

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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(562) 590-5071

Th13d



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original staff report

ADDENDUM

June 8, 2015

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM Th13d, CDP NO. 5-14-1784 FOR THE
COMMISSION MEETING OF THURSDAY, JUNE 11, 2015.**

1. CHANGES TO STAFF REPORT

Commission staff recommends modifications to the staff report dated 6/11/15 in the following sections of the staff report: Summary of Staff Recommendation, Section III (Special Conditions), and Section IV (Findings and Declarations). Language to be added to the findings and conditions is shown in underlined text, and language to be deleted is identified by ~~strike-out~~.

A. Page 11 – Include Language To Special Condition No. 11:

11. Native Landscaping, Drought Tolerant Non-Invasive Plants. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and written approval of the Executive Director, two (2) full size sets of revised landscaping plans prepared by a qualified licensed professional. The plan shall include the following:

1. Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).
2. A map showing the types, size, and locations of all plant materials that will be on the site, the temporary irrigation system, topography of the developed site, and all other landscape features;
3. A schedule for installation of native plants/removal of non-native plants; and

4. The site shall be stabilized immediately with jute matting or other BMPs after any grading occurs to minimize erosion during the raining season (November 1 to March 31) if plantings have not been fully established; ~~and~~
5. ~~Use of potable water for irrigation is prohibited~~
5. Turf is prohibited; and
6. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.

The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

...

B. Pages 2-3 – Include Language That Is Being Added To Special Condition No. 11, In Summary of Staff Recommendation:

During construction and post construction, the proposed project has potential for adverse impacts to water quality and marine resources. Therefore, as a result, several standard special conditions have been imposed in order to minimize any impacts to water quality and marine resources the proposed project may result in: **Special Condition No. 8** outlines construction best management practices, construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris; **Special Condition No. 9** requires the applicant submit a Storm Water Pollution Prevention Plan (SWPPP); and **Special Condition No. 11** requires the applicant to submit a revised landscape plan that only consist of native plants or non-native drought tolerant non-invasive plants ~~and the use of potable water for irrigation is prohibited~~. If only potable water is available for irrigation, then only drip or microspray irrigation systems may be used and the City shall consider other water conservation measures, such as weather based irrigation controllers.

...

C. Page 19 – Discuss Language To Be Added to Special Condition No. 11, In Section C. Water Quality:

Commission staff has reviewed the submitted landscaping plan and determined that it contains invasive plants such as, *Ornamental grass (Pennisetum Spp)*, *Blue Chalk Sticks (Senecio Serpens)*, etc. The landscape plan also includes non-drought tolerant plants, such as *Green Carpet (Carissa Macrocarpa)*, *Indian Hawthorne (Raphiolepis Indica)*, *Brisbane Box (Lophostemon Confertus)*, etc. Thus, any invasive and non-drought tolerant plants need to be removed and replaced in order to prevent the spread of non-native plants and to reduce the amount of water use. In light of the Governor's Executive Order (B-29-15) declaring a State of Emergency due to the drought, use of potable water for irrigation of ornamental turf on public

street medians is prohibited. The proposed project does not include the use of turf in any of the proposed street medians, which based on the Governor's order would have prohibited any irrigation with potable water. However, the applicant is proposing the use of potable water for median irrigation since reclaimed or recycled water is not available in the area. The applicant will incorporate other water conservation measures, such as drip or microspray irrigation systems, which will help minimize the use of water. To ensure the proposed project incorporates and implements these measures and considers other measures, such as weather based irrigations controllers. ~~Therefore,~~ the Commission imposes **Special Condition No. 10**, which requires the applicant to submit a revised landscape plan that only consist of native plants or non-native drought tolerant plants, which are non-invasive and drought tolerant ~~and the use of potable water for irrigation is prohibited.~~

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Filed:	12/24/14
180th Day:	6/24/15
Staff:	F. Sy-LB
Staff Report:	5/28/15
Hearing Date:	6/11/15

STAFF REPORT: REGULAR CALENDAR

Application No.: 5-14-1784

Applicant: City of Newport Beach Public Works
Department, Attn: Andy Tran

Project Location: Newport Boulevard from 30th Street to Via Lido, City of Newport Beach (Orange County)

Project Description: The addition of one (1) northbound lane along Newport Blvd from 30th Street to 32nd Street; addition of one (1) southbound lane from Via Lido to 32nd Street that will terminate as a right turn lane at 32nd Street; new landscaped medians; single bike lanes in both directions along Newport Boulevard. which results in a loss of twenty-five (25) curbside parking spaces to be made up at a new thirty-two (32) space public parking lot at Newport Blvd and 32nd Street; and landscaping located along Newport Blvd. from 30th Street to Via Lido.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

Commission staff is recommending **APPROVAL** of roadway work along Newport Boulevard from 30th Street to Via Lido in the City of Newport Beach. The major issues raised by this proposed development concern impacts to public access and water quality. The project site is located in an area that provides public access to the coast due to its unique recreational opportunities, large harbor and marina facilities and its coastal amenities, especially during the summer seasons. Newport Boulevard and the surrounding streets provide the means to these coastal access opportunities. Due to the significant increase of vehicles during the summer and

high traffic periods, Newport Boulevard is congested. Also, a significant amount of bicycle traffic is also present due to the proximity to the beach and Newport Boulevard is the main beach access thoroughfare. This proposed project will improve the roadways ability to handle traffic during congested periods and improve the level of service and will also improve the safety and mobility of bicycle traffic.

The project as originally submitted contained some components that are no longer part of the proposal, such as the proposed new public parking lot providing thirty-three (33) public parking spaces, the entrance to the new public parking lot being from Marcus Avenue, and having one (1) additional curbside parking space on Newport Boulevard just south of 30th Street. While the City has indicated that these project components have been revised, final plans have not yet been submitted. Thus, the Commission imposes **Special Condition No. 1**, which requires the permittee to submit revised project plans for the Executive Director's review and approval.

As a result of the introduction 6-foot wide bike lanes and widening of the road, the project results in the loss of twenty-five (25) existing public curbside parking spaces that were metered and cost \$1.00 per hour from 8am to 6pm. Nineteen (19) of these existing meter spaces have a 2 hour time limit and six (6) have a 30 minute time limit. To mitigate the loss of the twenty-five (25) existing public curbside parking spaces, the City is proposing a thirty-two (32) space public parking lot at the intersection of Newport Boulevard and 32nd Street that will utilize a payment kiosk and will charge \$1.50 per hour from 8am to 6pm with a 2 hour time limit. The new public parking lot will provide seven (7) additional public parking spaces. An existing bank building and associated parking lot will be demolished to make room for the new proposed public parking lot. Any potential future rate change to the proposed parking meters may result in adverse impacts to public access to the beach as the increased fee may dissuade visitors from coming to the coast. Thus, the Commission imposes **Special Conditions No. 2**, which requires any changes to the rate charged for parking or method of fee collection require review from the Executive Director to determine if an amendment to the permit or anew coastal development permit is needed. The proposed project may result in significant adverse impacts to public beach access, as a result, several standard special conditions have been imposed in order to minimize any impacts to public access the proposed project may result in: **Special Condition No.3** is a future improvements special condition; **Special Condition No. 4** prohibits construction during the "*peak use*" beach season, defined as the period starting the day before the Memorial Day weekend and ending the day after the Labor Day weekend of any year; **Special Condition No. 5** requires the applicant to submit a Construction Staging Plan; **Special Condition No. 6** requires the applicant to submit a Traffic Control Plan; and **Special Condition No. 7** states that the applicant shall dispose of all export at an appropriate location.

During construction and post construction, the proposed project has potential for adverse impacts to water quality and marine resources. Therefore, as a result, several standard special conditions have been imposed in order to minimize any impacts to water quality and marine resources the proposed project may result in: **Special Condition No. 8** outlines construction best management practices, construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris; **Special Condition No. 9** requires the applicant submit a Storm Water Pollution Prevention Plan (SWPPP); and **Special Condition No. 11** requires the applicant to submit a revised landscape plan that only consist of native plants or

non-native drought tolerant non-invasive plants and the use of potable water for irrigation is prohibited.

The applicant has submitted a Water Quality Management Plan (WQMP) that states that a major component of the project is the increase of pervious area due to the increase of landscaped areas in the medians and parking lot that will result in a reduction of adverse impacts to water quality. Due to the total net pervious area increase, the WQMP states that there are no hydrologic conditions of concern for this project. The WQMP states that Best Management Practices shall also be included such as catch basin inspection and street sweeping of the parking lot, etc. Additionally, the proposed project is required to evaluate the practicability of meeting the requirements of 'Green Streets', which is the benefit of improved water quality through the integration of techniques which use natural processes and landscaping. As proposed, the project meets the requirements of "Green Streets". The applicant has indicated that a new catch basin without a new filter will be installed in the alley between 30th Street and 31st Street and that any relocated/ modified catch basin/street inlet will have a trash rack and face plate installed to capture trash. However, discussion of the new catch basin or installation of trash racks and face plates in relocated/modified catch basins/street inlet is not provided in the WQMP. While the project has provided an increase of pervious area to provide an opportunity for water to permeate, there still is a large amount of existing surface drainage that will continue to flow into existing, relocated/modified or new catch basins/street inlets and thus the proposed project provides an opportunity to improve water quality. For example, the WQMP should state what training and controls are being provided on the use of pesticides to the maintenance staff; state what measures are being proposed with the project so as not to exacerbate the Total Maximum Daily Loads (TMDLs) established for Lower Newport Bay, which include metals, nutrients, other organics, pathogens, pesticides and toxicity; provide a drainage plan that indicates all existing and proposed surface flow in the area and location of existing and proposed catch basins/street drain inlets; identify discharge points to the bay; and all BMP measures to be implemented. In addition, the WQMP shall state that any new or relocated/modified catch basins/street drain inlets will be required to include trash racks or bars and grease and oil separators to filter runoff and all structural and non-structural BMP's shall be maintained. Therefore, it is necessary to impose **Special Condition No. 10**, which requires the applicant to submit a Revised Water Quality Management Plan (WQMP).

As conditioned, the proposed project will conform with Coastal Act Policy Sections 30210, 30211, 30212.5, 30213, 30230, 30231, 30232, and 30254 of the Coastal Act.

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APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

Exhibit No. 1 – Aerial Map

Exhibit No. 2 – Site Plan

Exhibit No. 3 – Representative Section of the Proposed Roadway Work

Exhibit No. 4 – New Public Parking Lot Site Plan

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 5-14-1784 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a Coastal Development Permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Revised Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and approval of the Executive Director, two (2) full size sets of revised project plans. The plans shall include the following: 1) the new public parking lot located at the intersection of Newport Boulevard and 32nd Street shall provide a minimum of thirty-two (32) public parking spaces; 2) vehicle entrance (ingress/egress) of the new public parking lot from 32nd Street; and 3) removal of the proposed one (1) curbside parking space on Newport Boulevard just south of 30th Street. The final project plans shall be in substantial conformance with the project plans received on November 5, 2014.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Agreement Regarding Future Fee Changes.** With the acceptance of this permit the permittee agrees that any change in the rate charged for parking or method of fee collection will require Executive Director review to determine if an amendment to the coastal development permit or a new coastal development permit will be required. Any proposed changes to the approved project, including but not limited to a fee increase of 25% or more in any given year or 50% or more on a cumulative basis over any three (3) consecutive year period, shall require an amendment to the permit or a new permit.

The permittee shall undertake the development authorized by the approved coastal development permit. No changes to the plans or the development authorized in this coastal development permit shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. **Future Development.** This permit is only for the development described in Coastal Development Permit No. 5-14-1784. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. 5-14-1784. Accordingly, any change in use or intensity of use and any future improvements to the road work authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(b) and Title 14 California

Code of Regulations Sections 13253(a)-(b), shall require an amendment to Permit No. 5-14-1784 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

- 4. Timing of Construction.** By acceptance of this permit, the applicant agrees to minimize adverse impacts to public access, as required below:

No construction shall occur during the “*peak use*” season, defined as the period starting the day before the Memorial Day weekend and ending the day after the Labor Day weekend of any year.

5. Construction Staging Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the permittee shall submit for the review and approval of the Executive Director, a construction staging plan, which indicates that the construction staging area(s) and construction corridor(s) will minimize public access impacts to the coast.

1. The plan shall demonstrate that:
 - (a) Construction equipment, materials or activity shall not occur outside the staging area and construction corridor identified on the site plan required by this condition;
 - (b) Construction equipment, materials, or activity shall not be placed outside of the immediate construction zone; and
 - (c) The construction staging area will gradually be reduced as less materials and equipment are necessary.
2. The plan shall include, at a minimum, the following components:
 - (a) A site plan that depicts:
 - (1) limits of the staging area(s);
 - (2) construction corridor(s); and
 - (3) construction site; and

The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is legally required.

6. Traffic Control Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and approval of the Executive Director, a traffic control plan that demonstrate the following:

1. Every effort shall be made to minimize the duration of sidewalk, bike and road lane closures so that impacts upon public access are minimized;
2. The sidewalk, bike and road lanes should be opened; and available for use to the maximum extent feasible during construction; and

3. A detour plan to re-route pedestrian and bicycle traffic shall be identified for those periods when the sidewalk and/or bicycle lane is closed for public safety purposes within the project area.

The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is legally required.

7. Location of Export Disposal Site. The applicant shall dispose of all export at an appropriate location. If the disposal site is located within the Coastal Zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

8. Construction Best Management Practices.

A. The permittee shall comply with the following construction-related requirements:

1. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion;
2. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
3. Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters;
4. Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
5. All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

B. Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:

1. The applicant shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible;
2. The applicant shall develop and implement spill prevention and control measures;

3. The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50-feet away from a stormdrain, open ditch or surface water; and
4. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.

9. Storm Water Pollution Prevention Plan (SWPPP). PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and approval of the Executive Director, two (2) sets of storm water pollution prevention plans (SWPPP) prepared and signed by licensed engineer that, at a minimum, meets the following:

The storm water pollution prevention plans must show that permittee is properly prepared to apply site design, source control and treatment control BMP's, appropriate for the potential stormwater pollutants at this site, in order to protect coastal waters from polluted runoff generated by construction activities to the maximum extent practicable.

The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is legally required.

10. Revised Water Quality Management Plan (WQMP). PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and approval of the Executive Director, two (2) sets of revised water quality management plans (WQMP) for the post-construction project site, prepared and signed by a licensed water quality professional, and shall include plans, descriptions, and supporting calculations. The WQMP shall be in substantial conformance with the *City of Newport Beach Department of Public Works Water Quality Management Plan (WQMP) for Newport Boulevard and 32nd Street Modification Project from 30th Street to Via Lido* dated October 2013. The WQMP shall incorporate structural and non-structural Best Management Practices (BMP's) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

1. Appropriate structural and non-structural BMP's (site design, source control and treatment control) shall be designed and implemented to minimize water quality impacts to surrounding coastal waters;
2. Impervious surfaces, especially directly connected impervious areas, shall be minimized, and alternative types of pervious pavement shall be used where feasible;
3. Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized;

4. Trash, recycling and other waste containers, as necessary, shall be provided. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals;
5. All runoff from the vehicle wash station shall be collected through the proposed wash rack and sand/oil separator and discharged only through the sewer system;
6. Runoff from all walkways, roads, driveway and parking areas shall be collected and directed through a system of structural BMP's including vegetated areas and/or gravel filter strips or other vegetated or media filter devices. The system of BMP's shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants (including trash, debris and vehicular fluids) through infiltration, filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff from the developed site in a non-erosive manner;
7. Post-construction structural BMP's (or suites of BMP's) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMP's, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMP's;
8. All structural and/or treatment control BMPs shall be designed, installed, and maintained for the life of the project in accordance with well-recognized and accepted design principles and guidelines, such as those contained in the California Stormwater Quality Association Best Management Practice Manuals;
9. All BMP traps/separators and/or filters shall be, at a minimum, inspected and cleaned/repared or otherwise maintained in accordance with the following schedule: (1) prior to the start of the winter storm season, no later than October 15th each year, (2) inspected monthly thereafter for the duration of the rainy season (October 15th -April 30), and cleaned/maintained as necessary based on inspection and, (3) inspected and maintained where needed throughout the dry season;
10. Debris and other water pollutants removed from structural BMP's during clean-out shall be contained and disposed of in a proper manner;
11. It is the permittee's responsibility to maintain the drainage system and the associated structures and BMP's according to manufacturer's specifications;
12. It shall provide the training information on the use of pesticides for the maintenance staff and what controls are being proposed for the use of pesticides;
13. It shall discuss what is being proposed with the project so as not exacerbate the Total Maximum Daily Loads (TMDLs) established for Lower Newport Bay, which include metals, nutrients, other organics, pathogens, pesticides and toxicity;
14. It shall provide a drainage plan that indicates all existing and proposed surface flow in the area and location of existing and proposed catch

- basins/street drain inlets; identify discharge points to the bay and BMP measures to be implemented; and
15. Any new catch basins/street drain inlets will be required to include trash racks or bars, and grease and oil separators to filter runoff.

The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is legally required.

11. Native Landscaping, Drought Tolerant Non-Invasive Plants. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and written approval of the Executive Director, two (2) full size sets of revised landscaping plans prepared by a qualified licensed professional. The plan shall include the following:

1. Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).
2. A map showing the types, size, and locations of all plant materials that will be on the site, the temporary irrigation system, topography of the developed site, and all other landscape features;
3. A schedule for installation of native plants/removal of non-native plants; and
4. The site shall be stabilized immediately with jute matting or other BMPs after any grading occurs to minimize erosion during the raining season (November 1 to March 31) if plantings have not been fully established; and
5. Use of potable water for irrigation is prohibited.

The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

IV. FINDINGS AND DECLARATIONS:

A. DESCRIPTION AND PROJECT LOCATION

The proposed project site is located within a fully urbanized section of the City of Newport Beach and proposes to improve a segment of Newport Boulevard that begins at the intersection with 30th Street and terminates at the intersection with Via Lido (**Exhibit No. 1**). Land uses to the east and west surrounding the project area predominantly consist of commercial and retail businesses located along Newport Boulevard and 32nd Street. The proposed project area is also adjacent to the former City of Newport Beach City Hall site located at the northeast corner intersection of Newport Boulevard and 32nd Street.

The proposed project site (Newport Boulevard and surrounding streets) is approximately 1,000 feet from the Pacific Ocean. The City of Newport Beach attracts visitors year round due to its unique recreational opportunities, large harbor and marina facilities and its coastal amenities. Like many beach communities, Newport Beach receives an influx of visitors during the summer. The project site is located in an area that provides public access to the coast. During summer seasons, many visitors to Newport Beach travel southbound on Newport Boulevard and head west on 32nd Street to access the beach and Newport Boulevard being a main access corridor. Due to the significant increase of vehicles, Newport Boulevard becomes congested during the summer. In addition, a significant amount of bicycle traffic is also present due to the proximity to the beach. This proposed project will improve the roadways ability to handle traffic during congested periods and improve the level of service. In addition, it will also improve the safety and mobility of bicycle traffic.

The proposed project (Newport Boulevard and 32nd Street Modification Project) has been designed to improve the intersection of Newport Boulevard and 32nd Street in order to reduce existing traffic congestion to an acceptable level of service (**Exhibits No. 2 and No. 3**). The proposed project would add one (1) additional northbound through lane along Newport Boulevard from 30th Street to 32nd Street and one (1) additional southbound through lane along Newport Boulevard from Via Lido to 32nd Street, terminating as a right turn only lane at 32nd Street. Proposed modifications to Newport Boulevard would also include introduction of raised landscaped medians, new catch basins along realigned curbs, and a single 6-foot wide bike lanes along both sides of the roadway. Introduction of the 6-foot wide bike lanes and widening of the roadway would result in the loss of twenty-five (25) curbside metered parking spaces on Newport Boulevard. The City has acquired the vacant Wachovia Bank building located at 3201 Newport Boulevard with a designated land use of Commercial Corridor (CC) in the City's certified Coastal Land Use Plan (CLUP) and the adjacent parking lot located at 3204 Marcus Avenue with a designated land use of Two-Family Residential (RT) in the City's certified Coastal Land Use Plan (CLUP) located at the northwest corner of Newport Boulevard and 32nd Street, for conversion to a public parking lot. The existing structure and supporting parking lot on both of these parcels would be demolished and the two parcels would be converted to a public parking lot. A minimum of thirty-two (32) public parking spaces will be provided as part of the project to replace the loss of twenty-five (25) curbside parking spaces for a net gain of seven (7) spaces (**Exhibit No. 4**). Access to this new public parking lot would via 32nd Street. The City has recorded partial land dedications from two City owned parcels for the proposed project. Existing

bus stops on both sides of Newport Boulevard would be relocated to a location near each existing bus stop. The project also includes hardscape, landscape, street light modifications with upgrades to LED, traffic signal modifications, traffic direction signing, pavement striping, new 48-inch high post and cable fencing to replace an existing chain link fence along the western portion of the proposed public parking lot adjacent to the channel and 1,000 cubic yards of export.

The introduction of the 6-foot wide bike lanes, and widening of the road, results in the loss of twenty-five (25) existing curbside parking spaces that were metered and cost \$1.00 per hour from 8am to 6pm. Nineteen (19) of these existing meters have a 2 hour time limit and six (6) have a 30 minute time limit. The proposed thirty-two (32) space public parking lot will utilize a payment kiosk and will charge \$1.50 per hour from 8am to 6pm with a 2 hour time limit. The proposed public parking lot is in accordance with City Council Ordinance No 2015-20, which established a new parking zone (Zone 31) for this public parking lot.

The applicant has stated that the parking lot will not have any fee restrictions after 6 pm, which is consistent with other nearby parking lots and on-street parking. Additionally, other than maintenance (pavement repair, pay station repair, etc.), the parking lot will not be closed. The applicant has stated that they have no intentions of providing preferential parking at this new public parking lot.

B. PUBLIC ACCESS

Section 30210 of the Coastal Act states in relevant part:

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 people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states in relevant part:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212.5 of the Coastal Act states, in relevant part:

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.

Section 30213 of the Coastal Act states, in relevant part:

Lower cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30210 of the Coastal act states that maximum access and recreational opportunities shall be provided. Section 30211 of the Coastal Act protects the public's right of access to the sea. Section 30212.5 of the Coastal Act states that public facilities, including parking areas shall be distributed throughout an area as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area. Section 30213 of the Coastal Act states that lower cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided.

The City of Newport Beach attracts visitors year round due to its unique recreational opportunities, large harbor and marina facilities and its coastal amenities. Like many beach communities, Newport Beach receives an influx of visitors during the summer. Newport Boulevard serves as the as the main beach thoroughfare along the peninsula leading to the many recreational beach amenities for the public in Newport Beach.

Since submittal of the proposed project, a number of components of the proposed project have changed, such as the new public parking lot providing thirty-two (32) parking spaces instead of thirty-three (33) public parking spaces, revising the entrance to the new public parking lot to be from 32nd Street and not Marcus Avenue, and the removal of a previously proposed one (1) additional curbside parking space on Newport Boulevard just south of 30th Street. However, final plans have not yet been submitted. Thus, the Commission imposes **Special Condition No. 1**, which requires the permittee to submit revised project plans for the Executive Director's review and approval.

The proposed project includes the introduction of 6-foot wide bike lanes and widening of the road resulting in the loss of twenty-five (25) existing curbside parking spaces that were metered and cost \$1.00 per hour from 8am to 6pm. Nineteen (19) of these existing meters have a 2 hour time limit and six (6) have a 30 minute time limit. The proposed thirty-two (32) space public parking lot will utilize a payment kiosk and will charge \$1.50 per hour from 8am to 6pm with a 2 hour time limit. The new public parking lot will provide seven (7) additional public parking spaces. The proposed public parking lot is in accordance with City Council Ordinance No 2015-20, which established a new parking zone (Zone 31) for this public parking lot. The proposed hourly parking fee and hours are consistent with the fees and hours in the surrounding area, such as \$1.50/hour at the Balboa Pier metered lot located adjacent to the Balboa Pier, the 19th Street metered lot located between 19th Street and 18th Street along the bay, and the 26th Street metered lot located between 26th Street and 23rd Street and W. Balboa Boulevard and Newport Boulevard.

The applicant has stated that the parking lot will not have any fee restrictions after 6 pm, which is consistent with other nearby parking lots and on-street parking. Other than maintenance

(pavement repair, pay station repair, etc.), the parking lot will not be closed and applicant has stated that no preferential parking or permit parking at this new public parking lot will be permitted.

Any potential future rate change to the proposed parking meters may result in adverse impacts to public access to the beach as the increased fee may dissuade visitors from coming to the coast. Such rate increases may adversely affect the ability of the public to enjoy the coast. Therefore, the Commission imposes **Special Conditions No. 2**, which requires any changes to the rate charged for parking or method of fee collection require review from the Executive Director to determine if an amendment to the permit or a new coastal development permit is needed. There is also significant potential for adverse impacts to public beach access as a result of any potential changes to the proposed project, such as a change in the number of parking spaces, roadway lanes and bike access.. Thus, to assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission imposes **Special Condition No.3**, which is a future improvements special condition.

The project area is the main access route used by the public to access the beach along the Newport peninsula. This proposed project will improve the level of service along Newport Boulevard that will improve public access to the coast. Currently, this section of Newport Boulevard operates at a level of service (LOS) of LOS F (significant delays) for one segment of Newport Boulevard and at LOS D (minimal delays) for another segment. The proposed project will improve the level of service to LOS D (minimal delays) and LOS B (no delays), respectively.

Construction activities during the "*peak beach use*" (as the period starting the day before the Memorial Day weekend and ending the day after the Labor Day weekend of any year) may adversely impact public access to these locations. The City intends to avoid construction during the "*peak beach use*", by proposing construction from September 2015 to March 2016 as indicated in the Mitigated Negative Declaration. To ensure that construction does not take place during the "*peak beach use*", the Commission imposes **Special Condition No. 4**, which prohibits construction during the "*peak use*" beach season, defined as the period starting the day before the Memorial Day weekend and ending the day after the Labor Day weekend of any year.

During construction of the proposed project, there is a potential that public access (vehicle, bicycle and pedestrian traffic) may be temporarily adversely impacted due to construction activity. In order to ensure that public access is protected and disruptions are minimized during construction, a Construction Staging Plan and Traffic Control Plan required. Construction Staging Plans should indicate the construction staging area and construction corridors and how they will minimize public access impacts to the nearby coast during construction, such as indicating the limits of the staging area; that construction equipment and material storage and activity shall not occur outside of the staging area and corridor; etc. Traffic Control Plans should indicate how traffic will be managed during construction so that any potential impacts to access to the coast are minimized, such as indicating that every effort shall be made to minimize disruption to sidewalk, bike and lane closures; that sidewalk, bike and lane shall be open and available for use to the maximum extent feasible during construction or alternate routes provided and clearly marked, etc. Neither of these plans have been submitted with the proposed project.

Thus, the Commission finds that it is necessary to impose **Special Condition No. 5**, which requires the applicant to submit a Construction Staging Plan and **Special Condition No. 6**, which requires the applicant to submit a Traffic Control Plan.

The applicant states that there will be approximately 1,000 cubic yards of export. However, the location of the export has not been identified. Thus, the Commission imposes **Special Condition No. 7**, which states that the applicant shall dispose of all export at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place

Conclusion

Thus, as conditioned, the Commission finds that the proposed project is consistent with Sections 30210, 30211, 30212.5, and 30213 of the Coastal Act with regard to the public's right of access to the sea.

C. WATER QUALITY

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

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 water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act states:

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.

Section 30230 of the Coastal Act requires that marine resources including biological productivity be protected. Section 30231 of the Coastal Act requires that the biological productivity of

coastal waters be maintained, and where feasible, restored. In addition, Sections 30230 and 30231 require that the quality of coastal waters be maintained and protected from adverse impacts. Section 30232 of the Coastal Act requires protection against the spillage of crude oil, gas, petroleum products, or hazardous materials in relation to any development.

1. Construction Impacts to Water Quality

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. Sediment discharged into coastal waters may cause turbidity, which can reduce foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, the Commission imposes **Special Condition No. 8**, which outlines construction best management practices, construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. This condition requires the applicant to remove any and all debris resulting from construction activities within 24 hours of completion of the project. In addition, all construction materials, excluding lumber, shall be covered and enclosed on all sides, and placed as far away from a storm drain inlet and receiving waters as possible.

Besides adhering to the construction best management practices as required by **Special Condition No. 8** above, a Storm Water Pollution Prevention Plan (SWPPP) should be prepared for the proposed project that would specifically deal with water quality on site during construction. The applicant acknowledges that a SWPPP needs to be development for the project site, but such a plan has not yet been development. Therefore, it is necessary to impose **Special Condition No. 9** which requires the applicant to submit a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the Executive Director.

2. Post-Construction Impacts to Water Quality

The proposed development will result in urban runoff entering the storm water system. Pollutants such as sediments or toxic substances such as grease, motor oil, heavy metals, pesticides and fertilizers are often contained within urban runoff entering the storm water system. In this case, the site drains roadways and a new public parking lot. Therefore, the primary post-construction water quality concerns associated with the proposed project include, grease, motor oil, heavy metals and trash. The proposed development would result in the discharge of storm water into the storm water conveyance system. Therefore, the project has the potential to affect the water quality of the coastal waters in Newport Beach.

The proposed project is considered development and there is an opportunity to improve water quality. Much of the pollutants entering the ocean come from land-based development. The Commission finds that it is necessary to minimize to the extent feasible within its jurisdiction the cumulative adverse impacts on water quality resulting from the proposed project. In order to deal with these post construction water quality impacts, the applicant has submitted a Water Quality Management Plan (WQMP): *City of Newport Beach Department of Public Works Water Quality Management Plan (WQMP) for Newport Boulevard and 32nd Street Modification Project from 30th Street to Via Lido dated October 2013*. The WQMP states that a major component of the

project is the increase of pervious area due to the increase of landscaped areas in the medians and parking lot that will result in a reduction of adverse impacts to water quality. There is approximately 0.10 acres of pervious area in the pre-project condition and the pervious area increases in the post-project condition to approximately 0.32 acres (an increase of .22 acres of pervious area). Due to the total net pervious area increase, there are no hydrologic conditions of concern for this project. The WQMP states that Best Management Practices shall also be included, such as catch basin inspection and street sweeping of the parking lot, etc. Additionally, the proposed project is required to evaluate the practicability of meeting the requirements of 'Green Streets', which is the benefit of improved water quality through the integration of techniques which use natural processes and landscaping. This requires the evaluation of alternate street design width, bioswales, bioretention curb extensions and sidewalk planters, permeable pavement, and sidewalk trees and tree boxes. Regarding street width reduction, the WQMP states that a reduction in lane width is not permitted and could result in a reduction of motorists safety. The WQMP also states that no bioswales are necessary since there is an increase of pervious area and that use of permeable pavement in conjunction with high traffic volume and high axle loads would be inappropriate. Lastly, the limited right of way prohibits the installation of sidewalk trees and tree boxes. The applicant has indicated that a new catch basin without a new filter will be installed in the alley between 30th Street and 31st Street and that any relocated or modified catch basin/street inlet will have a trash rack and face plate installed to capture trash. However, discussion of the new catch basin or installation of trash racks and face plates in relocated/modified catch basins/street drain inlets are not provided in the WQMP. While the project has provided an increase of pervious area to provide an opportunity for water to permeate, there still is a large amount of existing surface drainage that will continue to flow into existing, relocated/modified or new catch basins/street inlets and thus the proposed project provides an opportunity to improve water quality. Therefore, additional measures need to also be included into the WQMP to further protect from adverse impacts to water quality. The WQMP should state what training and controls are being provided on the use of pesticides to the maintenance staff. The WQMP should also state what is being proposed with the project so as not to exacerbate the Total Maximum Daily Loads (TMDLs) established for Lower Newport Bay, which include metals, nutrients, other organics, pathogens, pesticides and toxicity. Additionally, the WQMP should provide a drainage plan that indicates all existing and proposed surface flow in the area and location of the existing and proposed catch basins/street drain inlets; identify discharge points to the bay; and all BMP measures to be implemented. In addition, the WQMP shall state that any new or relocated/modified catch basins/street drain inlets will be required to include trash racks or bars, and grease and oil separators to filter runoff and all structural and non-structural BMP's shall be maintained. Therefore, it is necessary to impose **Special Condition No. 9**, which requires the applicant to submit a Revised Water Quality Management Plan (WQMP). The Revised Water Quality Management Plan shall meet water quality goals such as use of appropriate structural and non-structural BMP's designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site and that runoff from all roadways, parking areas, and maintenance areas shall be collected and directed through a system of structural BMP's or media filter devices.

The applicant has stated that landscaping is proposed and plans have been submitted. The placement of any vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants

and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society (www.CNPS.org) in their publications. Furthermore, any plants in the landscape plan should only be drought tolerant to minimize the use of water (and preferably native to coastal Orange County). The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).

Commission staff has reviewed the submitted landscaping plan and determined that it contains invasive plants such as, *Ornamental grass (Pennisetum Spp)*, Blue Chalk Sticks (*Senecio Serpens*), etc. The landscape plan also includes non-drought tolerant plants, such as *Green Carpet (Carissa Macrocarpa)*, *Indian Hawthorne (Raphiolepis Indica)*, *Brisbane Box (Lophostemon Confertus)*, etc. Thus, any invasive and non-drought tolerant plants need to be removed and replaced in order to prevent the spread of non-native plants and to reduce the amount of water use. In light of the Governor's Executive Order (B-29-15) declaring a State of Emergency due to the drought, use of potable water for irrigation is prohibited. Therefore, the Commission imposes **Special Condition No. 10**, which requires the applicant to submit a revised landscape plan that only consist of native plants or non-native drought tolerant plants, which are non-invasive and drought tolerant and the use of potable water for irrigation is prohibited.

Conclusion

Thus, as conditioned, the Commission finds that the proposed project is consistent with Sections 30230, 30231 and 30232 of the Coastal Act with regard to maintaining and enhancing marine resources, biological productivity and water quality and protection against the spillage of crude oil, gas, petroleum products, or hazardous materials in relation to any development.

D. GROWTH INDUCING DEVELOPMENT

Section 30254 of the Coastal Act states:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

The proposed project is to reduce existing traffic congestion to an acceptable level of service on a popular roadway that provides access to the coast that experiences significant congestion, especially during the summer season. This proposed project will improve existing access to the coast. The proposed project is not designed to accommodate future growth, thus is it not growth inducing.

Conclusion

Based on the foregoing the Commission finds that the proposed project, as conditioned to deal with public access and water quality issues as detailed above, is consistent with Section 30254 of the Coastal Act.

E. LOCAL COASTAL PROGRAM (LCP)

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (“LCP”), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Coastal Land Use Plan (CLUP) for the City of Newport Beach was effectively certified on May 19, 1982. The certified CLUP was updated on October 2005 and in October 2009. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified CLUP for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Newport Beach is the lead agency for purposes of CEQA compliance. A Mitigated Negative Declaration was approved for this project in October 2014 pursuant to the provisions of CEQA. Mitigation measures included a measure to minimize any impacts to cultural resources, geology and soils and noise.

The proposed project is located in an urban area. Infrastructure necessary to serve the project exists in the area. The proposed project has been conditioned in order to be found consistent with the resource protection policies of the Coastal Act. As conditioned, the proposed project has been found consistent with the public access and water quality policies of the Coastal Act.

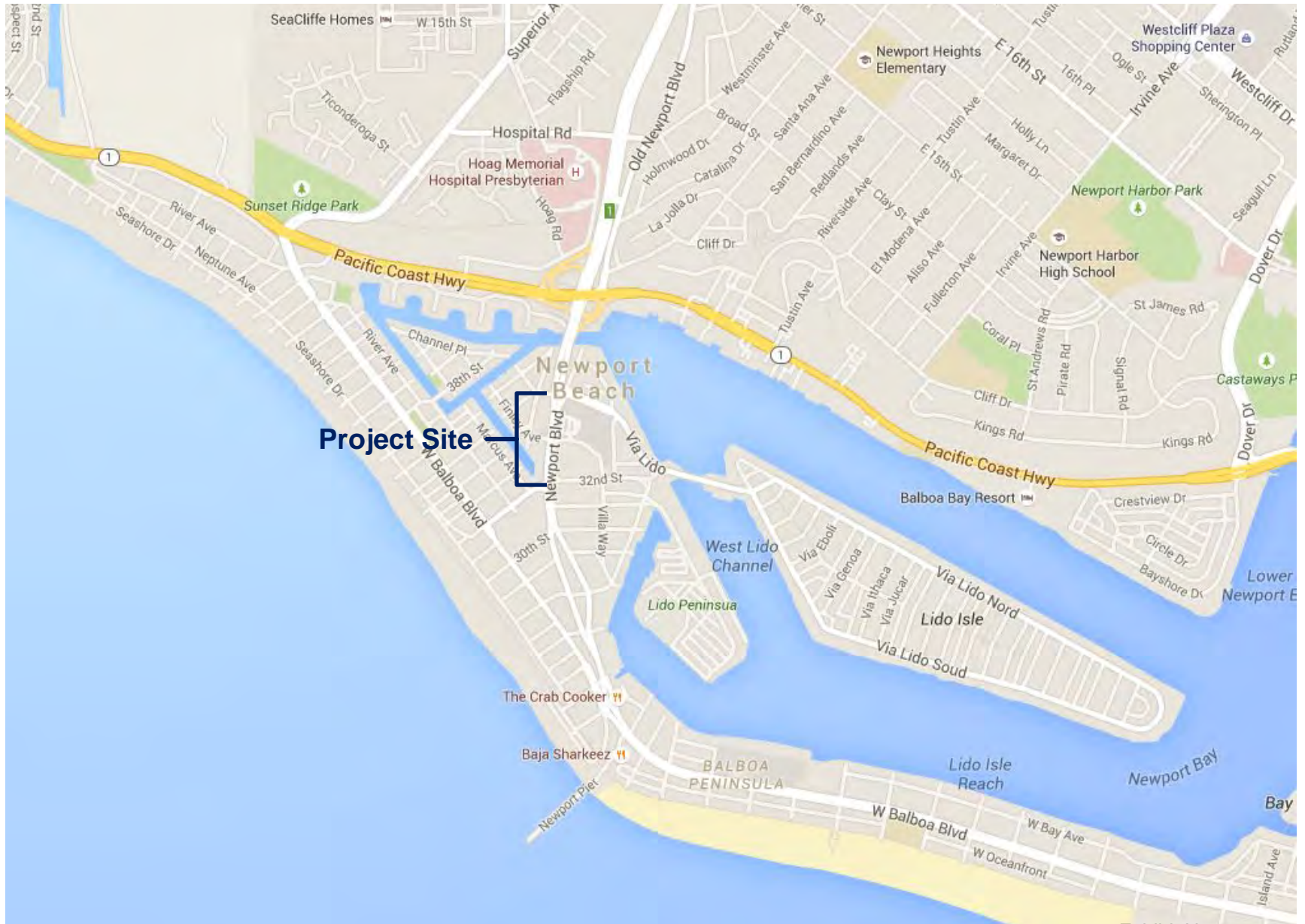
As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed

project, as conditioned to mitigate the identified effects, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

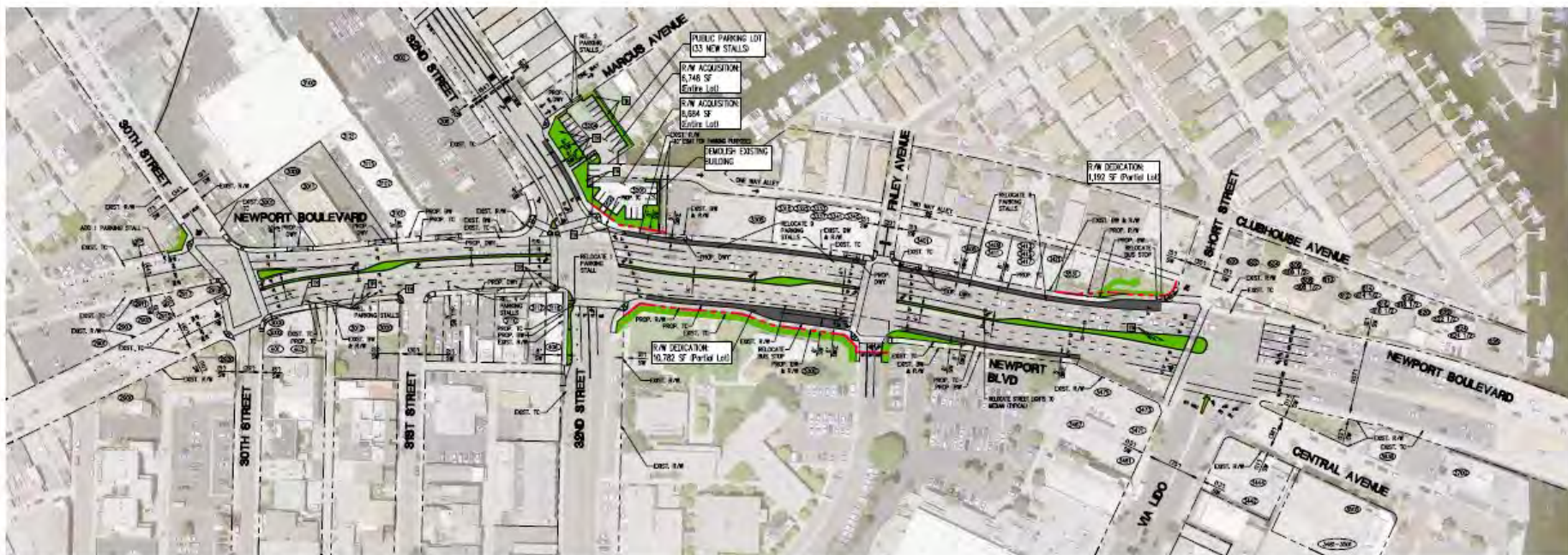
APPENDIX 1

SUBSTANTIVE FILE DOCUMENTS: City of Newport Beach certified Coastal Land Use Plan (CLUP); Mitigated Negative Declaration SCH # 2014091008; City Council Resolution No. 2014-93 Adopting Mitigated Negative Declaration ND2014-001 (SCH # 20014091008) dated October 28, 2014; City of Newport Beach City Council Resolution No. 2015-20; City of Newport Beach Planning Department Approval-In-Concept dated October 30, 2014; *City of Newport Beach Department of Public Works Water Quality Management Plan (WQMP) for Newport Boulevard and 32nd Street Modification Project from 30th Street to Via Lido* dated October 2013; Letter from Commission staff to the applicant dated November 25, 2014; and Letter from the applicant to Commission staff dated December 19, 2014.

Aerial Plan




Site Plan

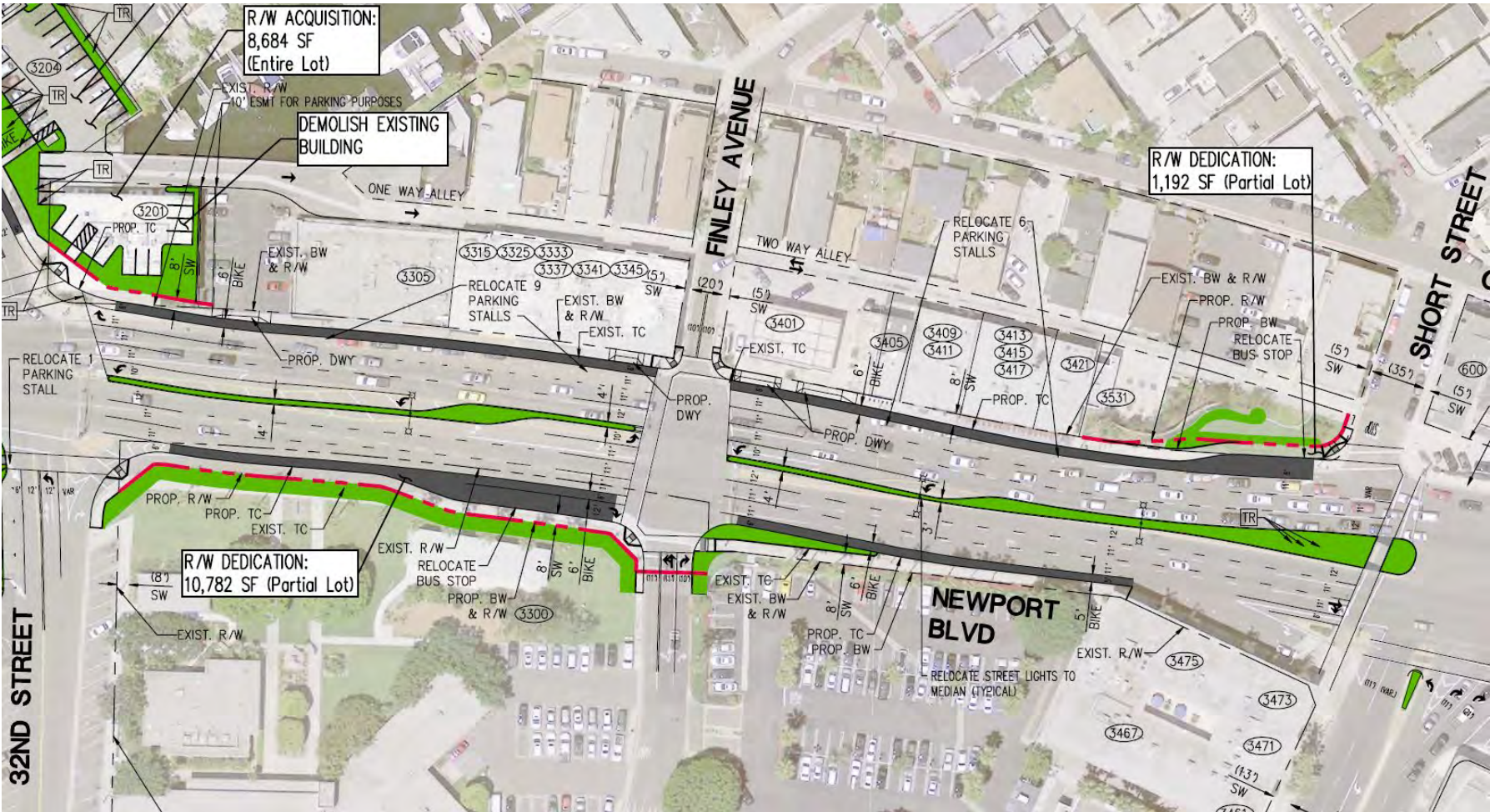


- LEGEND**
- XXXX STREET ADDRESS NUMBER
 - PROPOSED LANDSCAPING
 - PROPOSED CONCRETE BIKE LANE AND BUS TURNOUT
 - PROPOSED R/W
 - X REMOVE EXISTING TREE



PREPARED BY:						CONCEPT PLAN FOR NEWPORT BLVD AND 32ND ST WIDENING	
	VA Consulting, Inc. ENGINEERS • PLANNERS • SURVEYORS						
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NO.	DATE	DESCRIPTION OF REVISIONS		APPROVED		CITY OF NEWPORT BEACH PUBLIC WORKS DEPARTMENT	
						DATE: 11/15/24	
						SHEET 1 OF 1	

Representative Section of the Proposed Roadway Work



New Public Parking Lot Site Plan

