites are proposed on the Newport Banning Ranch property. These Sunset Ridge Park uses would not preclude the future development of the Newport Banning Ranch property consistent with either the General Plan OS or RV land use designations. The Project is consistent with this goal (see Section 4.1, Land Use and Related Planning Programs).</p>
Policies	
<p>LU Policy 6.3.2: Acquisition for Open Space</p> <p>Support active pursuit of the acquisition of Banning Ranch as permanent open space, which may be accomplished through the issuance of state bonds, environmental mitigation fees, private fundraising, developer dedication, and similar techniques. (<i>Imp 9.1, 14.7, 14.11, 30.2</i>)</p> <p>Implementation Program 9.1: Maintain Recreation Programs for Newport Beach’s Residents: Recreational programs will be provided to serve the needs of Newport Beach’s residents as identified by the needs assessment and prioritized by the Parks, Beaches, and Recreation Commission. Periodically the City shall review and update as necessary its fees for recreation programs to assure that they are adequate to cover ongoing costs. This may include a comparative assessment of the fees imposed by other jurisdictions.</p> <p>Implementation Program 14.7: Coordinate with the California Resources Agency, Department of Fish and Game: The California Resources Agency Department of Fish and Game is responsible for the maintenance of native fish, wildlife, plant species, and natural communities for their intrinsic and ecological value. This includes habitat protection and maintenance in a sufficient amount and quality to ensure the survival of all species and natural communities. The Department is also responsible for the issuance of permits for lake and streambed alterations, incidental takes of state-listed species, in accordance with the <i>California Endangered</i></p>	<p>The proposed Sunset Ridge Park uses would not preclude the future development of the Newport Banning Ranch property consistent with either the General Plan OS or RV land use designations.</p> <p>The proposed Project is consistent with the General Plan land use designation. The <i>City of Newport Beach General Plan’s</i> Recreation Element identifies a citywide park deficiency of which the greatest need is in the service area of West Newport. As identified in the General Plan, the fastest growing recreational demand in Newport Beach is the need for additional sports fields. The General Plan identifies the Sunset Ridge Park site in West Newport as an active park to include ball fields, picnic areas, a playground, parking, and restrooms. The Project would allow for the development of a public active and passive park that includes baseball and soccer fields, pedestrian paths, a garden area, playground and picnic area, parking, and restroom facilities. Therefore, the proposed Project would support the needs of Newport Beach’s residents by developing an active and passive park at this site which is within and accessible to the West Newport area.</p> <p>A biological assessment and jurisdictional delineation has been prepared for the Project as a part of this EIR. Project implementation would require mitigation for significant biological impacts and effects on resources under the jurisdiction of the regulatory authorities. Permits required for the Project from regulatory agencies include but are not limited to the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related</p>

TABLE 4.1-2 (Continued)
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City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p><i>Species Act</i>, and near-shore fishery activity.</p> <p>Implementation of the General Plan's policies for natural resource protection shall be achieved through the City's consultation with the DFG in the review of projects that may impact terrestrial and marine resources and identification of resource protection and impact mitigation measures, including support for the DFG's efforts for habitat acquisition and restoration on Banning Ranch. The City shall cooperate with the DFG and other agencies in implementing the eel grass restoration of Newport Bay and programs for the protection and management of upper Newport Bay, including the Newport Beach Marine Refuge, Irvine Coast Marine Life Conservation Areas, and Upper Newport Bay State Marine Park.</p> <p>Implementation Program 9.1: Review City Council Policy Manual for Consistency with the General Plan: This Program 9.1 is not applicable to the Project which requires the City Council Policy Manual to be reviewed for consistency with the General Plan.</p> <p>Implementation Program 14.11: California Public Utilities Commission: This Program is not applicable to the Project. It requires the City to coordinate with the California Public Utilities Commission regarding funding for undergrounding of utilities.</p> <p>Implementation Program 30.2: Administer Impact and User Fees: This Program is not applicable to the Project which requires the payment of development fees.</p>	<p>Planning Programs; Section 4.2, Aesthetics; Section 4.3, Transportation and Circulation; Section 4.6, Biological Resources; Section 4.11, Public Services and Utilities).</p>
Land Use Element Goal LU 6.4: Newport Banning Ranch	
<p>If acquisition for open space is not successful, a high-quality residential community with supporting uses that provides revenue to restore and protect wetlands and important habitats.</p>	<p>Please refer to the response to Land Use Policy 6.3.2. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs).</p>
Policies	
<p>LU Policy 6.4.1: Alternative Use</p> <p>If not acquired for open space within a time period and pursuant to terms agreed to by the City and property owner, the site may be developed as a residential village containing a mix of housing types, limited supporting retail, visitor accommodations, school, and active community parklands, with a majority of the property preserved as open space. The property owner may pursue entitlement and permits for a residential village during the time allowed for acquisition as open space. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to</p>	<p>Please refer to the response to Land Use Policy 6.3.2. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
amend the Zoning Code for consistency with the General Plan.	
<p>LU Policy 6.4.8: Open Space Network and Parklands Establish a framework of trails, community parklands, and natural habitats that provide the framework around which the residential village's uses are developed and interconnect residential districts, the village center, other uses, and open spaces. (<i>Imp 3.1, 4.1</i>)</p> <p>Implementation Program 3.1: Preparation of New Specific Plans: Implementation Program 3.1 is not applicable to the Project which allows for the preparation of Specific Plans.</p> <p>Implementation Program 4.1: New "Planned Community" Development Plans: Implementation Program 4.1 is not applicable to the Project which allows for the preparation of "Planned Community" plans for large-scale development projects.</p>	<p>Please refer to the response to Land Use Policy 6.3.2. The proposed Project would construct trails or parks through the Newport Banning Ranch property. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs).</p>
<p>LU Policy 6.4.9: Circulation Facilitate development of an arterial highway linking Coast Highway with Newport Boulevard to relieve congestion at Superior Avenue, if the property is developed. (<i>Imp 3.1, 4.1, 16.1</i>)</p> <p>Implementation Programs 3.1, 4.1, 16.1: Implementation Program 3.1 is not applicable to the Project which allows for the preparation of Specific Plans. Implementation Program 4.1 is not applicable to the Project which allows for the preparation of "Planned Community" plans for large-scale development projects.</p> <p>Implementation Program 16.1: Improve Arterial Streets and Highways According to Classification: The City shall take the necessary actions to obtain the required right-of-way to provide the ultimate cross sections for each type of roadway classification designated in the General Plan when adjacent land development occurs.</p>	<p>As a part of the Project, a park access road would be constructed from West Coast Highway through Newport Banning Ranch (a private property) to the park. The City of Newport Beach General Plan Circulation Element and the Orange County <u>Master Plan of Arterial Highways</u> (MPAH) depict a north-south roadway through the Newport Banning Ranch property in this general location. The north-south portion of the proposed park access road is consistent with the proposed arterial alignment and it would not preclude the future development of the arterial. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.3, Transportation and Circulation).</p>
<p>LU Policy 6.4.11: Comprehensive Site Planning and Design Require the preparation of a master development or specific plan for any development on the Banning Ranch specifying lands to be developed, preserved, and restored, land uses to be permitted, parcelization, roadway and infrastructure improvements, landscape and streetscape improvements, development regulations, architectural design and landscape guidelines, exterior lighting guidelines, processes for oil operations consolidation, habitat preservation and restoration plan, sustainability practices plan, financial implementation, and other appropriate elements. (<i>Imp 3.1, 4.1</i>)</p>	<p>The proposed Project does not require a master plan or a specific plan. Please refer to the response to Land Use Policy 6.3.2. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>Implementation Programs 3.1, 4.1, 16.1: Implementation Program 3.1 is not applicable to the Project which allows for the preparation of Specific Plans. Implementation Program 4.1 is not applicable to the Project which allows for the preparation of “Planned Community” plans for large-scale development projects.</p>	
Policies	
<p>LU Policy 6.5.3: Habitat and Wetlands Restore and enhance wetlands and wildlife habitats, in accordance with the requirements of state and federal agencies. (<i>Imp 3.1, 4.1, 14.7, 14.11</i>)</p> <p>Implementation Programs 14.7, 14.11: See Implementation Program 14.7 above. Implementation Program 3.1 is not applicable to the Project which allows for the preparation of Specific Plans. Implementation Program 4.1 is not applicable to the Project which allows for the preparation of “Planned Community” plans for large-scale development projects. Implementation Programs 14.11 is not applicable to the Project. It requires the City to coordinate with the California Public Utilities Commission regarding funding for undergrounding of utilities.</p>	<p>A biological assessment and jurisdictional delineation has been prepared for the Project as a part of this EIR. Project implementation would require mitigation for significant biological impacts and effects on resources under the jurisdiction of the regulatory authorities. Permits required for the Project from regulatory agencies include but are not limited to the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>LU Policy 6.5.6: Coordination with State and Federal Agencies Work with appropriate state and federal agencies to identify wetlands and habitats to be preserved and/or restored and those on which development will be permitted. (<i>Imp 14.7, 14.11</i>)</p> <p>Implementation Programs 14.7, 14.11: See Implementation Program 14.7 above. Implementation Program 14.11 is not applicable to the Project. It requires the City to coordinate with the California Public Utilities Commission regarding funding for undergrounding of utilities.</p>	<p>A biological assessment and jurisdictional delineation have been prepared for the Project as a part of this EIR. Project implementation would require mitigation for significant biological impacts and effects on resources under the jurisdiction of the regulatory authorities. Permits required for the Project from regulatory agencies include but are not limited to the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). The City has met with and/or coordinated with the USFWS, U.S. Army Corps of Engineers (USACE), and Regional Water Quality Control Board (RWQCB). The City has requested consultation with the CDFG and California Coastal Commission. The Project is consistent with the policy (see Section 4.6, Biological Resources).</p>
Harbor and Bay Element	
Harbor and Bay Element Plan Goal HB 8	
<p>Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors and wetlands. (Goal NR3)</p>	<p>The Project would comply with all water quality objectives set by the Regional Water Quality Control Board (RWQCB) in the Basin Plan and the City Council policies through the use of appropriate best management practices (BMPs) for project construction and long-term operation. These BMPs would ensure compliance with the current National Pollutant Discharge Elimination System (NPDES) Construction General Permit; the County of Orange NPDES MS4 Permit; County of Orange Drainage Area Management Plan (DAMP); and the Project’s Water Quality Management Plan (WQMP), which safeguards water</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
	quality. The Project is consistent with this goal (see Section 4.10, Hydrology and Water Quality).
Policies	
<p>HB Policy 8.1: Chemical Uses Impacting Water Quality Support regulations limiting or banning the use of insecticides, fertilizers, and other chemicals which are shown to be detrimental to water quality. (Policy NR 3.1) (<i>Imp 8.1</i>)</p> <p>Implementation Program 8.1: Implementation Program 8.1 is not applicable to this Project; it requires the City to periodically review codes and ordinances.</p>	<p>Project Design Features (PDFs) 4.10-2 and 4.10-3, which provide for BMPs limiting the use of insecticides and fertilizers on the Project site, have been incorporated into the Project. In addition, specific restrictions are included when applying these chemicals regarding the occurrence of rainfall events, application techniques, and qualifications of the individual performing the application. Standard Condition (SC) 4.10-4 also limits use of these chemicals. These PDFs and SC ensure the Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.2: Water Pollution Prevention Promote pollution prevention and elimination methods that minimize the introduction of pollutants into natural water bodies. (Policy NR 3.2) (<i>Imp 6.1, 8.1, 17.1, 18.1, 19.1</i>)</p> <p>Implementation Programs 6.1, 8.1, 17.1, 18.1, 19.1: Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan. Implementation Program 8.1 is not applicable to this Project; it requires the City to periodically review codes and ordinances. Implementation Program 17.1 is not applicable. It requires the City to work with water districts to maintain and implement Urban Water Management Plans.</p> <p>Implementation Program 18.1: Maintain and Implement Sewer Master Plan: Implementation Program 18.1 is not applicable to this Project; it requires the City to coordinate the Sewer Master Plan with applicable agencies and special districts.</p> <p>Implementation Program 19.1: Maintain Storm Drainage Facilities: The City and County shall periodically review their Storm Drain Master Plans to assure that adequate facilities are provided to serve permitted development and to comply with National Pollutant Discharge Elimination System (NPDES) requirements.</p>	<p>The Project would comply with all requirements set forth in the current NPDES Construction General Permit and the County of Orange NPDES MS4 Permit, which includes preparation of a Storm Water Pollution Prevention Plan (SWPPP). PDFs have been incorporated into the Project design including good housekeeping procedures consistent with the overall goal of preventing pollution occurrences and/or pollutant transport off the Project site. The Project would retain existing drainage patterns and tie into existing drainage facilities. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.3: Ground Water Contamination Suspend activities and implement appropriate health and safety procedures in the event that previously unknown groundwater contamination is encountered during construction. Where site contamination is identified, implement an appropriate remediation strategy that is approved by the City and state agency with appropriate jurisdictions.</p>	<p>Groundwater levels beneath the Project site are approximately 50 to 70 feet below ground surface (bgs). Project construction is not anticipated to encounter or impact groundwater levels, supply, or quality. In addition, construction BMPs have been incorporated into the Project including waste management and materials pollution control BMPs. Implementation of these measures would further reduce any risk of encountering or negatively impacting groundwater levels or quality.</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>(Policy NR 3.3) (<i>Imp 6.1</i>) Implementation Program 6.1: Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan.</p>	<p>The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.4: Storm Drain Sewer System Permit Require all development to comply with the regulations under the City's municipal separate storm sewer system permit under the National Pollutant Discharge Elimination System. (Policy NR 3.4) (<i>Imp 8.1, 19.1</i>) Implementation Programs 8.1, 19.1: See Implementation Program 19.1 above. Implementation Program 8.1 is not applicable to this Project.</p>	<p>As addressed in Section 4.8, Geology and Soils, and Section 4.10, Hydrology and Water Quality, the Project requires an NPDES permit. The Project is consistent with this policy (see Section 4.8, Geology and Soils; Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.5: Natural Water Bodies Require that development not result in the degradation of natural water bodies. (Policy NR 3.5) (<i>Imp 6.1, 19.1</i>) Implementation Programs 6.1, 19.1: See Implementation Program 19.1. Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan.</p>	<p>The Project site would continue to discharge into an existing storm drain system that conveys flows from the Project site and surrounding areas into the Semeniuk Slough. Site-design and treatment-control BMPs have been incorporated into the Project (PDFs 4.1-4 and 4.1-5) which ensure that flows leaving the site would have consistent or improved water quality characteristics over existing conditions. The Project is therefore consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.9: Water Quality Management Plan Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction. (Policy NR 3.9) (<i>Imp 7.1</i>) Implementation Program 7.1: Review Building and Construction Code for Consistency with General Plan: General Plan policies largely mimic the provisions of the City's Building and Construction Code (Title 15), particularly those addressing public safety. As the General Plan specifies many new policies pertaining to the design and development character of many land use districts, the Code should be reviewed to assure that these are fully addressed. In addition, as the General Plan provides for the development of high-rise multi-family residential, the Code should also be reviewed for its adequacy in consideration of the policies for such building types in the Airport Area. The City should also consider revisions of Title 15 to foster the use of "green-building" techniques that have not been traditionally used in the City, as well as other appropriate revisions to achieve the Plan's policy objectives.</p>	<p>A draft WQMP has already been prepared for the Project, consistent with City of Newport Beach Council Policies, the County of Orange NPDES MS4 Permit, and Orange County DAMP requirements. The City, as the proponent of the proposed Project, would be responsible for ensuring that the Project is designed and constructed in accordance with all applicable codes. The application of appropriate BMPs for project construction and long-term operation would ensure compliance. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>HB Policy 8.10: Best Management Practices Implement and improve upon Best Management Practices (BMPs) for residences, businesses, development Projects, and City operations. (Policy NR 3.10) (<i>Imp 8.1, 17.1, 18.1, 19.1</i>) Implementation Programs 8.1, 17.1, 18.1, 19.1: See Implementation Program 19.1 above. Implementation Program 8.1 is not applicable to this Project; it requires the City to periodically review codes and ordinances. Implementation Program 17.1 is not applicable. It requires the City to work with water districts to maintain and implement Urban Water Management Plans. Implementation Program 18.1 is not applicable to this Project; it requires the City to coordinate the Sewer Master Plan with applicable agencies and special districts.</p>	<p>This EIR identifies the proposed BMPs that would be implemented as a part of the Project. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.11: Site Design and Source Control Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Elimination System, structural treatment BMPs will be implemented along with site design and source control measures. (NR 3.11) (<i>Imp 7.1</i>) Implementation Program 7.1: See Implementation Program 7.1 above.</p>	<p>This EIR identifies the proposed BMPs, including structural BMPs, which would be implemented as a part of the Project. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.12: Reduction of Infiltration Include equivalent BMPs that do not require infiltration, where infiltration of runoff would exacerbate geologic hazards. (Policy NR 3.12) (<i>Imp 6.1, 19.1</i>) Implementation Programs 6.1, 19.1: See Implementation Program 19.1. Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan.</p>	<p>No geologic hazards have been identified as a part of the EIR analysis. Proposed BMPs would not adversely affect geological conditions on the Project site. The Project is consistent with this policy (see Section 4.8, Geology and Soils).</p>
<p>HB Policy 8.14: Runoff Reduction on Private Property Retain runoff on private property to prevent the transport of pollutants into recreational waters, to the maximum extent practicable. (Policy NR 3.14) (<i>Imp 17.1</i>) Implementation Program 17.1: Implementation Program 17.1 is not applicable. It requires the City to work with water districts to maintain and implement Urban Water Management Plans.</p>	<p>The Project incorporates structural and non-structural BMPs to reduce or eliminate runoff from the Project site. A subsurface storm filter vault would be constructed to retain runoff on site and release flows at a rate consistent or lower than existing conditions. BMPs for construction, operation, and maintenance would provide protection for Semeniuk Slough and the Santa Ana River (the receiving water bodies) from impacts associated with the Project. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>HB Policy 8.15: Street Drainage Systems Require all street drainage systems and other physical improvements created by the City, or developers of new subdivisions, to be designed, constructed, and maintained to minimize adverse impacts on water quality. Investigate the possibility of treating or diverting street drainage to minimize impacts to water bodies. (NR 3.15) (<i>Imp 7.1</i>) Implementation Program 7.1: See Implementation Program 7.1 above.</p>	<p>The Project provides for two options relative to establishing and siting water quality treatment-control features. Both options employ the use of a subsurface storm filter vault that would treat flow volumes equal to those produced from the Project site. These treatment volumes would improve the water quality of flows that originate from the site or that pass through the site from street drainage north and east of the site. These features ensure the Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.17: Parking Lots and Rights-of-Ways Require that parking lots and public and private rights-of-way be maintained and cleaned frequently to remove debris and contaminated residue. (Policy NR 3.17) (<i>Imp 2.1</i>) Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>The City would maintain the parking lot and park access road proposed as a part of the Project. As part of the Project, City maintenance activities would include, but are not limited to, lawn mowing, maintaining on-site vegetation, street sweeping, parking lot vacuuming, and removing trash. This EIR identifies the proposed BMPs that would be implemented as a part of the Project. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.19: Natural Drainage Systems Require incorporation of natural drainage systems and stormwater detention facilities into new developments, where appropriate and feasible, to retain stormwater in order to increase groundwater recharge. (Policy NR 3.19) (<i>Imp 7.1</i>) Implementation Program 7.1: See Implementation Program 7.1 above.</p>	<p>The Project incorporates natural drainage features into site design including vegetated swales and vegetated dry creek(s) into which runoff from impervious Project areas (such as the access road, parking lot, and sidewalks) would be diverted to detention facilities for water quality treatment and erosion control. However, the Project site does not currently function as a groundwater recharge site and is not expected to have any impact, either positive or negative, on groundwater levels. The project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>HB Policy 8.20: Impervious Surfaces Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible. (Policy NR 3.20) (<i>Imp 6.1</i>) Implementation Program 6.1: Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan.</p>	<p>The proposed Project would allow for the development of a public park and associated infrastructure including an access road from West Coast Highway. With the exception of the parking lot, access road, pedestrian walkways, and small restroom/maintenance equipment building, the majority of the site would remain pervious with sports fields, landscaping, and passive park areas. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources; Section 4.8, Geology and Soils).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Historical Resources Element	
Historical Resources General Plan Goal HR 2	
Identification and protection of important archeological and paleontological resources within the City.	As a part of the EIR, a prehistoric and historical archaeological resources assessment and paleontological resources assessment were prepared. The findings of these reports are presented in this EIR. A Mitigation Program is provided to mitigate potential significant impacts to a less than significant level. The Project is consistent with this goal (see Section 4.7, Cultural and Paleontological Resources).
Policies	
<p>HR Policy 2.1: New Development Activities Require that, in accordance with CEQA, new development protect and preserve paleontological and archaeological resources from destruction, and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA. (<i>Imp 11.1</i>)</p> <p>Implementation Program 11.1: See Implementation Program 11.1 above.</p>	Please refer to the response to Goal HR 2.1. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).
<p>HR Policy 2.2: Grading and Excavation Activities Maintain sources of information regarding paleontological and archeological sites and the names and addresses of responsible organizations and qualified individuals, who can analyze, classify, record, and preserve paleontological or archeological findings. Require a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archeological or paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archeologist, subject to the approval of the City Planning Department. (<i>Imp 11.1</i>)</p> <p>Implementation Program 11.1: See Implementation Program 11.1 above.</p>	Please refer to the response to Goal HR 2.1. The Mitigation Program includes monitoring during grading and excavation activities. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).
<p>HR Policy 2.3: Cultural Organizations Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow representatives of such groups to monitor grading and/or excavation of development sites. (<i>Imp 11.1</i>)</p> <p>Implementation Program 11.1: See Implementation Program 11.1 above.</p>	The Native American Heritage Commission (NAHC) provided a list of tribal affiliations in the area. Tribal representatives were notified by mail of the proposed Project and their comments or questions were invited regarding the Project. The City provides Native American tribes with the opportunity to conduct monitoring. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>HR Policy 2.4: Paleontological or Archaeological Materials Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach, or Orange County, whenever possible. (<i>Imp 11.1</i>) Implementation Program 11.1: See Implementation Program 11.1 above.</p>	<p>The Mitigation Program set forth in this EIR includes this requirement. The Project is consistent with this City policy (see Section 4.7, Cultural and Paleontological Resources).</p>
Recreation Element	
Recreation Element Goal R 1: Provision of Facilities	
<p>Provision of adequate park and recreation facilities that meet the recreational needs of existing and new residents of the community.</p>	<p>Please refer to the response to Land Use Policy 2.1. The purpose of the Project is to provide an additional park facility to the community. The General Plan identifies Sunset Ridge Park as a future park. The Project would support the needs of Newport Beach’s residents by developing an active and passive park on the Sunset Ridge Park site consistent with the General Plan land use designation for this site. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>R Policy 1.9: Priority for Facility Provision Provide additional park and recreation facilities that meet the needs as identified by direct feedback from residents, analysis of future trends, and through observations by Recreation and Senior Services staff, as shown in Figure R2. Parks</p> <ol style="list-style-type: none"> 1. Newport Center Service Area: Develop Newport Center Park as a passive park 2. West Newport Service Area: Develop Sunset Ridge Park, an active park with playfields, picnic areas, a playground, and other facilities 3. Newport Coast Service Area: Develop an active park located at the end of Ridge Park Road; and develop a community center and a gymnasium 4. Santa Ana Heights/Airport Commercial Service Area: Develop a pocket park in Santa Ana Heights 5. West Newport Service Area: In the Banning Ranch area develop an active community park of 20 to 30 acres with consideration of night lighting 6. Balboa Peninsula Service Area: Develop the Marina Park site for marine and/or recreational facilities 	<p>Please refer to the response to Land Use Policy 2.1. The Project is identified in and would be implemented consistent with the policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Recreation Element Goal R 3: Accessibility of Facilities	
Accessible parks and recreation facilities to persons with disabilities.	The park would be designed in compliance with all applicable Americans with Disabilities Act requirements. The Project is consistent with this goal.
Policies	
<p>R Policy 3.1: Adequate Access Ensure that parks and recreation facilities include provisions for adequate access for persons with disabilities and that existing facilities are appropriately retrofitted to include such access as required by the <i>Americans with Disabilities Act</i>. (Imp 23.1)</p> <p>Implementation Program 23.1: See Implementation Program 23.1 above.</p>	Please refer to the response to Goal R 3. The Project is consistent with this policy.
<p>R Policy 3.3: Facility Design Design guardrails on parks, piers, trails, and public viewing areas to take into consideration the views at the eye level of persons in wheelchairs. (Imp 23.1)</p> <p>Implementation Program 23.1: See Implementation Program 23.1 above.</p>	Please refer to the response to Goal R 3. The Project is consistent with this policy.
Recreation Element Goal R 7: Provision of Adequate Support Facilities	
Adequate support facilities serving recreational opportunities within the coastal zone.	Please refer to the response to Land Use Policy 2.1. The Recreation Element identifies support facilities to include restrooms, showers, and drinking fountains. The purpose of the Project is to provide an additional park facility to the community; this site is within the coastal zone. The Project would support the needs of Newport Beach's residents by developing an active and passive park on the Sunset Ridge Park site consistent with the General Plan land use designation for this site. Restrooms and drinking fountains would be provided; shower facilities are not deemed necessary for this park facility. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).
Recreation Element Goal R 9: Provision of Public Access	
Provision and maintenance of public access for recreational purposes to the City's coastal resources. (Goal HB6)	The Project site is located inland from West Coast Highway but within walking distance of the beach. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Policies	
<p>R Policy 9.1: Provision of Public Coastal Access Provide adequate public access to the shoreline, beach, coastal parks, trails, and bay, acquire additional public access points to these areas and provide parking, where possible. (Policy HB6.1) (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>The Project site is located within the coastal zone but inland of West Coast Highway. It is not adjacent to the shoreline, beaches, or bay; however, the site is approximately ½ mile from the ocean. The proposed project provides public access and park visitors would have coastal views from the park including viewing areas within the park. There are bikeways along West Coast Highway and Superior Avenue adjacent the site. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs).</p>
Circulation Element	
Circulation Element Goal CE 1.1	
<p>An overall transportation system that facilitates the movement of people and goods within and through the City of Newport Beach and accommodates conservative growth within the City of Newport Beach, but is not expanded primarily to accommodate growth in the surrounding region.</p>	<p>As a part of the Project, a park access road would be constructed from West Coast Highway through the Newport Banning Ranch property to the park following the general alignment of a future north-south primary road through the property consistent with the <i>City of Newport Beach General Plan's</i> Circulation Element and the Orange County MPAH. The Project would implement a segment of this General Plan roadway. In addition, the City proposes to widen a portion of the northern side of West Coast Highway from Superior Avenue to a point east of the access road to provide safe vehicular ingress/egress from the park access road; The improvements would be consistent with the standards of the <i>City of Newport Beach General Plan's</i> Circulation Element Master Plan of Streets and Highways and the Orange County MPAH. The Project is consistent with this goal (see Section 3.0, Project Description; Section 4.3, Transportation and Circulation).</p>
Policies	
<p>CE Policy 1.1.1: Comprehensive Transportation System Provide a diverse transportation system that provides mobility options for the community. (<i>Imp 16.8, 16.11</i>)</p> <p>Implementation Program 16.8: Provide Public Transportation: The City shall continue to operate local demand-responsive transit service within the City to ensure mobility and accessibility for the City's citizens, especially the elderly. The City shall also work with the Orange County Transportation Authority for countywide bus service that will guarantee regional and local travel options. The City should encourage the development of additional public transportation services and facilities such as park-and-ride facilities, and look for opportunities to support the upgrade and enhancement of existing services.</p>	<p>Bike racks and a parking lot would be provided on the Project site. Additionally, the Project incorporates pedestrian walkways throughout the site that would tie into existing sidewalks along Superior Avenue and West Coast Highway. Public transit in the City is provided by the Orange County Transportation Authority (OCTA). There is an existing bus stop located at West Coast Highway and Superior Avenue. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>

**TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS**

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>Implementation Program 16.11: Maintain Trails: Newport Beach should continue to develop and maintain non-motorized transportation systems as a viable alternative to vehicular travel and to help satisfy local recreational needs, and should include trails and facilities that traverse the citywide area. A system of route designations for bicycles, equestrians, and pedestrians, as well as support facilities shall be maintained in cooperation with adjacent jurisdictions, where appropriate.</p>	
Circulation Element Goal CE 2.1	
<p>A roadway system that provides for the efficient movement of goods and people in the City of Newport Beach, while maintaining the community's character and its residents' quality of life.</p>	<p>Please refer to the response to Goal CE 1.1. The Project is consistent with this goal (see Section 4.3, Transportation and Circulation).</p>
Policies	
<p>CE Policy 2.1.1: Level of Service Standards Plan the arterial roadway system to accommodate Projected traffic at the following level of service standards:</p> <ul style="list-style-type: none"> A. Level of Service (LOS) "D" throughout the City, unless otherwise noted B. LOS "E" at any intersection in the Airport Area shared with Irvine C. LOS "E" at Coast Highway (EW) and Dover Drive (NS) due to right-of-way limitations D. LOS "E" at Marguerite Avenue (NS) and Coast Highway (EW) in the pedestrian oriented area of Corona del Mar E. LOS "E" at Goldenrod Avenue (NS) and Coast Highway (EW) in the pedestrian oriented area of in Corona del Mar (<i>Imp 16.3</i>) <p>Implementation Program 16.3: Construct Street and Highway Improvements: The City shall construct necessary improvements to street intersections to attain acceptable Levels of Service, as defined in the Circulation Element. These shall be implemented as needed based on the list of impacted intersections included in the General Plan EIR, and also in accordance with development project traffic impact studies. Intersections with improvements necessary for buildout conditions are delineated on Figure CE-3 of the Circulation Element.</p>	<p>Please refer to the response to Goal CE 1.1. A traffic study was prepared as a part of the EIR. Traffic improvements including a new signalized intersection and widening of a segment of West Coast Highway are proposed as a part of the Project. Traffic impacts would be mitigated to a less than significant level. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>CE Policy 2.1.2: Street and Highway Network Construct the circulation system described on the map entitled Newport Beach Circulation Element-Master Plan of Streets and Highways shown in Figure CE1 and Figure CE2 (cross-section). (<i>Imp 14.9, 16.3</i>)</p> <p>Implementation Program 16.3: See Implementation Program 16.3 above.</p> <p>Implementation Program 14.9: Coordinate with the California Department of Transportation: The California Department of Transportation (Caltrans) is responsible for the planning, construction, and maintenance of state highways and freeways, including SR 73 and Newport Boulevard (SR 55) between Finley Avenue and the City boundary. Coast Highway in Newport Beach, excluding the portion from Newport Coast Drive to Jamboree Road, is currently a state highway and Caltrans maintains authority over its right-of-way and standards for improvements. The General Plan recommends that the City discuss and negotiate with Caltrans for the relinquishment of Coast Highway through the City as a State Highway and begin these discussions at the earliest possible time.</p>	<p>Please refer to the response to Goal CE 1.1. Because West Coast Highway is a State Highway, Caltrans approvals would be required. The City met with Caltrans on August 7, 2008, to discuss the proposed Project. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
<p>CE Policy 2.1.4: Roadway Improvements Pursue construction of intersection improvements shown on Figure CE3 or alternate improvements that achieve an acceptable level of service. (<i>Imp 16.3</i>)</p> <p>Implementation Program 16.3: See Implementation Program 16.3 above.</p>	<p>Please refer to the response to Goal CE 1.1. The City is proposing to install a 3-way traffic signal on West Coast Highway at the proposed access road. Because West Coast Highway is a State Highway, Caltrans approvals would be required. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
<p>Circulation Element Goal CE 2.2 A safe and efficient roadway system.</p>	<p>Please refer to the response to Goal CE 1.1. A traffic study was prepared as a part of this EIR. No traffic safety impacts were identified. Traffic improvements including a new signalized intersection and widening of a segment of West Coast Highway are proposed as a part of the Project. The Project is consistent with this goal (see Section 4.3, Transportation and Circulation).</p>
<p>Policies</p>	
<p>CE Policy 2.2.1: Safe Roadways Provide for safe roadway conditions by adhering to nationally recognized improvement standards and uniform construction and maintenance practices. (<i>Imp 16.4, 16.6</i>)</p> <p>Implementation Program 16.4: Monitor Roadway Conditions and Operational Systems: The City shall monitor and maintain City streets and thoroughfares. The City shall develop and follow a schedule for periodic review of City streets with respect to pavement, signage,</p>	<p>Please refer to the response to Goal CE 1.1. A traffic study was prepared as a part of this EIR. Traffic improvements including a new signalized intersection and widening of a segment of West Coast Highway are proposed as a part of the Project. No traffic safety impacts were identified; all improvements would be implemented in accordance with applicable standards and requirements. The City would maintain public streets associated with the Project. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>signalization, and comparable elements. If inadequacies are found, the City will perform or contract with a consultant to perform maintenance of roadway features.</p> <p>Implementation Program 16.6: Local/Neighborhood Access Roads: The City shall undertake studies of residential neighborhoods on a case by case basis to identify local circulation patterns and principal access points in order to assess the opportunities and needs to restrict, divert, or mitigate arterial traffic intrusion. Such studies should include an assessment of the traffic impacts on the entire neighborhood and the participation of neighborhood residents to prepare a consensus plan of neighborhood traffic control. In addition, the City shall maintain standards that ensure safe and efficient access for emergency vehicles to residential, commercial, and industrial areas.</p>	
<p>CE Policy 2.2.3: Traffic Control Design traffic control measures to ensure City streets and roads function with safety and efficiency. <i>(Imp 16.7)</i></p> <p>Implementation Program 16.7: Traffic Control: Traffic congestion shall be reduced through reasonable methods utilizing conventional and innovative methods for traffic control. Traffic signal timing standards, in addition to serving drivers, should adequately provide for pedestrian crossings. Traffic signal interconnect systems shall be maintained and upgraded to efficiently coordinate and control traffic flows on arterial streets. The City shall identify and incorporate intelligent transportation systems as a logical method to improve peak hour traffic flow.</p> <p>The special issue of summertime traffic should be monitored and evaluated periodically. The City should continue to evaluate and implement, if appropriate, summertime traffic control measures and/o alternative transportation modes to reduce the impact of high volume summer traffic.</p>	<p>Please refer to the response to Goal CE 1.1. The City is proposing to install a 3-way traffic signal on West Coast Highway at the proposed access road. Signalization would be coordinated with existing signalization in the area. With signalization, acceptable traffic levels of service would be maintained. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
<p>CE Policy 2.2.6: Emergency Access Provide all residential, commercial, and industrial areas with efficient and safe access for emergency vehicles. <i>(Imp 16.6)</i></p> <p>Implementation Program 16.6: See Implementation Program 16.6 above.</p>	<p>No traffic safety impacts were identified. The Project is designed to provide efficient and safe access for emergency vehicles. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Circulation Element Goal 3.1	
A network of regional facilities which ensures the safe and efficient movement of people and goods from within the City to areas outside its boundaries, and minimizes the use of City streets by regional through traffic.	Please refer to the response to Goal CE 1.1. The Project is consistent with this goal (see Section 4.3, Transportation and Circulation).
Policies	
<p>CE Policy 3.1.3: Regional Consistency</p> <p>The City of Newport Beach Master Plan of Streets and Highways (shown on Figure CE1) shall be consistent with the Orange County Master Plan of Arterial Highways. (<i>Imp 16.5</i>)</p> <p>Implementation Program 16.5: Maintain Consistency with Regional Jurisdictions: The City shall maintain consistency with regional jurisdictions (Caltrans, Orange County) to provide adequate facilities including roadway infrastructure plans and design standards. The City shall work with regional jurisdictions to modify regional plans (such as the Orange County Master Plan of Arterial Highways) so that they are consistent with City plans. The City will also periodically review City standards to ensure they remain up-to-date and consistent with regional standards as new standards are adopted.</p>	Please refer to the response to Goal CE 1.1. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).
Circulation Element Goal CE 5.1	
Convenient trail systems that satisfy recreational desires and transportation needs.	The Project would provide on-site walking paths through the site to connect to sidewalks along Superior Avenue and West Coast Highway. Pedestrian access to the site would be provided via entries from Superior Avenue and West Coast Highway. There are existing Class I and II bikeways along both Superior Avenue and West Coast Highway. The Project would not impact these facilities. The Project is consistent with this goal (see Section 4.1, Land Use and Related Planning Programs).
Policies	
<p>CE Policy 5.1.2: Pedestrian Connectivity</p> <p>Link residential areas, schools, parks, and commercial centers so that residents can travel within the community without driving. (<i>Imp 16.11, 20.1</i>)</p> <p>Implementation Programs 16.11, 20.1: See Implementation Program 16.11 above. Implementation Program 20.1 is not applicable to the Project which identifies areas of the City for streetscape improvements.</p>	Please refer to the response to Goal CE 5.1. The park site is generally bound by residential development that is within walking distance to the north, east, and west. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>CE Policy 5.1.3: Pedestrian Improvements in New Development Projects Require new development Projects to include safe and attractive sidewalks, walkways, and bike lanes in accordance with the Master Plan, and, if feasible, trails. (<i>Imp 16.11</i>) Implementation Program 16.11: See Implementation Program 16.11 above.</p>	<p>The Project would include on-site pedestrian walkways, sidewalks along Superior Avenue and West Coast Highway. There are existing bikeway facilities along Superior Avenue and West Coast Highway. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>CE Policy 5.1.6: Bicycle Supporting Facilities Incorporate bicycle and pedestrian facilities in the design plans for new streets and highways and, where feasible, in the plans for improving existing roads. (<i>Imp 16.11</i>) Implementation Program 16.11: See Implementation Program 16.11 above.</p>	<p>Please refer to the response to CE Policy 5.1.3. In addition, bike racks would be provided on site. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>CE Policy 5.1.12: Pedestrian Street Crossings Implement improved pedestrian crossings in key high volume areas such as Corona Del Mar, Mariners' Mile, West Newport, Airport Area, Newport Center/Fashion Island, and the Balboa Peninsula. (<i>Imp 16.11</i>) Implementation Program 16.11: See Implementation Program 16.11 above.</p>	<p>Signalization is proposed at the site entry from West Coast Highway. Crosswalks would be provided across West Coast Highway and across the park access road at West Coast Highway. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
<p>Circulation Element Goal CE 7.1 An adequate supply of convenient parking throughout the City.</p>	<p>The Sunset Ridge Park parking design has been developed to avoid parking conflicts. Adequate on-site parking and a designated drop-off area are proposed. Section 3.0, Project Description, addresses the City's proposal to allow for adequate parking. These include 2-hour parking limits and paid parking. In addition, the access road would be gated to limit vehicular ingress to daylight hours. The City's Zoning Code (Chapter 20.66.030 Off-Street Parking and Loading Spaces Required) does not specify a parking rate for city parks, but rather indicates that the parking requirement for Park and Recreational Facilities would be "As specified by Use Permit". The ITE's Parking Generation document contains parking information for a City Park (Land Use Category 411). Applying this peak parking rate to the Project (5 parking spaces per acre), the parking requirement would be 96 spaces. Since the Project includes 97 parking spaces, it is consistent with this goal (see Section 3.0, Project Description; Section 4.3, Transportation and Circulation).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Policies	
<p>CE Policy 7.1.1: Required Parking Require that new development provide adequate, convenient parking for residents, guests, business patrons, and visitors. (<i>Imp 16.10</i>)</p> <p>Implementation Program 16.10: Implementation Program 16.10 is not applicable to the Project which addresses improving parking in commercial and residential areas with an existing parking deficiency.</p>	<p>Please refer to the response to Goal CE 7.1. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.3, Transportation and Circulation).</p>
<p>CE Policy 7.1.8: Parking Configuration Site and design new development to avoid use of parking configurations or management programs that are difficult to maintain and enforce. (<i>Imp 2.1, 7.1, 8.1</i>)</p> <p>Implementation Programs 2.1, 7.1, 8.1: See Implementation Program 7.1 above. Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan. Implementation Program 8.1 is not applicable to this Project; it requires the City to periodically review codes and ordinances.</p>	<p>Please refer to the response to Goal CE 7.1. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.3, Transportation and Circulation).</p>
Natural Resources Element	
Natural Resources General Plan Goal NR 1	
<p>Minimized water consumption through conservation methods and other techniques.</p>	<p>The Project incorporates water conservation measures related to landscape materials, irrigation, and water use for the restroom facility. The Project is consistent with this policy (see Section 4.4, Air Quality and Climate Change; Section 4.11, Public Services and Utilities).</p>
Policies	
<p>NR Policy 1.2: Use of Water Conserving Devices Establish and actively promote use of water conserving devices and practices in both new construction and major alterations and additions to existing buildings. This can include the use of rainwater capture, storage, and reuse facilities. (<i>Imp 6.1, 7.1, 17.1</i>)</p> <p>Implementation Programs 6.1, 7.1, 17.1: See Implementation Program 7.1. Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan. Implementation Program 17.1 is not applicable. It requires the City to work with water districts to maintain and implement Urban Water Management Plans.</p>	<p>The City of Newport Beach Water Conservation Ordinance, Section 14.16 of the Municipal Code is applicable to the Park. The ordinance includes but is not limited to Low-impact development (LID) and requires an approved water use plan. The Project is consistent with this policy (see Section 4.4, Air Quality and Climate Change; 4.11, Public Services and Utilities).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Natural Resources General Plan Goal NR 3	
Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors, and wetlands. (Goal HB 8)	Please refer to response to Goal HB 8.
Policies	
NR Policy 3.2: Water Pollution Prevention Promote pollution prevention and elimination methods that minimize the introduction of pollutants into natural water bodies. (Policy HB 8.2) (Imp 6.1, 8.1, 17.1, 18.1, 19.1)	Please refer to response to HB Policy 8.2.
NR Policy 3.3: Ground Water Contamination Suspend activities and implement appropriate health and safety procedures in the event that previously unknown groundwater contamination is encountered during construction. Where site contamination is identified, implement an appropriate remediation strategy that is approved by the City and the state agency with appropriate jurisdiction. (Policy HB 8.3) (Imp 6.1)	Please refer to response to HB Policy 8.3.
NR Policy 3.4: Storm Drain Sewer System Permit Require all development to comply with the regulations under the City's municipal separate storm drain system permit under the National Pollutant Discharge Elimination System. (Policy HB 8.4) (Imp 8.1, 19.1)	Please refer to response to HB Policy 8.4.
NR Policy 3.5: Natural Water Bodies Require that development does not degrade natural water bodies. (Policy HB 8.5) (Imp 6.1, 19.1)	Please refer to response to HB Policy 8.5.
NR Policy 3.9: Water Quality Management Plan Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction. (Policy HB 8.9) (Imp 7.1)	Please refer to response to HB Policy 8.9.
NR Policy 3.10: Best Management Practices Implement and improve upon Best Management Practices (BMPs) for residences, businesses, development Projects, and City operations. (Policy HB 8.10) (Imp 8.1, 17.1, 18.1, 19.1)	Please refer to response to HB Policy 8.10.

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>NR Policy 3.11: Site Design and Source Control Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Discharge Elimination System (NPDES), structural treatment BMPs will be implemented along with site design and source control measures. (Policy HB 8.11) (<i>Imp 7.1</i>)</p>	Please refer to response to HB Policy 8.11.
<p>NR Policy 3.12: Reduction of Infiltration Include equivalent BMPs that do not require infiltration, where infiltration of runoff would exacerbate geologic hazards. (Policy HB 8.12) (<i>Imp 6.1, 19.1</i>)</p>	Please refer to the response to HB Policy 8.12.
<p>NR Policy 3.14: Runoff Reduction on Private Property Retain runoff on private property to prevent the transport of pollutants into natural water bodies, to the maximum extent practicable. (Policy HB 8.14) (<i>Imp 17.1</i>)</p>	Please refer to response to HB Policy 8.14.
<p>NR Policy 3.15: Street Drainage Systems Require all street drainage systems and other physical improvements created by the City, or developers of new subdivisions, to be designed, constructed, and maintained to minimize adverse impacts on water quality. Investigate the possibility of treating or diverting street drainage to minimize impacts to water bodies. (Policy HB 8.15) (<i>Imp 7.1</i>)</p>	Please refer to response to HB Policy 8.15.
<p>NR Policy 3.16: Siting of New Development Require that development be located on the most suitable portion of the site and designed to ensure the protection and preservation of natural and sensitive site resources that provide important water quality benefits. (Policy HB 8.16) (<i>Imp 2.1, 6.1</i>)</p>	To the degree feasible, the Project has been designed to avoid significant impacts while allowing the site to be used for active and passive park uses. Site-design concepts have been applied to the Project which maintain site drainage patterns and incorporate existing natural drainage features into site design. Natural swales and treatment-control BMPs ensure that flow rates leaving the site in the post-project conditions are equal or less than those under existing conditions. The Project is consistent with this policy. (see Section 4.10, Hydrology and Water Quality)
<p>NR Policy 3.17: Parking Lots and Rights-of-Way Require that parking lots and public and private rights-of-way be maintained and cleaned frequently to remove debris and contaminated residue. (Policy HB 8.17) (<i>Imp 2.1</i>)</p>	Please refer to response to HB Policy 8.17.

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>NR Policy 3.19: Natural Drainage Systems Require incorporation of natural drainage systems and stormwater detention facilities into new developments, where appropriate and feasible, to retain stormwater in order to increase groundwater recharge. (Policy HB 8.19) (<i>Imp 6.1</i>)</p>	<p>Please refer to response to HB Policy 8.19.</p>
<p>NR Policy 3.20: Impervious Surfaces Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible. (Policy HB 8.20) (<i>Imp 6.1, 7.1</i>)</p>	<p>Please refer to response to HB Policy 8.20.</p>
<p>Natural Resources Element Goal NR 4</p>	
<p>Maintenance of water quality standards through compliance with the total maximum daily loads (TMDLs) standards.</p>	<p>The Project does not discharge into a 303(d)-listed water body, and there are no total maximum daily loads (TMDLs) established for the Project site's receiving waters. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policies</p>	
<p>NR Policy 4.3: Restore Natural Hydrologic Conditions Preserve, or where feasible, restore natural hydrologic conditions such that downstream erosion, natural sedimentation rates, surface flow, and groundwater recharge function near natural equilibrium states. (<i>Imp 6.1, 14.11, 14.3, 19.1</i>) Implementations Programs 6.1, 14.3, 14.11, 19.1: See Implementation Program 19.1. Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan. Implementation Program 14.3 is not applicable to the Project which requires the City and County to collaborate on various land use, affordable housing, transportation, environmental, and infrastructure programs. Implementation Program 14.11 is not applicable to the Project. It requires the City to coordinate with the California Public Utilities Commission regarding funding for undergrounding of utilities.</p>	<p>Site-design concepts have been applied to the Project which maintain site drainage patterns and incorporate existing natural drainage features into site design. Natural swales and treatment-control BMPs ensure that flow rates leaving the site in the post-project conditions are equal or less than those under existing conditions. The Project site does not currently function as a groundwater recharge site and is not expected to have any impact, either positive or negative, on groundwater levels. The Project is consistent with this policy.</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>NR Policy 4.4: Erosion Minimization Require grading/erosion control plans with structural BMPs that prevent or minimize erosion during and after construction for development on steep slopes, graded, or disturbed areas. (<i>Imp 6.1</i>) Implementation Program 6.1: Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan.</p>	<p>Construction BMPs have been incorporated into the Project through PDF 4.10-1 and compliance with the current NPDES Construction General Permit. These BMPs include scheduling, preserving existing vegetation, and applying geotextiles. The Project also includes an extensive subdrain system designed to capture seepage flow prior to daylighting onto slope surfaces. Other BMPs included in PDFs 4.10-2 through 4.10-6 would assist in minimizing runoff, and consequent site erosion. They ensure that landscape and irrigation plans minimize irrigation near natural areas and slopes. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Natural Resources Element Goal NR 5: Sanitary Sewer Outlets</p>	
<p>Minimal adverse effects to water quality from sanitary sewer outflows.</p>	<p>The City has adequate sewer system capacity to serve the requirements of the proposed Project. The Project would be able to tie into the existing sewer system without adversely affecting the system or causing any water quality affects. The Project is consistent with this goal (see Section 4.10, Hydrology and Water Quality; Section 4.11, Public Services and Utilities).</p>
<p>Policies</p>	
<p>NR Policy 5.1: City Sewer Management and Master Plans Implement the Sewer System Management Plan and the Sewer Master Plan. (<i>Imp 18.1</i>) Implementation Program 18.1: Implementation Program 18.1 is not applicable to this Project; it requires the City to coordinate the Sewer Master Plan with applicable agencies and special districts.</p>	<p>Please refer to the response to Goal NR 5. Facilities required for the proposed Project would be implemented consistent with the City's Sewer System Management Plan and Sewer Master Plan. The Project is consistent with this policy (see Section 4.11, Public Services and Utilities).</p>
<p>Natural Resources Element Goal NR 6</p>	
<p>Reduced mobile source emissions.</p>	<p>To the degree feasible, the Project would reduce mobile emissions during construction as well as mobile emission sources. The Project site has been subject to prior modification through grading for past Caltrans and City road projects. Therefore, on-site landforms are not natural topographical features nor are they coastal bluffs. As a part of the Project, the topography of the site would be modified through grading and development of the site for the park and the associated access road. The design of Sunset Ridge Park has taken into account the topography of the site to the degree feasible while balancing the need to flatten areas for active recreational uses, minimize grading and the export of cut material from the site, in part to reduce mobile emissions during construction operations.</p> <p>The Project site is generally bound to the north, south, and east by existing residences that are within walking distance of the proposed park; walking/bike trails through the Project site would link to sidewalks along Superior Avenue and</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
	West Coast Highway, thereby minimizing the need to use personal vehicles. Bike trails are located along Superior Avenue and West Coast Highway; bike racks would be provided on the Project site. Additionally, there is an OCTA bus stop at the intersection of Superior Avenue at West Coast Highway. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs; Section 4.4, Air Quality and Climate Change).
Policies	
<p>NR Policy 6.1: Walkable Neighborhoods Provide for walkable neighborhoods to reduce vehicle trips by siting amenities such as services, parks, and schools in close proximity to residential areas. (<i>Imp 1.2, 2.1</i>)</p> <p>Implementation Programs 1.2, 2.1: Implementation Program 1.2 is not applicable to the proposed Project which requires the City to periodically update the General Plan. Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	There is a citywide park deficiency, particularly in the service area of West Newport. The General Plan also identified an overall shortage in active playfields throughout the City. The Project would serve an identified need in the City and in West Newport Beach. The Project site is generally bound to the north, south, and east by existing residences that are within walking distance of the proposed park. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs; Section 4.4, Air Quality and Climate Change).
Natural Resources Element Goal NR 8	
Reduced air pollutant emissions from construction activities.	<p>To the degree feasible, the Project would reduce mobile emissions during construction as well as mobile emission sources. The Project site has been subject to prior modification through grading for past Caltrans and City road projects. Therefore, on-site landforms are not natural topographical features nor are they coastal bluffs. The design of Sunset Ridge Park has taken into account the topography of the site to the degree feasible while balancing the need to flatten areas for active recreational uses while minimize grading and the export of cut material from the site. An export site has been identified less than one mile from the Project site; the proximity of this site for export soil would minimize mobile emissions associate with construction activities.</p> <p>An air quality assessment was prepared as a part of this EIR. The air quality assessment includes a Mitigation Program that includes measures applicable to construction activities. The Project would be required to comply with the South Coast Air Quality Management District (SCAQMD) Rules 402 and 403, which assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emissions source. The Project is consistent with this goal (see Section 4.4, Air Quality and Climate Change).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Policies	
<p>NR Policy 8.1: Management of Construction Activities to Reduce Air Pollution</p> <p>Require developers to use and operate construction equipment, use building materials and paints, and control dust created by construction activities to minimize air pollutants. <i>(Imp 7.1)</i></p> <p>Implementation Program 7.1: See Implementation Program 7.1 above.</p>	<p>Please refer to the response to Goal NR 8. The Project is consistent with this policy (see Section 4.4, Air Quality and Climate Change).</p>
Natural Resources Element Goal NR 10	
<p>Protection of sensitive and rare terrestrial and marine resources from urban development.</p>	<p>A biological assessment and jurisdictional delineation have been prepared for the Project as a part of this EIR. To the degree feasible, the Project avoids rather than mitigates for impacts to resources. Project implementation would require mitigation for significant biological impacts and effects on resources under the jurisdiction of the regulatory authorities. A Mitigation Program has been developed to mitigate impacts to significant biological resources and protected resources in order to fully mitigate the impact. Permits would be required from regulatory agencies including but not limited to the CDFG and the USFWS. The City has met with and/or coordinated with the USFWS, the USACE, and the RWQCB. The City has requested consultation with the CDFG and the California Coastal Commission. The Project is consistent with this goal (see Section 4.6, Biological Resources).</p>
Policies	
<p>Policy NR 10.1: Terrestrial and Marine Resource Protection</p> <p>Cooperate with the state and federal resource protection agencies and private organizations to protect terrestrial and marine resources. <i>(Imp 14.7, 14.11, 14.12, 14.16)</i></p> <p>Implementation Program 14.7: See Implementation Program 14.7 above. Implementation Program 14.11 is not applicable to the Project. It requires the City to coordinate with the California Public Utilities Commission regarding funding for undergrounding of utilities.</p> <p>Implementation Program 14.12: <i>Coordinate with United States Army Corps of Engineers:</i> Among its responsibilities, the United States Army Corps of Engineers (USACE) is responsible for the protection of water resources, habitat, and hydrological processes in the “navigable waters” of the United States. This encompasses wetlands, in addition to Newport Harbor and Bay.</p> <p>Implementation of the General Plan’s policies for natural resource protection shall be achieved through the City’s support of programs of the</p>	<p>Please refer to the response to Goal NR 10. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>USACE, with other agencies, in the restoration of wetlands and other habitat on Banning Ranch. The City shall cooperate with the USACE and other agencies in implementing the eel grass restoration of Newport Bay and programs for the protection and management of upper Newport Bay, including the Newport Beach Marine Conservation Area, Irvine Coast Marine Life Refuge, and Upper Newport Bay State Marine Park. In addition, the City shall coordinate with USACE in the maintenance and delineation of federal navigational channels for navigation and safety in Newport Harbor and securing and funding sediment disposal sites for future dredging Projects.</p> <p>Implementation Program 14.16: Other Agencies: There are numerous other agencies that have jurisdiction and/or are involved in the development, capital improvement, and conservation programs of the City of Newport Beach. The following lists some of these key agencies:</p> <ul style="list-style-type: none"> • Energy and telecommunications service providers such as Southern California Edison Company and Southern California Gas Company • Santa Ana Regional Water Quality Control Board • Metropolitan Water District • South Coast Air Quality Management District • Southern California Association of Governments • California State Parks • National Marine Fisheries Service 	
<p>NR Policy 10.2: Orange County Natural Communities Conservation Plan</p> <p>Comply with the policies contained within the Orange County Natural Communities Conservation Plan. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City’s requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>The Project site is designated as an Existing Use Area within the Central/Coastal NCCP/HCP Subregion. A biological assessment and jurisdictional delineation have been prepared for the Project as a part of this EIR. The consistency of the Project with the NCCP is addressed in this assessment. The Project complies with the policies of the NCCP. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>NR Policy 10.3: Analysis of Environmental Study Areas</p> <p>Require a site-specific survey and analysis prepared by a qualified biologist as a filing requirement for any development permit applications where development would occur within or contiguous to areas identified as ESAs. (<i>Imp 2.1, 6.1</i>)</p> <p>Implementation Programs 2.1, 6.1: Implementation Program 2.1 is not</p>	<p>Please refer to the response to Goal NR 10. The Project site is one of 28 areas identified in the <i>City of Newport Beach General Plan</i> as an Environmental Study Area (ESA). ESAs are undeveloped areas supporting natural habitats that may be capable of supporting sensitive biological resources and therefore require further study to determine if these areas include sensitive resources. Those portions of the ESAs within the coastal zone that contain sensitive or rare species are referred to as Environmentally Sensitive Habitat Areas, as defined by the</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan. Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan.</p>	<p>California Coastal Act. Biological studies have been prepared in accordance with this policy. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>NR Policy 10.4: New Development Siting and Design Require that the siting and design of new development, including landscaping and public access, protect sensitive or rare resources against any significant disruption of habitat values. (<i>Imp 2.1</i>) Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>Please refer to the response to Goal NR 10. A biological assessment and a jurisdictional delineation were prepared as a part of the EIR. To the degree feasible, the Project avoids rather than mitigates for impacts to resources while allowing for the implementation of the park. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>NR Policy 10.6: Use of Buffers Maintain a buffer of sufficient size around significant or rare biological resources, if present, to ensure the protection of these resources. Require the use of native vegetation and prohibit invasive plant species within these buffer areas. (<i>Imp 2.1</i>) Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>Coastal sage scrub (CSS) habitat and willow scrub habitat occur within the Project site. CSS (i.e., areas mapped as southern coastal bluff scrub, Encelia scrub, Encelia scrub/ornamental, and disturbed mule fat scrub/goldenbush scrub) are considered to be special status due to its decline in the region (caused by loss of habitat through development, etc.) as well as its potential to support special status plant and wildlife species, such as the coastal California gnatcatcher. The CSS habitat is considered significant but isolated and degraded. Most of the impacts would occur to Encelia scrub, Encelia scrub ornamental and disturbed Encelia scrub. Most of the areas containing coastal bluff scrub would be preserved and enhanced with CSS species known to occur within the Project vicinity. Impacts to CSS habitat would be mitigated at a ratio of 2:1 through on-site restoration and/or in the immediate Project vicinity.</p> <p>Invasive plant species would be prohibited within restoration areas. Although total avoidance is not possible, the Project is consistent with this policy through the implementation of mitigation that would maintain and enhance the habitat values of this habitat type.</p> <p>Implementation of the Project would involve impacts to willow scrub habitat. Loss of this habitat would be mitigated through on-site restoration and/or in the immediate Project vicinity at a ratio agreed upon by the resource agencies using riparian species known to occur within the Project vicinity. Invasive plant species would be prohibited within restoration areas. Although total avoidance is not possible, the Project would be consistent with this policy through the implementation mitigation involving replacement of habitat values to offset the loss of this habitat type (see Section 4.6, Biological Resources).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>NR Policy 10.7: Exterior Lighting Shield and direct exterior lighting away from significant or rare biological resources to minimize impacts to wildlife. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>No night lighting would be provided except to provide for public safety. Low-profile bollard lighting would be provided in the parking lot and along the pedestrian paths, as well as on the restroom structure and away from sensitive biological resources. In addition, the City is proposing to install a three-way traffic signal on West Coast Highway at the proposed access road. This new lighting would be similar to existing lighting standards currently in the Project vicinity and would not represent a significant amount of lighting over existing conditions. No impacts associated with lighting are anticipated. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources, and 4.2, Aesthetics).</p>
<p>Natural Resources Element Goal NR 18</p>	
<p>Protection and preservation of important paleontological and archaeological resources.</p>	<p>As a part of the EIR, a prehistoric and historical archaeological resources assessment and paleontological resources assessment were prepared. The findings of these reports are presented in this EIR. A Mitigation Program is provided to mitigate potential significant impacts to a less than significant level. The Project is consistent with this goal (see Section 4.7, Cultural and Paleontological Resources).</p>
<p>Policies</p>	
<p>NR Policy 18.1: New Development Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA. (<i>Imp 7.1</i>)</p> <p>Implementation Program 7.1: See Implementation Program 7.1 above.</p>	<p>Please refer to the response to Goal NR 18. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).</p>
<p>NR Policy 18.3: Potential for New Development to Impact Resources Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites. (<i>Imp 14.16</i>)</p> <p>Implementation Program 14.16: See Implementation Program 14.16 above.</p>	<p>The Native American Heritage Commission (NAHC) provided a list of tribal affiliations in the area. Tribal representatives were notified by mail of the proposed Project and their comments or questions were invited regarding the Project. The City provides Native American tribes with the opportunity to conduct monitoring. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>NR Policy 18.4: Donation of Materials Require new development, where on site preservation and avoidance are not feasible, to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange County, whenever possible. <i>(Imp 11.1)</i></p> <p>Implementation Program 11.1: See Implementation Program 11.1 above.</p>	<p>The Mitigation Program set forth in this EIR includes this requirement. The Project is consistent with this City policy (see Section 4.7, Cultural and Paleontological Resources).</p>
<p>Natural Resources Element Goal NR 19</p>	
<p>Minimized impacts from oil and gas drilling activities.</p>	<p>There are two abandoned well sites within that portion of the Project site on the Newport Banning Ranch property proposed for the park access road; two additional abandoned well sites are within the area of the proposed haul road and export soils sites on the Newport Banning Ranch property. There are no current oil operations or new oil operations proposed in these locations. Measures are proposed to mitigate any potential impacts associated with prior oil field activities in this area to a less than significant level. The Project is consistent with this goal (see Section 4.9, Hazards and Hazardous Materials).</p>
<p>Natural Resources Element Goal NR 20</p>	
<p>Preservation of significant visual resources.</p>	<p>The Natural Resources Element of the General Plan, Figure NR3, identifies that the Project site includes a designated Public View Point. Consistent with the General Plan Natural Resources Element 20.5, the proposed Project would provide public access and public viewing opportunities on the site. The Sunset Ridge Park Project would include ball fields, picnic areas, parking, and restroom facilities; no other buildings are a part of the Project. No public views would be adversely impacted with the Project. The Project is consistent with this goal (see Section 4.2, Aesthetics).</p>
<p>Policies</p>	
<p>NR Policy 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. <i>(Imp 2.1)</i></p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>Please refer to the responses to Goal NR 20 and NR Policy 20.4. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>NR Policy 20.3: Public Views</p> <p>Protect and enhance public view corridors from the following roadway segments (shown in Figure NR3), and other locations may be identified in the future: (Note: only geographical areas applicable to the Project are identified below.)</p> <ul style="list-style-type: none"> • Superior Avenue from Hospital Road to Coast Highway (<i>Imp 2.1, 20.3</i>) <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p> <p>Implementation Program 20.3: Fund and Construct Public View Sites: The City shall develop a plan for the development of public view sites and amenities specified by Policies NR 20.3 and 20.5. The location, types, and of improvements and a financing plan shall be specified, which may include such elements as observation decks or plazas, benches, markers and signage, telescopes, lighting, and landscape.</p>	<p>Please refer to the responses to Goal NR 20 and NR Policy 20.4. As part of the proposed Project, an overlook area is proposed directly west of the memorial garden. This area would have a shade structure and seating with views across the park site and of the ocean. This area would be accessed from pedestrian paths located throughout the park. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics).</p>
<p>NR Policy 20.4: Public View Corridor Landscaping</p> <p>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. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>Please refer to the response to Goal NR 20. The Project site is located adjacent to a designated Coastal View Road (Superior Avenue from Hospital Road to Coast Highway). The site also includes a designated Public View Point, and it contains a scenic easement imposed by Caltrans as a term of the sale of the property to the City. The easement is located generally along the property line adjacent to West Coast Highway to approximately the mid-point of the site. This easement restricts development rights to those permitted in City's OS-A zoning with additional limitations on the placement of permanent structures and pavement in the scenic easement area.</p> <p>The proposed Project would include natural landscaping along the perimeter and the slopes of the site to enhance the public views of the site. In addition, no buildings or large planting materials would be sited in the scenic easement. The Project would not include any uses (restroom facilities or backstop) which would obstruct views. No public views would be adversely impacted with the Project. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.2, Aesthetics).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>NR Policy 20.5: Public View Corridor Amenities Provide public trails, recreation areas, and viewing areas adjacent to public view corridors, where feasible. (<i>Imp 2.1, 16.11, 23.2</i>)</p> <p>Implementation Programs 2.1, 16.11, 23.2: See Implementation Programs 16.11 and 23.2, above. Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>Please refer to the responses to LU Policy 2.1, Goal NR 20, and NR Policy 20.4. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics).</p>
Natural Resources Element Goal NR 21	
<p>Minimized visual impacts of signs and utilities.</p>	<p>Utilities infrastructure would connect to existing facilities (e.g., water and sewer lines) within or adjacent to the Project site which would minimize the visual impacts. Any signage would be at a pedestrian scale and would not impede view of the site or from the site. The Project is consistent with this goal (see Section 4.2, Aesthetics).</p>
Policies	
<p>Policy NR 21.1: Signs and Utility Siting and Design Design and site signs, utilities, and antennas to minimize visual impacts. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	<p>Please refer to the response to Goal NR 21. The Project is consistent with this policy (see Section 4.2, Aesthetics).</p>
Natural Resources Element Goal NR 23	
<p>Development respects natural landforms such as coastal bluffs.</p>	<p>The Project site does not contain significant landforms or coastal bluffs. The site has been subject to prior modification through grading for past Caltrans and City road projects. Therefore, the on-site landforms are not natural topographical features nor are they coastal bluffs. As a part of the Project, the topography of the site would be modified through grading and development of the site for the park and the associated access road. The design of Sunset Ridge Park has taken into account the topography of the site to the degree feasible while balancing the need to flatten areas for recreational uses; this would minimize grading and the export of cut material from the site, provide public views from the site, and minimize biological and topographical modifications. Where sensitive biological resources would be removed, these resources would be mitigated. The slopes around the perimeter of the property would also be graded and vegetated to appear as natural as possible. The site drainage patterns would remain similar to existing conditions. The Project is consistent with this goal (see Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics; Section 4.6</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
	Biological Resources: Section 4.10, Hydrology and Water Quality).
Policies	
<p>NR Policy 23.1: Maintenance of Natural Topography Preserve cliffs, canyons, bluffs, significant rock outcroppings, and site buildings to minimize alteration of the site's natural topography and preserve the features as a visual resource. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	Please refer to the response to Goal NR 23.
Safety Element	
Safety Element Goal S 4	
Adverse effects caused by seismic and geologic hazards are minimized by reducing the known level of risk to loss of life, personal injury, public and private property damage, economic and social dislocation, and disruption of essential services.	The Project consists largely of outdoor recreational facilities with only one 1,300-sf structure for restroom facilities and storage. MM 4.8-1 provides for a final design-level geotechnical exploration after final grading plans are complete to confirm all geotechnical design parameters. The structure would be constructed consistent with California Building Code requirements. The Project is not anticipated to increase existing risks from seismic and geologic hazards associated with loss of life, personal injury, property damage, economic/social dislocation, or essential service disruption. The Project is consistent with this goal (see Section 4.8, Geology and Soils).
Policies	
<p>S Policy 4.7: New Development Conduct further seismic studies for new development in areas where potentially active faults may occur. (<i>Imp 2.1, 27.1</i>)</p> <p>Implementation Programs 2.1 and 27.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan. Implementation Program 27.1 is not applicable to the proposed Project as it addresses seismic retrofitting of existing structures.</p>	Although it is believed that the North Branch Splay Fault of the Newport-Inglewood earthquake fault is located under the Project site, this branch of the fault has been classified as 'inactive' by the State of California Geological Survey. MM 4.8-1 provides for a final design-level geotechnical exploration after final grading plans are complete to confirm all geotechnical design parameters. The Project is consistent with this policy (see Section 4.8, Geology and Soils).
Safety Element Goal S 7	
Exposure of people and the environment to hazardous materials associated with methane gas extraction, oil operations, leaking underground storage tanks, and hazardous waste generators is minimized.	The four oil well sites within the Project site have previously been abandoned and remediated. However, there is a potential presence for soil contamination associated with oil field roads; any contamination within the boundaries of the Project site would be remediated consistent with applicable regulations. The Project is consistent with this goal (see Section 4.9, Hazards and Hazardous Materials).

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Policies	
<p>Policy S 7.1: Known Areas of Contamination Require proponents of Projects in known areas of contamination from oil operations or other uses to perform comprehensive soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards, and if contamination exceeds regulatory action levels, require the proponent to undertake remediation procedures prior to grading and development under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board (depending upon the nature of any identified contamination). (<i>Imp 7.1, 8.1</i>)</p> <p>Implementation Programs 7.1, 8.1: See Implementation Program 7.1 above. Implementation Program 8.1 is not applicable to this Project; it requires the City to periodically review codes and ordinances.</p>	<p>Please refer to the response to Safety Element Goal S 7. Any site contamination would be remediated consistent with applicable regulations. The Project is consistent with this policy (see Section 4.9, Hazards and Hazardous Materials).</p>
<p>S Policy 7.4: Implementation of Remediation Efforts Minimize the potential risk of contamination to surface water and groundwater resources and implement remediation efforts to any resources adversely impacted by urban activities. (<i>Imp 6.1, 17.1, 18.1, 19.1</i>)</p> <p>Implementation Programs 6.1, 17.1, 18.1, 19.1: See Implementation Program 19.1 above. Implementation Program 6.1 is not applicable to the Project which requires the City to review the Subdivision Ordinance for consistency with the General Plan. Implementation Program 17.1 is not applicable. It requires the City to work with water districts to maintain and implement Urban Water Management Plans. Implementation Program 18.1 is not applicable to this Project; it requires the City to coordinate the Sewer Master Plan with applicable agencies and special districts.</p>	<p>The Project incorporates good housekeeping measures, smart site design elements regarding trash and debris handling, and construction BMPs that manage potential contaminants used on site during Project implementation. These measures, as detailed in PDFs 4.10-1 through 4.10-6 to minimize the potential risk of surface water contamination from an accidental spill. Groundwater beneath the site is believed to be at a level too deep to be impacted by the Project. Compliance with the NPDES MS4 Permit and the DAMP would further minimize potential risks. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
Noise Element	
Noise Element Goal N 1	
Minimized land use conflicts between various noise sources and other human activities.	A noise assessment was prepared as a part of this EIR. The study findings determined that the Project would be compatible with surrounding land uses. While there would be a significant noise increase associated with grading and construction activities, this noise would cease upon completion of Project construction. The Project is consistent with this goal (see Section 4.5, Noise).
Policies	
<p>N Policy 1.1: Noise Compatibility of New Development Require that all proposed Projects are compatible with the noise environment through use of Table N2, and enforce the interior and exterior noise standards shown in Table N3. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	A noise assessment was prepared as a part of this EIR. The future ambient noise levels at the site are compatible with park uses set forth in Table N2. The Project is consistent with this policy (see Section 4.5, Noise).
<p>N Policy 1.2: Noise Exposure Verification for New Development Applicants for proposed Projects that require environmental review and are, located in areas Projected to be exposed to a CNEL of 60 dBA and higher, as shown on Figure N4, Figure N5, and Figure N6 may conduct a field survey, noise measurements or other modeling in a manner acceptable to the City to provide evidence that the depicted noise contours do not adequately account for local noise exposure circumstances due to such factors as, topography, variation in traffic speeds, and other applicable conditions. These findings shall be used to determine the level of exterior or interior, noise attenuation needed to attain an acceptable noise exposure level and the feasibility of such mitigation when other planning considerations are taken into account. (<i>Imp 2.1</i>)</p> <p>Implementation Program 2.1: Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	Several noise level measurements were taken from the Project site. A traffic noise model was developed to evaluate the future traffic noise impacts to the Project site and the adjacent Newport Crest Condominium development. The traffic noise model evaluated the effect of the proposed topography and future traffic volumes. Changes in site topography are expected to create traffic noise increases of up to 2 dBA at some of the balconies/patios of condominium units that face the Project site. These increases would not exceed the significance criteria for traffic noise increases included in the City's General Plan Noise Element. The Project is consistent with this policy (see Section 4.5, Noise).

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis												
<p>N Policy 1.8: Significant Noise Impacts Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting existing sensitive uses. The CNEL increase is shown in the table below. (<i>Imp 2.1, 7.1</i>)</p> <table border="1" data-bbox="281 542 928 743"> <thead> <tr> <th>CNEL (dBA)</th> <th>dBA increase</th> </tr> </thead> <tbody> <tr> <td>55</td> <td>3</td> </tr> <tr> <td>60</td> <td>2</td> </tr> <tr> <td>65</td> <td>1</td> </tr> <tr> <td>70</td> <td>1</td> </tr> <tr> <td>Over 75</td> <td>Any increase is considered significant</td> </tr> </tbody> </table> <p>Implementation Programs 2.1, 7.1: See Implementation Program 7.1 above. Implementation Program 2.1 is not applicable to the proposed Project as it addresses City's requirement to amend the Zoning Code for consistency with the General Plan.</p>	CNEL (dBA)	dBA increase	55	3	60	2	65	1	70	1	Over 75	Any increase is considered significant	<p>The noise analysis (Section 4.5, Noise) evaluates the noise increases associated with Project-related traffic to the study area, and the effects of the proposed changes in topography to the adjacent condominiums. The operation of the Project and the proposed grading would not result in long-term significant noise impacts to any noise-sensitive uses in the study area based on the significance criteria set forth by the City. The Project is consistent with this policy (see Section 4.5, Noise).</p>
CNEL (dBA)	dBA increase												
55	3												
60	2												
65	1												
70	1												
Over 75	Any increase is considered significant												
Noise Element Goal N 2													
<p>Minimize motor vehicle traffic and boat noise impacts on sensitive noise receptors.</p>	<p>Please refer to the response to Policy N 1.8. Park activities would not result in a significant noise impact on sensitive receptors. The Project is consistent with this goal (see Section 4.5, Noise).</p>												
Noise Element Goal N 4: Minimization of Non-transportation-Related Noise													
<p>Minimize non-transportation-related noise impacts on sensitive noise receptors.</p>	<p>The noise analysis evaluated the effects of activities at the park to the adjacent condominiums. There would be no exposure of persons to or generation of noise levels in excess of the applicable standards or a substantial increase in permanent noise levels. The Project is consistent with this goal (see Section 4.5, Noise).</p>												
Policies													
<p>N Policy 4.4: Limiting Hours of Recreational Activities Limit hours when recreational activities in parks and the harbor can take place. (<i>Imp 9.1, 23.4</i>) Implementation Programs 9.1, 23.4: Maintain Recreation Programs for Newport Beach's Residents: Recreational programs will be provided to</p>	<p>The park would be open from 6:00 AM until 11:00 PM every day. The proposed Project would not have night lighting with the exception of limited low-profile lighting for public safety. Further, the in-bound lane of the access road would be gated to restrict vehicular ingress to the park to daylight hours (8:00 AM to dusk). The Project is consistent with this policy (see Section 4.5, Noise).</p>												

TABLE 4.1-2 (Continued)
CITY OF NEWPORT BEACH GENERAL PLAN CONSISTENCY ANALYSIS

City of Newport Beach General Plan Relevant Goals, Policies, and Programs	Consistency Analysis
<p>serve the needs of Newport Beach's residents as identified by the needs assessment and prioritized by the Parks, Beaches, and Recreation Commission. Periodically the City shall review and update as necessary its fees for recreation programs to assure that they are adequate to cover ongoing costs. This may include a comparative assessment of the fees imposed by other jurisdictions. Implementation Program 9.1 is not applicable to the Project which requires the City Council Policy Manual to be reviewed for consistency with the General Plan.</p>	
<p>N Policy 4.6: Maintenance or Construction Activities Enforce the Noise Ordinance noise limits and limits on hours of maintenance or construction activity in or adjacent to residential areas, including noise that results from in-home hobby or work related activities. (Imp 7.1, 8.1) Implementation Programs 7.1, 8.1: See Implementation Program 7.1 above. Implementation Program 8.1 is not applicable to this Project; it requires the City to periodically review codes and ordinances.</p>	<p>Operation of the proposed Project would comply with Noise Ordinance standards including the hours of construction operations. Noise sources associated with construction are exempt from the City's standards, when activities take place during hours permitted by the Noise Ordinance. Due to the low existing noise levels, the duration of construction activities, and the proximity of the noise sensitive receivers, construction would result in a temporary substantial increase in ambient noise to the residences adjacent to the site resulting from the use of mobile grading equipment. Construction of the Project would result in an unavoidable short-term significant impact that would cease upon completion of the project. However, the Project is consistent with this policy as it simply limits noise associated with construction activities to specific hours; the project would be implemented consistent with the Noise Ordinance hours of construction (see Section 4.5, Noise).</p>
<p>Noise Element Goal N 5</p>	
<p>Minimized excessive construction-related noise.</p>	<p>The Project has been designed to minimize, to the degree feasible, the duration and extent of construction-related noise activities. This includes the staging of equipment away from sensitive receptors, designing the park to protect public views while reducing the quantity of cut and fill, and limited the hours of construction to that permitted by the Noise Ordinance. The Project is consistent with this goal (see Section 4.5, Noise).</p>
<p>Policies</p>	
<p>N Policy 5.1: Limiting Hours of Activity Enforce the limits on hours of construction activity. (Imp 8.1) Implementation Program 8.1: Implementation Program 8.1 is not applicable to the Project; it requires the City to periodically review codes and ordinances.</p>	<p>All Project construction activities would be conducted during the allowable hours of construction. The Project is consistent with this policy (see Section 4.5, Noise).</p>

**TABLE 4.1-3
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS**

Relevant Coastal Land Use Plan Policies	Consistency Analysis
Land Use	
<p>Policy 2.1.2-1 Development in each district and corridor shall adhere to policies for land use type and density/intensity contained in Table 2.1.1-1, except as modified in Sections 2.1.3 to 2.1.8.</p>	<p>The 13.7-acre portion of the Project site has a CLUP designation of Parks and Recreation (PR); the remainder of the site (within Newport Banning Ranch) is a Deferred Certification Area (DCA). The Project is proposed as a public park with active and passive park uses. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>Policy 2.1.9-1 Land uses and new development in the coastal zone shall be consistent with the Coastal Land Use Plan Map and all applicable LCP policies and regulations.</p>	<p>The 13.7-acre portion of the Project site has a CLUP designation of Parks and Recreation (PR); the remainder of the site (within Newport Banning Ranch) is a Deferred Certification Area (DCA). The Project is proposed as a public park with active and passive park uses. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
General Development	
<p>Policy 2.2.1-1 Continue to allow redevelopment and infill development within and adjacent to the existing developed areas in the coastal zone subject to the density and intensity limits and resource protection policies of the Coastal Land Use Plan.</p>	<p>As noted, the proposed park is consistent with the CLUP designation for the site. This EIR has been prepared to assess the potential environmental effects associated with Project implementation and operation, and a Mitigation Program is provided. The Project is consistent with the resource protection policies set forth in the CLUP, as discussed below, and the <i>City of Newport Beach General Plan</i>. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.6, Biological Resources).</p>
<p>Policy 2.2.1-2 Require new development be located in areas with adequate public services or in areas that are capable of having public services extended or expanded without significant adverse effects on coastal resources.</p>	<p>The Project area is currently served by existing infrastructure, including streets and highways; sewer; water; storm drains; public services, including fire and police protection; and utilities. The existing infrastructure has adequate capacity to provide the necessary service to the Project. Development of the site as a public park is consistent with the <i>City of Newport Beach General Plan</i> and CLUP land use designations; the service needs for the Project have been accounted for by the City. The proposed park would not significantly impact sensitive coastal resources as set forth in the California Coast Act. The Project would not significantly impact: a) special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the CLUP; coastal plan; b) areas possessing significant recreational value (the project would provide a park on an undeveloped property designated for park use); c) highly scenic areas; c) archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer; d) special communities or neighborhoods that are significant visitor destination areas; e) areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons; or</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
	f) areas where divisions of land could substantially impair or restrict coastal access (Source: California Coastal Act). The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.11, Public Services and Utilities).
Visitor-Serving and Recreational Development	
<p>Policy 2.3.1-3 On land designated for visitor-serving and/or recreational uses, give priority to visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over other commercial uses, except for agriculture and coastal-dependent industry.</p>	The 13.7-acre portion of the Project site has a CLUP designation of Parks and Recreation (PR); the remainder of the site (within Newport Banning Ranch) is a Deferred Certification Area (DCA). The site would be developed as a public park with active and passive recreational uses for use by residents and visitors. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).
<p>Policy 2.3.1-6 Where feasible, reserve upland areas necessary to support coastal recreational uses for such uses.</p>	The Project site is located on the inland side of West Coast Highway. The Project supports coastal recreational uses by providing public access and views to the public. The Project would allow the site to be developed as a public park. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).
Hazards and Protective Devices	
<p>Policy 2.8.7-2 Require new development to provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.</p>	The Project has incorporated structural and non-structural BMPs to reduce or eliminate runoff from the Project site and minimize erosion. A subsurface storm filter vault would be constructed to retain runoff on site and to release flows at a rate consistent or lower than existing conditions. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).
<p>Policy 2.8.7-3 Require applications for new development, where applicable [i.e., in areas of known or potential geologic or seismic hazards], to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Require such reports to be signed by a licensed Certified Engineering Geologist or Geotechnical Engineer and subject to review and approval by the City.</p>	A geotechnical assessment was prepared for the Project as a part of this EIR, which includes a Mitigation Program. The assessment determines that the site is suitable for the proposed use as a public park site. The Project is consistent with this policy (see Section 4.8, Geology and Soils).
<p>Policy 2.8.8-2 Site and design new development to avoid fire hazards and the need to extend fuel modification zones into sensitive habitats.</p>	The Project site is not located in a high fire hazard area; a fuel modification zone would not be required. The site is bound on three sides by urban land uses with existing oil operations and undeveloped open space to the east. A park access road is proposed between the park and the undeveloped open space. The Conceptual Landscape Plan provides for drought-tolerant native and non-native materials including plant materials to buffer the park from existing residential uses to the north. Proposed plant materials are consistent with the City's plant

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
	palette. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources).
Policy 2.8.8-3 Use fire-resistive, native plant species from the City-approved plant list in fuel modification zones abutting sensitive habitats.	Please refer to the response to Policy 2.8.8-2. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources).
Policy 2.8.8-4 Prohibit invasive ornamental plant species in fuel modification zones abutting sensitive habitats.	Please refer to the response to Policy 2.8.8-2. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources).
Transportation	
Policy 2.9.1-2 Continue to require new development to dedicate transit facilities, such as bus turnouts, benches, shelters and similar facilities, where appropriate.	Public transit in the City is provided by the Orange County Transportation Authority (OCTA). There is an existing bus stop located at West Coast Highway and Superior Avenue. No additional transit facilities would be required for the Project. The Project is consistent with this policy (see Section 4.3, Transportation and Circulation).
Policy 2.9.1-8 Employment, retail, and entertainment districts and coastal recreational areas should be well served by public transit and easily accessible to pedestrians and bicyclists. Streets, sidewalks, bicycle paths, and recreational trails (including the Coastal Trail) should be designed and regulated to encourage walking, bicycling, and transit ridership.	The Project site is generally bound by residential development to the north, east, and south. The proposed park is within walking distance of these residences. There are existing Class I and II bikeways along both Superior Avenue and West Coast Highway. Bike racks would be provided on the Project site. Additionally, the Project incorporates walking trails throughout the Project site that tie into existing sidewalks along Superior Avenue and West Coast Highway. Public transit in the City is provided by the OCTA. There is an existing bus stop located at West Coast Highway and Superior Avenue. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.3, Transportation and Circulation).
Policy 2.9.2-1 Maintain, expand, and encourage the use of bikeways and trails as alternative circulation routes.	Please refer to the response to Policy 2.9.1-8. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.3, Transportation and Circulation).
Policy 2.9.2-4 Design and site new development to provide connections to existing and proposed bikeways and trail systems.	Please refer to the response to Policy 2.9.1-8. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.3, Transportation and Circulation).
Policy 2.9.2-5 Where appropriate, provide bicycle racks and hitching posts at public beaches and parks.	Please refer to the response to Policy 2.9.1-8. There are no existing or planned equestrian trails in the project area; therefore, no hitching posts would be needed in the park. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs; Section 4.3, Transportation and Circulation).

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 2.9.3-1 Site and design new development to avoid use of parking configurations or parking management programs that are difficult to maintain and enforce.</p>	<p>The Sunset Ridge Park parking lot and site design has been developed to avoid parking conflicts. Adequate on-site parking and a designated drop-off area are proposed. Section 3.0, Project Description, addresses the City's proposal to allow for adequate parking. These include two-hour parking limits and paid parking. In addition, the access road would be gated to limit vehicular ingress to daylight hours. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.3, Transportation and Circulation).</p>
<p>Policy 2.9.3-2 Continue to require new development to provide off-street parking sufficient to serve the approved use in order to minimize impacts to public on-street and off-street parking available for coastal access.</p>	<p>The City's Zoning Code (Chapter 20.66.030, Off-Street Parking and Loading Spaces Required) does not specify a parking rate for city parks, but rather indicates that the parking requirement for Park and Recreation Facilities would be "as specified by Use Permit". The ITE's Parking Generation document contains parking information for a City Park (Land Use Category 411). Applying this peak parking rate to the Project (5 parking spaces per acre), the parking requirement would be 96 spaces. The Project includes 97 parking spaces. The project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
<p>Policy 2.9.3-3 Require that all proposed development maintain and enhance public access to the coast by providing adequate parking pursuant to the offstreet parking regulations of the Zoning Code in effect as of October 13, 2005.</p>	<p>Please refer to the response to Policy 2.9.3-2. The project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
<p>Policy 2.9.3-5 Continue to require off-street parking in new development to have adequate dimensions, clearances, and access to insure their use.</p>	<p>Please refer to the response to Policies 2.9.3.1 and 2.9.3-2. The project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
Public Access and Recreation	
<p>Policy 3.2.1-1 Protect, and where feasible, expand and enhance recreational opportunities in the coastal zone.</p>	<p>The Project would allow for the development of a public park with active and passive recreational areas in the coastal zone. The park would include one baseball field and two soccer fields. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>Policy 3.2.1-2 Continue to provide opportunities for a wide range of recreational activities at City parks and beaches.</p>	<p>Please refer to the response to Policy 3.2.1-1. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>Policy 3.2.3-3 Design guardrails on piers, trails, and public viewing areas to take into consideration the views at the eye level of persons in wheelchairs.</p>	<p>The park would be designed in compliance with all applicable Americans with Disabilities Act requirements. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
Coastal Resource Protection	
<p>Policy 4.1.1-1</p> <p>Define any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments as an environmentally sensitive habitat area (ESHA). Using a site-specific survey and analysis by a qualified biologist, evaluate the following attributes when determining whether a habitat area meets the definition of an ESHA:</p> <p>A. The presence of natural communities that have been identified as rare by the California Department of Fish and Game.</p> <p>B. The recorded or potential presence of plant or animal species designated as rare, threatened, or endangered under State or Federal law.</p> <p>C. The presence or potential presence of plant or animal species that are not listed under State or Federal law, but for which there is other compelling evidence of rarity, such as designation as a 1B or 2 species by the California Native Plant Society.</p> <p>D. The presence of coastal streams.</p> <p>E. The degree of habitat integrity and connectivity to other natural areas. Attributes to be evaluated when determining a habitat's integrity/connectivity include the habitat's patch size and connectivity, dominance by invasive/non-native species, the level of disturbance, the proximity to development, and the level of fragmentation and isolation. Existing developed areas and existing fuel modification areas required by the City of Newport Beach Fire Department or the Orange County Fire Authority for existing, legal structures do not meet the definition of ESHA.</p>	<p>The site has been disturbed by prior grading and construction by Caltrans and the City; the majority of the site contains disturbed vegetation and non-native grasslands. The CLUP identifies City Environmental Study Areas (ESAs) where additional study is required to determine if any sensitive or rare species exists in the area. The Project site is not within an identified ESA. The CLUP does not identify ESHAs. The portions of the ESAs within the coastal zone that contain sensitive or rare species are referred to as ESHAs, as defined by the <i>California Coastal Act</i>. The Project site does not contain natural communities that have been identified as rare by the CDFG. The Project site contains one pair of coastal California gnatcatchers (CAGN). Therefore, this habitat has the potential to be considered an ESHA by the California Coast Commission. In addition, willow scrub habitat occurs within the Project site. Willow scrub habitat is a riparian habitat that has the potential to be considered an ESHA by the California Coastal Commission. Impacts to the willow scrub habitat would be mitigated at a minimum ratio of 2:1 through restoration. Impacts to the disturbed mule fat scrub/goldenbush scrub would be mitigated at a ratio determined by the U.S. Fish and Wildlife Service at part of a Section 7 Consultation to authorize the incidental take of the California gnatcatcher. No California Native Plant Society listed 1B or 2 species were observed during protocol surveys in 2009.</p> <p>There are two drainage features located within the Project site: a concrete trapezoidal flood control channel that conveys storm flows collected within the residential development located immediately north of the Project site; and an erosional feature that contains a small patch of willow scrub and disturbed mule fat scrub/goldenbush scrub in the western portion of the Project site. The portion of the drainage feature that contains willow scrub habitat has the potential to be considered an ESHA by the California Coastal Commission.</p> <p>The disturbed mule fat scrub/goldenbush scrub is a disturbed, low-quality habitat that is isolated from the coastal sage scrub located to the northwest of the Project site. As previously stated, impacts to this habitat would be mitigated at a ratio determined by the USFWS as part of a Section 7 Consultation.</p> <p>Impacts to willow scrub habitat and disturbed mule fat scrub/goldenbush scrub would be mitigated to a less than significant level. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.1.1-2 Require a site-specific survey and analysis prepared by a qualified biologist as a filing requirement for coastal development permit applications where development would occur within or adjacent to areas identified as a potential ESHA. Identify ESHA as habitats or natural communities listed in Section 4.1.1 that possess any of the attributes listed in Policy 4.1.1-1. The ESA's depicted on Map 4-1 shall represent a preliminary mapping of areas containing potential ESHA.</p>	<p>Surveys of the Project site were conducted by BonTerra Consulting to identify habitat areas that have the potential to be considered ESHA by the California Coastal Commission. BonTerra Consulting determined that the areas containing willow scrub as "riparian" habitat and disturbed mule fat scrub/goldenbush scrub that is occupied by the CAGN are potential ESHA candidates; habitat and the CAGN are mapped and included in the Biotechnical Report for the Project. Please also refer to the response to Policy 4.1.1-1. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-3 Prohibit new development that would necessitate fuel modification in ESHA.</p>	<p>The Project would involve the development of a community park with active and passive recreational playing fields. No structures are proposed that would require fuel modification. Therefore, the Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-4 Protect ESHAs against any significant disruption of habitat values.</p>	<p>Impacts to the habitat areas that have the potential to be considered ESHA by the California Coastal Commission would be mitigated through habitat restoration on site and/or in the immediate vicinity of the Project site to maintain and enhance overall habitat values. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat. Please also refer to the response to Policy 4.1.1-1. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-6 Require development in areas adjacent to environmentally sensitive habitat areas to be sited and designed to prevent impacts that would significantly degrade those areas, and to be compatible with the continuance of those habitat areas.</p>	<p>Please also refer to the response to Policy 4.1.1-1. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-7 Limit uses within ESHAs to only those uses that are dependent on such resources.</p>	<p>Please refer to the response to Policy 4.1.1-6. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat in the immediate vicinity of the Project. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-8 Limited public access improvements and minor educational, interpretative and research activities and development may be considered resource dependent uses. Measures, including, but not limited to, trail creation, signage, placement of boardwalks, and fencing, shall be implemented as necessary to protect ESHA.</p>	<p>Please refer to the response to Policy 4.1.1-6. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat. Mitigation areas would be limited to these uses. The Project would limit access into these areas through the use of applicable features such as signage and placement of uses. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.1.1-9 Where feasible, confine development adjacent to ESHAs to low impact land uses, such as open space and passive recreation.</p>	<p>The Project involves the development of a community park with active and passive recreational uses. The Project site has been disturbed by prior grading and construction by Caltrans and the City; the majority of the site contains disturbed vegetation and non-native grasslands. However, the site contains sensitive biological resources primarily in the area of the proposed park access road. Any significant impact to sensitive biological resources would be mitigated through habitat restoration on site and/or in the immediate vicinity of the Project site to maintain and enhance overall habitat values and continued existence of this type of habitat. Low-impact park uses would occur near any on-site mitigation areas. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-10 Require buffer areas of sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect. Terrestrial ESHA shall have a minimum buffer width of 50 feet wherever possible. Smaller ESHA buffers may be allowed only where it can be demonstrated that 1) a 50-foot wide buffer is not possible due to site-specific constraints, and 2) the proposed narrower buffer would be amply protective of the biological integrity of the ESHA given the site-specific characteristics of the resource and of the type and intensity of disturbance.</p>	<p>Please refer to the response to Policy 4.1.1-6. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat. A sufficient buffer would be provided for mitigation areas in accordance with this policy and any restoration within the Project boundaries would provide a sufficient separation from active park areas based upon the proposed site plan to maintain the continued existence of this habitat type. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-11 Provide buffer areas around ESHAs and maintain with exclusively native vegetation to serve as transitional habitat and provide distance and physical barriers to human and domestic pet intrusion.</p>	<p>Please refer to the response to Policy 4.1.1-10. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-12 Require the use of native vegetation and prohibit invasive plant species within ESHAs and ESHA buffer areas.</p>	<p>Areas containing the preserved and enhanced southern coastal bluff scrub and areas around this habitat type would be enhanced during Project implementation with coastal sage scrub species consistent with this habitat type. Invasive plant species would be prohibited within the landscape plan for this Project. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-13 Shield and direct exterior lighting away from ESHAs to minimize impacts to wildlife.</p>	<p>No recreational lighting is proposed for this community park project. Low-profile security lighting would be installed along sidewalks and trails and on the restroom structure. The City is proposing to install a three-way traffic signal on West Coast Highway at the proposed access road. This new lighting would be similar to existing lighting standards currently in the Project vicinity and would not represent a significant amount of lighting over existing conditions. No lighting impacts would occur. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.1.1-14</p> <p>Require mitigation in the form of habitat creation or substantial restoration for allowable impacts to ESHA and other sensitive resources that cannot be avoided through the implementation of siting and design alternatives. Priority shall be given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA.</p>	<p>Please refer to the response to Policy 4.1.1-6. To the degree feasible while allowing for implementation of the Project, the Project avoids impacts to sensitive biological resources. The site has been disturbed by prior grading and construction by Caltrans and the City; the majority of the site contains disturbed vegetation and non-native grasslands. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-15</p> <p>Apply the following mitigation ratios for allowable impacts to upland vegetation: 2:1 for coastal sage scrub; 3:1 for coastal sage scrub that is occupied by California gnatcatchers or significant populations of other rare species; 3:1 for rare community types such as southern maritime chaparral, maritime succulent scrub; native grassland and 1:1 for southern mixed chaparral. The ratios represent the acreage of the area to be restored/created to the acreage impacted.</p>	<p>The Project would involve impacts to coastal sage scrub (CSS). Although the CSS habitat is considered significant, it is degraded due to past human activities. In addition, this habitat is not occupied by the California gnatcatcher (CAGN). The CAGN identified during protocol surveys was located within the disturbed mule fat scrub/golden bush scrub habitat. In consideration of the degraded habitat values, impacts to CSS habitat would be mitigated at a ratio of 2:1 as part of on-site restoration or in the immediate vicinity of the Project site. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.1.1-16</p> <p>For allowable impacts to ESHA and other sensitive resources, require monitoring of mitigation measures for a period of sufficient time to determine if mitigation objectives and performance standards are being met. Mid-course corrections shall be implemented if necessary to meet the objectives or performance standards.</p> <p>Require the submittal of monitoring reports during the monitoring period that document the success or failure of the mitigation. To help insure that the mitigation project is self-sustaining, final monitoring for all mitigation projects shall take place after at least three years with no remediation or maintenance activities other than weeding. If performance standards are not met by the end of the prescribed monitoring period, the monitoring period shall be extended or the applicant shall submit an amendment application proposing alternative mitigation measures and implement the approved changes. Unless it is determined by the City that a differing mitigation monitoring schedule is appropriate, it is generally anticipated that monitoring shall occur for a period of not less than five years.</p>	<p>Please refer to the response to Policy 4.1.1-6. Retention of resources and habitat restoration is intended to maintain and enhance overall habitat values and continued existence of this type of habitat. Invasive plant species would be prohibited within the landscape plan for this Project. The Mitigation Program set forth in Section 4.6 of this EIR incorporates the directives of this policy. Project is consistent with this policy (see Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.1.3-1</p> <p>Utilize the following mitigation measures to reduce the potential for adverse impacts to ESA natural habitats from sources including, but not limited to, those identified in Table 4.1.1:</p> <p>A. Require removal of unauthorized bulkheads, docks and patios or other structures that impact wetlands or other sensitive habitat areas.</p> <p>B. Where pedestrian access is permitted, avoid adverse impacts to sensitive areas from pedestrian traffic through the use of well defined footpaths, boardwalks, protective fencing, signage, and similar methods.</p> <p>C. Prohibit the planting of non-native plant species and require the removal of non-natives in conjunction with landscaping or revegetation projects in natural habitat areas.</p> <p>D. Strictly control encroachments into natural habitats to prevent impacts that would significantly degrade the habitat.</p> <p>E. Limit encroachments into wetlands to development that is consistent with Section 30233 of the Coastal Act and Policy 4.2.3-1 of the Coastal Land Use Plan.</p> <p>F. Regulate landscaping or revegetation of bluff top areas to control erosion and invasive plant species and provide a transition area between developed areas and natural habitats.</p> <p>G. Require irrigation practices on bluff tops that minimize erosion of bluffs.</p> <p>H. Participate in implementation of Total Maximum Daily Loads (TMDLs) – see Section 4.3 (Water Quality).</p> <p>I. Participate in programs to control sedimentation into and within Upper Newport Bay.</p> <p>J. Use docent programs to actively manage and enforce CDFG regulations in marine protected areas regarding the taking of intertidal and subtidal plants and animals and to minimize incidental trampling.</p> <p>K. Manage public access as required to minimize damage to tide pools.</p> <p>L. Control upstream pollution sources from Buck Gully, Morning Canyon and storm drain runoff from local streets to the maximum extent practical to reduce sediment, nutrient, fecal coliform, and toxic pollutant loads.</p> <p>M. Implement TMDLs into Newport Bay and local watersheds to minimize water quality problems along the coastline.</p> <p>N. Prohibit invasive species and require removal in new development.</p> <p>O. Implement and enforce TMDLs in watershed and Upper Newport Bay to</p>	<p>The following areas are designated as environmental study areas (ESA):</p> <ol style="list-style-type: none"> 1. Semeniuk Slough (Santa Ana River Marsh) 2. North Star Beach 3. West Bay 4. Upper Newport Bay Marine Park and DeAnza/Bayside Marsh Peninsula 5. San Diego Creek 6. Eastbluff Remnant 7. Mouth of Big Canyon 8. Newporter North 9. Buck Gully 10. Morning Canyon 11. Newport Beach Marine Conservation Area 12. Castaways 13. Kelp Beds in Newport Harbor Entrance Channel <p>The Project site is not a designated ESA. (see Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>improve water quality in Newport Harbor.</p> <p>P. Require dredging and jetty reconstruction projects conducted within the Entrance Channel to include protection measures to avoid long-term impacts to kelp bed resources.</p> <p>Q. Continue to require <i>Caulerpa</i> protocol surveys as a condition of City approval for projects in Newport Bay and immediately notify the SCCAT when found.</p>	
<p>Policy 4.1.3-2 Prohibit the planting of invasive species in non-urbanized areas.</p>	<p>The Project would involve restoration of coastal sage scrub and riparian habitats within or in the immediate vicinity of the Project site using native plant species that are representative of these habitat types. Invasive plant species would be prohibited within the landscape plan for this Project. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.2.2-1 Define wetlands as areas where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of hydrophytes. Such wetlands can include areas where vegetation is lacking and soil is poorly developed or absent as a result of frequent drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentration of salts or other substances in the substrate.</p> <p>Wetlands do not include areas which in normal rainfall years are permanently submerged (streams, lakes, ponds and impoundments), nor marine or estuarine areas below extreme low water of spring tides.</p>	<p>A jurisdictional delineation was prepared as a part of the EIR. No wetlands have been identified within the Project site. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.2.2-2 Require a survey and analysis with the delineation of all wetland areas when the initial site survey indicates the presence or potential for wetland species or indicators. Wetland delineations will be conducted in accordance with the definitions of wetland boundaries contained in section 13577(b) of the California Code of Regulations.</p>	<p>A jurisdictional delineation was prepared as a part of the EIR. No wetlands have been identified within the Project site. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.2.2-3 Require buffer areas around wetlands of a sufficient size to ensure the biological integrity and preservation of the wetland that they are designed to protect. Wetlands shall have a minimum buffer width of 100 feet wherever possible. Smaller wetland buffers may be allowed only where it can be demonstrated that (1) a 100-foot wide buffer is not possible due to site-specific constraints, and (2) the proposed narrower buffer would be amply protective of the biological integrity of the wetland given the site-specific characteristics of the resource and of the type and intensity of disturbance.</p>	<p>A jurisdictional delineation was prepared as a part of the EIR. No wetlands have been identified within the Project site. An off-site area containing salt grass and identified as “wetlands” occurs adjacent to the Project’s limits of grading west of the Project site. This grading is necessary to for the construction of the park access road. Based on the biological analysis conducted as a part of this EIR, a buffer of less than 100 feet from this designated “wetlands” would not reduce the biological integrity of this resource. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.2.3-18 Require restoration plans to be reviewed and approved by a qualified professional prior to accepting sites for mitigation.</p>	<p>The Mitigation Plan set forth in this EIR requires compliance with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.3.1-6 Require grading/erosion control plans to include soil stabilization on graded or disturbed areas.</p>	<p>The Project would comply with all requirements set forth in the current NPDES Construction General Permit and the County of Orange NPDES MS4 Permit, which includes preparation of an SWPPP. BMPs have been incorporated that include erosion control and soil stabilization measures. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.1-7 Require measures be taken during construction to limit land disturbance activities such as clearing and grading, limiting cut-and-fill to reduce erosion and sediment loss, and avoiding steep slopes, unstable areas, and erosive soils. Require construction to minimize disturbance of natural vegetation, including significant trees, native vegetation, root structures, and other physical or biological features important for preventing erosion or sedimentation.</p>	<p>Appendix I of this EIR contains BMPs that minimize erosion and sedimentation, and require slope re-vegetation to slow runoff drainage. Recommendations contained in the Geotechnical Study for the Proposed Sunset Ridge Park Project (Leighton 2009) would be incorporated into project design and construction. Compliance with the NPDES permit, DAMP, and WQMP would ensure Project-induced erosion and sedimentation is minimal. On-site natural areas would be preserved as much as possible while allowing for the site to be developed as a park. The Project is consistent with Policy 4.3.1-7 (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-2 Require that development not result in the degradation of coastal waters (including the ocean, estuaries and lakes) caused by changes to the hydrologic landscape.</p>	<p>The Project would comply with all water quality objectives set by the RWQCB in the Basin Plan and the Newport Beach City Council policies through the application of appropriate BMPs for project construction and long-term operation. These BMPs would ensure compliance with the current NPDES Construction General Permit; the County of Orange NPDES MS4 Permit; County of Orange DAMP; and the Project's WQMP, which safeguards water quality. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-3 Support and participate in watershed-based runoff reduction and other planning efforts with the Regional Board, the County of Orange, and upstream cities.</p>	<p>The DAMP provides a framework for City involvement in watershed-based planning and design efforts with the Regional Board and the County. Site design concepts are consistent with the goals and objectives set forth in the DAMP. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.3.2-7 Incorporate BMPs into the project design in the following progression:</p> <ul style="list-style-type: none"> • Site Design BMPs. • Source Control BMPs. • Treatment Control BMPs. <p>Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the LCP or Coastal Act, structural treatment BMPs will be implemented along with site design and source control measures.</p>	<p>Appendix I to this EIR identifies the BMPs that will be applied to the Project, as appropriate. These BMPs include Site Design Concepts, Structural- and Non-Structural source control BMPs, and Treatment Control BMPs. The BMPs would protect the water quality of Project receiving waters. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality)</p>
<p>Policy 4.3.2-9 To the maximum extent practicable, limit the use of curb drains to avoid conveying runoff directly to the City's street drainage system without the benefit of absorption by permeable surfaces and natural treatments such as landscaped areas and planters.</p>	<p>The Project would not involve the construction of curb drains that discharge directly into the City's street drainage system. All site flows would pass through BMPs prior to entering the RCB culvert under West Coast Highway. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-11 Require new development to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible.</p>	<p>Project site design requires that the impervious footprint of the Project be kept at a minimum where possible; landscape design shall minimize the use of impervious surfaces, and use pervious materials (such as pervious pavers, turf, permeable concrete, etc.) where feasible. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-12 Require development to protect the absorption, purification, and retention functions of natural drainage systems that exist on the site, to the maximum extent practicable. Where feasible, design drainage and project plans to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored, where feasible.</p>	<p>Site-design concepts have been applied to the Project which maintain site drainage patterns and incorporate existing natural drainage features into site design. The existing V-ditch would be removed and replaced with bioswales and on-site drainage features have been incorporated into BMPs. Existing drainage patterns are maintained in the post-project condition and degraded drainage areas would be improved. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>4.3.2-13. Site development on the most suitable portion of the site and design to ensure the protection and preservation of natural and sensitive site resources by providing for the following:</p> <ol style="list-style-type: none"> A. Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss; B. Analyzing the natural resources and hazardous constraints of planning areas and individual development sites to determine locations most suitable for development; C. Preserving and protecting riparian corridors, wetlands, and buffer zones; 	<p>Site design concepts for the Project include maintenance of natural drainage patterns and preservation of natural habitat areas (such as the area located between the park and the access road) to the degree feasible while still allowing for Project implementation. Project design has been guided by these concepts. Site drainage systems would ensure protection of beneficial uses of receiving waters, and BMPs that address potential on-and off-site erosion are also included. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>D. Minimizing disturbance of natural areas, including vegetation, significant trees, native vegetation, and root structures;</p> <p>E. Ensuring adequate setbacks from creeks, wetlands, and other environmentally sensitive habitat areas;</p> <p>F. Promoting clustering of development on the most suitable portions of a site by taking into account geologic constraints, sensitive resources, and natural drainage features</p> <p>G. Utilizing design features that meet water quality goals established in site design policies.</p>	
<p>Policy 4.3.2-14 Whenever possible, divert runoff through planted areas or sumps that recharge the groundwater dry wells and use the natural filtration properties of the earth to prevent the transport of harmful materials directly into receiving waters.</p>	<p>The Project incorporates natural drainage features into site design including vegetated swales and vegetated dry creek(s) into which runoff from impervious Project areas (such as the access road, parking lot, and sidewalks) would be diverted for treatment and erosion control. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-15 Where infiltration of runoff would exacerbate geologic hazards, include equivalent BMPs that do not require infiltration.</p>	<p>The Project would not increase infiltration of runoff which would exacerbate geologic hazards. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-16 Require structural BMPs to be inspected, cleaned, and repaired as necessary to ensure proper functioning for the life of the development. Condition coastal development permits to require ongoing application and maintenance as is necessary for effective operation of all BMPs (including site design, source control, and treatment control).</p>	<p>Appendix I of this EIR contains a BMP Inspection and Maintenance Responsibility Matrix that identifies the party responsible for BMP inspection and repair. This ensures the Project is consistent with this policy (see Section 4.10, Hydrology and water Quality).</p>
<p>Policy 4.3.2-17 Utilize permeable surfaces that permit the percolation of urban runoff in non-sidewalk areas within the City's parkway areas, to the maximum extent practicable.</p>	<p>Project site design requires that the impervious footprint of the Project be kept at a minimum where possible; landscape design shall minimize the use of impervious surfaces, and use pervious materials (such as pervious pavers, turf, permeable concrete, etc.) where feasible. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-18 Condition coastal development permits to require the City, property owners, or homeowners associations, as applicable, to sweep permitted parking lots and public and private streets frequently to remove debris and contaminated residue.</p>	<p>The Project includes BMP N-15 (Appendix I of this EIR) which provides for street sweeping of on-site streets and parking lots no later than October 1 of each year. This frequency can be increased, if necessary. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.3.2-19 Require parking lots and vehicle traffic areas to incorporate BMPs designed to prevent or minimize runoff of oils and grease, car battery acid, coolant, gasoline, sediments, trash, and other pollutants to receiving waters.</p>	<p>The City would maintain the parking lot and park access road proposed as a part of the Project. As part of the Project, City maintenance activities would include, but are not limited to, lawn mowing, maintaining on-site vegetation, street sweeping, parking lot vacuuming, and removing trash. This EIR identifies the proposed BMPs that would be implemented as a part of the Project. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-23 Require new development applications to include a Water Quality Management Plan (WQMP). The WQMP's purpose is to minimize to the maximum extent practicable dry weather runoff, runoff from small storms (less than 3/4" of rain falling over a 24-hour period) and the concentration of pollutants in such runoff during construction and post-construction from the property.</p>	<p>The Project would comply with all water quality objectives set by the Regional Water Quality Control Board (RWQCB) in the Basin Plan and the City Council policies through the use of appropriate best management practices (BMPs) for project construction and long-term operation. These BMPs would ensure compliance with the current National Pollutant Discharge Elimination System (NPDES) Construction General Permit; the County of Orange NPDES MS4 Permit; County of Orange Drainage Area Management Plan (DAMP); and the Project's Water Quality Management Plan (WQMP), which safeguards water quality. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.3.2-24 To further reduce runoff, direct and encourage water conservation via the use of weather- and moisture-based irrigation controls, tiered water consumption rates, and native or drought-tolerant plantings in residential, commercial, and municipal properties to the maximum extent practicable.</p>	<p>The design and maintenance of the irrigation system would minimize both the amount of water applied and the amount of runoff from the site. BMP Measure N3 (Appendix I of this EIR) provides for landscape management activities at the Project site, including minimizing irrigation runoff by using controllers to provide several short cycles instead of one long cycle for each area, and the requirement to immediately correct any irrigation design or maintenance deficiencies that cause excessive runoff of irrigation water. The Project is consistent with this policy (see Section 4.10, Hydrology and Water Quality; Section 4.11, Public Services and Utilities).</p>
<p>Policy 4.4.1-1 Protect and, where feasible, enhance the scenic and visual qualities of the coastal zone, including public views to and along the ocean, bay, and harbor and to coastal bluffs and other scenic coastal areas.</p>	<p>The Project site includes a designated Public View Point and a 197,720 square-foot (sf) scenic easement imposed by Caltrans. No permanent structures or pavement would be located within the Caltrans scenic easement. The Park access road is proposed on the adjacent Newport Banning Ranch property, and therefore, the Caltrans scenic easement is not applicable to this portion of the Project site. The Public View Point area would contain an overlook with seating and shade structure. Walking paths and vegetation would be located in this area. The Project is consistent with this policy (see Section 4.2, Aesthetics).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.4.1-2 Design and site new development, including landscaping, so as to minimize impacts to public coastal views.</p>	<p>The Project would allow for public access in the coastal zone for recreational opportunities and scenic views of the ocean from the site. Superior Avenue from Hospital Road to Coast Highway is designated as a Coastal View Road in the City's General Plan <i>Natural Resources Element</i>. As stated above, the site contains a designated Public View Point. Development of the Project would alter existing views along Superior Avenue; however, the change would be minimal and ocean views would be maintained. The proposed walking paths and vegetation would be located within Caltrans scenic easement and the Public View Point on site. The Project is consistent with this policy (see Section 4.2, Aesthetics).</p>
<p>Policy 4.4.1-3 Design and site new development to minimize alterations to significant natural landforms, including bluffs, cliffs and canyons.</p>	<p>The site does not contain coastal bluffs. As a part of the Project, the topography of the site would be modified through grading and development of the site for the park and the associated access road. The design of Sunset Ridge Park has taken into account the topography of the site to the degree feasible while balancing the need to flatten areas for recreational uses, minimizing grading and the export of cut material from the site, providing public views from the site, while minimizing biological and topographical modifications. Where significant biological resources would be impacted, these resources would be mitigated. The slopes around the perimeter of the property would also be graded and vegetated to appear as natural as possible. The site drainage patterns would remain similar to existing conditions. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics; Section 4.6 Biological Resources; Section 4.10, Hydrology and Water Quality).</p>
<p>Policy 4.4.1-4 Where appropriate, require new development to provide view easements or corridors designed to protect public coastal views or to restore public coastal views in developed areas.</p>	<p>The Project proposes a public park and includes a designated Public View Point. Additional view easements or corridors are not required. Please refer to the response to Policy 4.4.1-4 and 4.4.1-2 above. The Project is consistent with this policy (see Section 4.2, Aesthetics).</p>
<p>Policy 4.4.1-5 Where feasible, require new development to restore and enhance the visual quality in visually degraded areas.</p>	<p>The Project site is currently vacant and undeveloped. The majority of the site contains non-native vegetation and invasive species. However, there is intact native vegetation on the site, including coastal sage scrub. The 5.2-acre portion of the site, where the access road would be located has historically been a active oil field, there are no active oil facilities presently; however, two abandoned oil well sites are located in this area.</p> <p>As determined through preparation of the EIR, development of the proposed Project would not substantially degrade the visual character of the Project site or surrounding areas nor would it impede views of or from the Project site. The Project would replace a vacant property with a public park with coastal views. The Project is consistent with this policy (see Section 4.2, Aesthetics).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.4.1-6 Protect public coastal views from the following roadway segments: (note: only those segments applicable to the Project are identified).</p> <ul style="list-style-type: none"> • Superior Avenue from Hospital Road to Coast Highway. 	<p>Please refer to the response to Policy 4.4.1-2 above. The Project is consistent with this policy (see Section 4.2, Aesthetics).</p>
<p>Policy 4.4.1-10 Where feasible, provide public trails, recreation areas, and viewing areas adjacent to public coastal view corridors.</p>	<p>Additionally, the Project incorporates walking trails throughout the Project site that tie into existing sidewalks along Superior Avenue and West Coast Highway. Coastal views would be retained from the Project site. The Project is consistent with this policy (see Section 4.2, Aesthetics).</p>
<p>Policy 4.4.2-2 Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.</p>	<p>The only structures proposed as a part of the Project would be a restroom/maintenance/sports equipment structure, and an overlook with seating and shade structure in the area of the Public View Point. No structures would exceed one story. The baseball field backstop and safety fencing would be below the height of the top of adjacent condominium balcony walls. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.2, Aesthetics).</p>
<p>Policy 4.5.1-1 Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources. If avoidance of the resource is not feasible, require an in situ or site-capping preservation plan or a recovery plan for mitigating the effect of the development.</p>	<p>As a part of the EIR, a prehistoric and historical archaeological resources assessment and paleontological resources assessment were prepared. The findings of these reports are presented in this EIR. A Mitigation Program is provided to mitigate potential significant impacts to a less than significant level. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).</p>
<p>Policy 4.5.1-2 Require a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural or paleontological resources. If grading operations or excavations uncover paleontological/archaeological resources, require the paleontologist/archeologist monitor to suspend all development activity to avoid destruction of resources until a determination can be made as to the significance of the paleontological/ archaeological resources. If resources are determined to be significant, require submittal of a mitigation plan. Mitigation measures considered may range from in-situ preservation to recovery and/or relocation. Mitigation plans shall include a good faith effort to avoid impacts to cultural resources through methods such as, but not limited to, project redesign, in situ preservation/capping, and placing cultural resource areas in open space.</p>	<p>The Mitigation Program set forth in this EIR is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.5.1-3 Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites.</p>	<p>The Native American Heritage Commission (NAHC) provided a list of tribal affiliations in the area. Tribal representatives were notified by mail of the proposed Project and their comments or questions were invited regarding the Project. The City provides Native American tribes with the opportunity to conduct monitoring. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).</p>
<p>Policy 4.5.1-4 Where in situ preservation and avoidance are not feasible, require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Orange County, whenever possible.</p>	<p>The Mitigation Program set forth in this EIR includes this requirement. The Project is consistent with this City policy (see Section 4.7, Cultural and Paleontological Resources).</p>
<p>Policy 4.5.1-5 Where there is a potential to affect cultural or paleontological resources, require the submittal of an archeological/cultural resources monitoring plan that identifies monitoring methods and describes the procedures for selecting archeological and Native American monitors and procedures that will be followed if additional or unexpected archeological/cultural resources are encountered during development of the site. Procedures may include, but are not limited to, provisions for cessation of all grading and construction activities in the area of the discovery that has any potential to uncover or otherwise disturb cultural deposits in the area of the discovery and all construction that may foreclose mitigation options to allow for significance testing, additional investigation and mitigation.</p>	<p>The Mitigation Program set forth in this EIR includes this requirement. The Project is consistent with this City policy (see Section 4.7, Cultural and Paleontological Resources).</p>
<p>Policy 4.6-1 Review all new development subject to California Environmental Quality Act (CEQA) and coastal development permit requirements in accordance with the principles, objectives, and criteria contained in CEQA, the State CEQA Guidelines, the Local Coastal Program, and any environmental review guidelines adopted by the City.</p>	<p>This EIR complies with this policy. The Project Description identifies that a Coastal Development Permit is required for the Project (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>Policy 4.6-4 Require the City staff member(s) and/or contracted employee(s) responsible for reviewing site specific surveys and analyses to have technical expertise in biological resources, as appropriate for the resource issues of concern (e.g. marine/coastal, wetland/riparian protection and restoration, upland habitats and connectivity) and be knowledgeable about the City of Newport Beach.</p>	<p>The biological resources assessment and jurisdictional delineation have been prepared by BonTerra Consulting consistent with this policy (see Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.6-5</p> <p>Where development is proposed within or adjacent to ESHA, wetlands or other sensitive resources, require the City staff member(s) and/or contracted employee(s) to consider the individual and cumulative impacts of the development, define the least environmentally damaging alternative, and recommend modifications or mitigation measures to avoid or minimize impacts. The City may impose a fee on applicants to recover the cost of review of a proposed project when required by this policy.</p>	<p>The Project site has been disturbed by prior grading and construction by Caltrans and the City; the majority of the site contains disturbed vegetation and non-native grasslands. However, the site contains sensitive biological resources primarily in the area of the proposed park access road. The biological resources assessment identifies existing resources on the Project site and identifies all project-specific and cumulative effects to sensitive resources associated with Project implementation. This EIR identifies alternatives to the proposed Project and includes a Mitigation Program to minimize and/or eliminate impacts to biological resources. The Project is compatible with this policy (see Section 4.6, Biological Resources; Section 6.0, Alternatives to the Proposed Project).</p>
<p>Policy 4.6-6</p> <p>Where development is proposed within or adjacent to ESHA, wetlands or other sensitive resources, require the City staff member(s) and/or contracted employee(s) to include the following in any recommendations of approval: an identification of the preferred project alternative, required modifications, or mitigation measures necessary to ensure conformance with the Coastal Land Use Plan. The decision making body (Planning Director, Planning Commission, or City Council) shall make findings relative to the project's conformance to the recommendations of the City staff member(s) and/or contracted employee(s).</p>	<p>Please refer to the response to Policy 4.6-5. The Project site has been disturbed by prior grading and construction by Caltrans and the City; the majority of the site contains disturbed vegetation and non-native grasslands. However, the site contains sensitive biological resources primarily in the area of the proposed park access road. The biological resources assessment identifies existing resources on the Project site and identifies all Project-specific and cumulative effects to sensitive resources associated with Project implementation. The Project is compatible with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.6-7</p> <p>Require City staff member(s) and/or contracted employee(s) to make a recommendation to the decision making body as to whether an area constitutes an ESHA, and if recommended as an ESHA, then establish the boundaries thereof and appropriate buffers.</p>	<p>A sufficient buffer would be provided for mitigation areas in accordance with this policy and any restoration within the Project boundaries would provide a sufficient separation from active park areas based upon the proposed site plan to maintain the continued existence of this habitat type. This EIR identifies sensitive biological resources that occur on the Project site and presents a Mitigation Program to mitigate these impacts. The California Coastal Commission is the determinative body that establishes an ESHA. The Project is compatible with this policy (see Section 4.6, Biological Resources).</p>
<p>Policy 4.6-8</p> <p>Coordinate with the California Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and other resource management agencies, as applicable, in the review of development applications in order to ensure that impacts to ESHA and marine resources, including rare, threatened, or endangered species, are avoided or minimized such that ESHA is not significantly degraded, habitat values are not significantly disrupted, and the biological productivity and quality of coastal waters is preserved.</p>	<p>A biological assessment and jurisdictional delineation have been prepared for the Project as a part of this EIR. Project implementation would require mitigation for significant biological impacts and effects on resources under the jurisdiction of the regulatory authorities. Permits from regulatory agencies including but not limited to the CDFG and the USFWS. The City has met with and/or coordinated with the USFWS, the USACE, and the RWQCB. The City has also requested consultation with the CDFG and California Coastal Commission. The Project is consistent with the policy (see Section 4.6, Biological Resources).</p>

TABLE 4.1-3 (Continued)
CITY OF NEWPORT BEACH LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Relevant Coastal Land Use Plan Policies	Consistency Analysis
<p>Policy 4.6-9 Require applications for new development, where applicable, to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains statements that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for its economic life. For development on coastal bluffs, including bluffs facing Upper Newport Bay, such reports shall include slope stability analyses and estimates of the long-term average bluff retreat rate over the expected life of the development. Reports are to be signed by an appropriately licensed professional and subject to review and approval by qualified city staff member(s) and/or contracted employee(s).</p>	<p>A geotechnical study has been prepared for the Project and is summarized in this EIR. The EIR includes a Mitigation Program that addresses any potential significant impacts associated with site conditions. The Project site does not include coastal bluffs. The Project is consistent with this policy (see Section 4.8, Geology and Soils).</p>

TABLE 4.1-4
CALIFORNIA COASTAL ACT CONSISTENCY ANALYSIS.

Relevant California Coastal Act Policies	Consistency Analysis
Public Access	
<p>Section 30210 Access; recreational opportunities; posting In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.</p>	<p>The Project would provide a public park within the coastal zone consistent with the General Plan and CLUP land use designations for the site. The Project site is an inland parcel located north of West Coast Highway. The park would provide active and passive recreational uses. Any signage would be at a pedestrian scale and would not impede view of the site or from the site. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
<p>Section 30212.5 Public facilities; distribution Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.</p>	<p>The Project proposes 97 public parking spaces on the site: 75 spaces in a lot and 22 parallel parking spaces along the access road. The Project site is located within the coastal zone but inland of West Coast Highway. It is not adjacent to the shoreline, beaches, or bay; however, the site is approximately ½ mile from the ocean but within walking distance to the beach. The project is consistent with this policy (see Section 4.3, Transportation and Circulation).</p>
<p>Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be</p>	<p>No overnight use of the park would be permitted. However, the public park would provide free active and passive recreational uses to residents and visitors. Parking fees would be commensurate with low-cost public parking fees in the vicinity of the site. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>

TABLE 4.1-4 (Continued)
CALIFORNIA COASTAL ACT CONSISTENCY ANALYSIS

Relevant California Coastal Act Policies	Consistency Analysis
<p>fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.</p>	
<p>Section 30214 Implementation of public access policies; legislative intent</p> <p>(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:</p> <ol style="list-style-type: none"> (1) Topographic and geologic site characteristics. (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses. (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. <p>(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.</p> <p>(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.</p>	<p>The Project provides additional recreational opportunities in the City, particularly in West Newport Beach. The park would provide public access while limiting nighttime uses and vehicular access to preclude nighttime lighting impacts. The Project requires an easement from the adjacent Newport Banning Ranch property owner to allow for the proposed access road to the park. The Project does not adversely affect public views and would provide public recreational use of a currently undeveloped parcel. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>

**TABLE 4.1-4 (Continued)
CALIFORNIA COASTAL ACT CONSISTENCY ANALYSIS**

Relevant California Coastal Act Policies	Consistency Analysis
Recreation	
<p>Section 30223 Upland areas Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.</p>	<p>Please refer to the response to Policy Section 30210. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.1, Land Use and Related Planning Programs).</p>
Marine Environment	
<p>Section 30231 Biological productivity; water quality The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	<p>No marine resources occur within the Project site. Therefore, no marine resources would be directly or indirectly impacted by the Project. The site has been disturbed by prior grading and construction by Caltrans and the City; the majority of the site contains disturbed vegetation and non-native grasslands. The CLUP identifies City Environmental Study Areas (ESAs) where additional study is required to determine if any sensitive or rare species exists in the area. The Project site is not within an identified ESA. The CLUP does not identify ESHAs. The portions of the ESAs within the coastal zone that contain sensitive or rare species are referred to as ESHAs, as defined by the <i>California Coastal Act</i>. The Project site does not contain natural communities that have been identified as rare by the CDFG. The Project site contains one pair of coastal California gnatcatchers (CAGN). Therefore, this habitat has the potential to be considered an ESHA by the California Coast Commission. In addition, willow scrub habitat occurs within the Project site. Willow scrub habitat is a riparian habitat that has the potential to be considered an ESHA by the California Coastal Commission. Impacts to the willow scrub habitat would be mitigated at a ratio of 2:1 through restoration. Impacts to the disturbed mule fat scrub/goldenbush scrub would be mitigated at a ratio determined by the U.S. Fish and Wildlife Service at part of a Section 7 Consultation to authorize the incidental take of the California gnatcatcher. No California Native Plant Society listed 1B or 2 species were observed during protocol surveys in 2009.</p> <p>There are two drainage features located within the Project site: a concrete trapezoidal flood control channel that conveys storm flows collected within the residential development located immediately north of the Project site; and an erosional feature that contains a small patch of willow scrub and disturbed mule fat scrub/goldenbush scrub in the western portion of the Project site. The portion of the drainage feature that contains willow scrub habitat has the potential to be considered an ESHA by the California Coastal Commission.</p> <p>The disturbed mule fat scrub/goldenbush scrub is a disturbed, low-quality habitat that is isolated from the coastal sage scrub located to the northwest of the Project site. As previously stated, impacts to this habitat would be mitigated at a ratio determined by the USFWS as part of a Section 7 Consultation.</p> <p>Impacts to willow scrub habitat and disturbed mule fat scrub/goldenbush scrub would be mitigated to a less than significant level. The Project is consistent with this policy (see Section 3.0, Project Description; Section 4.6, Biological Resources).</p>

**TABLE 4.1-4 (Continued)
CALIFORNIA COASTAL ACT CONSISTENCY ANALYSIS**

Relevant California Coastal Act Policies	Consistency Analysis
<p>Section 30232 Oil and hazardous substance spills Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.</p>	<p>There are two abandoned well sites within that portion of the Project site proposed on the Newport Banning Ranch property. No new oil operations are proposed in this location. The Project is consistent with this policy (see Section 4.9, Hazards and Hazardous Materials).</p>
Land Resources	
<p>Section 30240 Environmentally sensitive habitat areas; adjacent developments (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.</p>	<p>Please refer to the response to Section 30231 Biological productivity; water quality. No wetlands have been identified within the Project site. An off-site area containing salt grass and identified as “wetlands” occurs adjacent to the Project’s limits of grading west of the Project site. This grading is necessary to for the construction of the park access road. Based on the biological analysis conducted as a part of this EIR, a buffer of less than 100 feet from this designated “wetlands” would not reduce the biological integrity of this resource. The Project is consistent with this policy (see Section 4.6, Biological Resources). The nearest area outside of the Project site that may be considered an ESHA by the California Coastal Commission is located immediately west of the Project site. The proposed park access road is the closest development element to this potential ESHA. However, the construction of the park access road is not expected to affect this resource. The Project is consistent with this policy (see Section 4.6, Biological Resources).</p>
<p>Section 30244 Archaeological or paleontological resources Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p>As a part of the EIR, a prehistoric and historical archaeological resources assessment and paleontological resources assessment were prepared. The findings of these reports are presented in this EIR. A Mitigation Program is provided to mitigate potential significant impacts to a less than significant level. The Project is consistent with this policy (see Section 4.7, Cultural and Paleontological Resources).</p>
Development	
<p>Section 30251 Scenic and visual qualities The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.</p>	<p>The Project site includes a designated Public View Point and a 197,720 square-foot (sf) scenic easement imposed by Caltrans. No permanent structures or pavement would be located within the Caltrans scenic easement which affects the southerly portion of the site. The Park access road is proposed on the adjacent Newport Banning Ranch property, and therefore, the Caltrans scenic easement is not applicable to this portion of the Project site. In addition, the Public View Point area would contain an overlook with seating and shade structure. Walking paths and vegetation would be located in this area. The Project would allow for public access in the coastal zone for recreational opportunities and scenic views of the ocean from the site. Superior Avenue from Hospital Road to Coast Highway is designated as a Coastal View Road in the City’s General Plan Natural Resources Element. As stated above, the site contains a</p>

**TABLE 4.1-4 (Continued)
CALIFORNIA COASTAL ACT CONSISTENCY ANALYSIS**

Relevant California Coastal Act Policies	Consistency Analysis
	<p>designated Public View Point. Development of the Project would alter existing views along Superior Avenue; however, the change would be minimal and ocean views would be maintained.</p> <p>The Project site has been subject to prior modification through grading for past Caltrans and City road projects. The site does not contain coastal bluffs. Therefore, on-site landforms are not natural topographical features nor are they coastal bluffs. As a part of the Project, the topography of the site would be modified through grading and development of the site for the park and the associated access road. The design of Sunset Ridge Park has taken into account the topography of the site to the degree feasible while balancing the need to flatten areas for recreational uses, minimizing grading and the export of cut material from the site, providing public views from the site, while minimizing biological and topographical modifications. Where sensitive biological resources would be removed, these resources would be mitigated. The slopes around the perimeter of the property would also be graded and vegetated to appear as natural as possible. The site drainage patterns would remain similar to existing conditions. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics; Section 4.6 Biological Resources; Section 4.10, Hydrology and Water Quality).</p>
<p>Section 30253 Minimization of adverse impacts New development shall do all of the following:</p> <ul style="list-style-type: none"> (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development. (d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. 	<p>The Project site is not located in a high geologic, flood, or fire hazard area. Potential impacts associated with landform modification to implement the Project are addressed in this EIR. The Project would not result in any significant geologic instability. The site has been subject to extensive modification; there are no natural landforms (e.g., coastal bluffs) on the site. With respect to air quality, all potential air quality impacts can be mitigated to a less than significant level. The Project is consistent with this policy (see Section 4.1, Land Use and Related Planning Programs; Section 4.2, Aesthetics; Section 4.4, Air Quality and Climate Change; Section 4.8, Geology and Soils).</p>