

**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
<b>Goal N1: Noise and Land Use Compatibility--Minimized land use conflicts between various noise sources and other human activities.</b>		
<p>N1.1: 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. (Imp 2.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Section <a href="#">20.30.080</a> was added in 2010 in response to the 2006 Noise Element. It was said to augment and be consistent with existing Chapters <a href="#">10.26</a> (Community Noise Control) and <a href="#">10.28</a> (Loud and Unreasonable Noise)</p>
<p>N1.2: Noise Exposure Verification for New Development- Applicants for proposed residential or mixed-use projects located in areas projected to be exposed to 65-70 dBA CNEL or greater, as shown on Figure N5 must conduct a noise study 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 measures when other planning considerations are taken into account, consistent with Title 21 of the California Code of Regulations. (Imp 2.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Policy <a href="#">N1.2</a> and NBMC Subection <a href="#">20.30.080.F</a> were modified in response to adoption of the 6<sup>th</sup> Cycle Housing Element. See Council <a href="#">Item 22</a> from 11/14/2023.</p> <p>Formerly it allowed a demonstration of feasibility for all projects exposed to 60 dB CNEL or higher. Now it requires the demonstration but only residential projects with the Airport-adjacent map area and above 65 dB. It is not clear the chnage to other parts of the City was intentional.</p> <p>The added reference to “Title 21 of the California Code of Regulations” seems to be to Division 2.5, <a href="#">Chapter 6</a> (Noise Standards) related to aviation noise. It is not clear what being “consistent with” it is intended to mean. Allowing residential development on parcels even partially exposed to airport-related noise of 65 dBA CNEL or more seems inherently inconsistent with this Title 21, whose <a href="#">purpose</a> is “to prevent the development of new noise problems” and which, in <a href="#">21 CCR 5012</a>, sets 65 dBA CNEL as the maximum</p>

**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
		<p>“acceptable level of aircraft noise for persons living in the vicinity of airports.”</p> <p>NBMC Subsection <a href="#">20.30.080.C</a> continues to echo the former NR 1.2.</p>
<p>N1.3: Remodeling and Additions of Structures- Require that all remodeling and additions of structures comply with the noise standards shown in Table N3. (Imp 7.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Chapter <a href="#">10.26</a> (Community Noise Control).</p>	<p>I am unable to find any specific implementation of this.</p>
<p>N 1.4: New Developments in Urban Areas- Require that applicants of residential portions of mixed-use projects and high density residential developments in urban areas (such as the Airport Area and Newport Center) demonstrate that the design of the structure will adequately isolate noise between adjacent uses and units (common floor/ceilings) in accordance with the California Building Code. (Imp 7.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>The only implementation I can find is Subsection 20.30.080.F. 3. “The design of the residential portions of mixed-use projects and residential developments shall have adequate noise attenuation between adjacent uses and units (common floor/ceilings) in accordance with the California Building Code.”</p> <p>What does the CA Building Code require?</p>
<p>N1.5: Infill Projects- Allow a higher (above 65 dBA CNEL) exterior noise level standard for infill projects in existing residential areas adjacent to major arterials if it can be shown that there are no feasible mechanisms to meet the exterior noise levels. The interior standard of 45 dBA CNEL shall be enforced for any new residential project or mixed-use project containing a residential component, consistent with Title 21 of California Code of Regulations. (Imp 2.1, 7.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Chapter <a href="#">10.26</a> (Community Noise Control) and the California Building Code.</p>	<p>Policy N1.5 was <a href="#">modified</a> in response to adoption of the 6<sup>th</sup> Cycle Housing Element. See Council <a href="#">Item 22</a> from 11/14/2023.</p> <p>It now allows exterior levels above 65 dBA CNEL. The acceptable level was formerly unspecified.</p>
<p>N1.5A: Airport Area Infill Projects- Allow infill residential projects proximate to John Wayne Airport to have a higher exterior noise level standard (65-70 dBA CNEL) if it can be shown that there are no practical mechanisms or designs to meet the exterior noise levels. The interior standard of 45 dBA CNEL shall be enforced for any residential component of</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Policy N1.5 was added in response to adoption of the 6<sup>th</sup> Cycle Housing Element. See Council <a href="#">Item 22</a> from 11/14/2023.</p> <p><a href="#">It seems to belong under Goal 3.</a></p>

**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
<p>projects. No residential units may be located on parcels wholly within the John Wayne Airport 65 dBA CNEL noise contour area as shown in Figure N5, of the Noise Element of the General Plan, unless and until the City determines, based on substantial evidence, that the sites wholly within such contour area are needed for the City to satisfy its Sixth Cycle RHNA mandate. Nonresidential uses are encouraged on parcels located wholly within the 65 dBA CNEL contour area, shown in Figure N5.</p>		
<p>N1.6 Mixed-Use Developments- Encourage new mixed-use developments to site loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noise sources away from the residential portion of the development. (Imp 7.1, 8.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Implemented in Subsection 20.30.080.F.4, but it applies only to high-noise projects in the Airport Area.</p>
<p>N1.7: Commercial/Entertainment Uses- Limit hours and/or require attenuation of commercial/entertainment operations adjacent to residential and other noise sensitive uses in order to minimize excessive noise to these receptors. (Imp 2.1, 8.1, 8.2)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Can be augmented by conditions added to Use and Special Event permits.</p>
<p>N1.8: 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. (Imp 2.1, 7.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Specifically, NBMC Subsection 20.30.080.G</p>
<p><b>Goal N2: Transportation-Related Noise--Minimized motor vehicle traffic and boat noise impacts on sensitive noise receptors</b></p>		
<p>N2.1: New Development- Require that proposed noise-sensitive uses in areas of 60 dBA and greater, as determined the analyses stipulated by Policy N1.1, demonstrate that they meet interior and exterior noise levels. (Imp 2.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>See N2.2. The former implementation has become muddled by Airport Area/Housing Element revisions.</p>

**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
<p>N2.2: Design of Sensitive Land Uses- Require the use of walls, berms, interior noise insulation, double paned windows, advanced insulation systems, or other noise measures, as appropriate, in the design of new residential developments to attenuate noise levels to not exceed 45 dBA CNEL interior. Other new noise sensitive land uses that are adjacent to major arterials and located proximate to John Wayne Airport (e.g., infill residential) and within the 65-70 dBA CNEL noise contour area are required to be indoor-oriented to reduce noise impacts on outdoor living or recreational areas. Application of the Noise Standards in Table N2 shall govern this requirement. (Imp 7.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Policy N2.2 was <a href="#">modified</a> in response to adoption of the 6<sup>th</sup> Cycle Housing Element. See Council <a href="#">Item 22</a> from 11/14/2023.</p> <p>The “45 dBA CNEL interior” standard and the sentence following it were added. That sentence really seems like it belongs under Goal 3. The opening sentence also formerly applied to all sensitive uses, not just residential.</p> <p>The former reference to “Table N3” (Noise Standards) seems to have been incorrectly changed to “Table N2” (Land Use Noise Compatibility Matrix).</p>
<p>N2.3: Limiting Hours of Truck Deliveries- Limit the hours of truck deliveries to commercial uses abutting residential uses and other noise sensitive land uses to minimize excessive noise unless there is no feasible alternative. Any exemption shall require compliance with nighttime (10:00 P.M. to 7:00 A.M.) noise standards. (Imp 2.1, 8.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080.D</a> (Noise).</p>	
<p>N2.4: Interagency Coordination to Enforce Standards- Encourage the enforcement of State Motor Vehicle noise standards for cars, trucks, and motorcycles through coordination with the California Highway Patrol and Newport Beach Police Department. (Imp 14.16, 14.17)</p>		<p>How implemented?</p>
<p>N2.5: Boating Activities- Enforce compliance of all boating activities with the noise standards defined in the Municipal Code. (Imp 26.1)</p>	<p>NBMC Subsections <a href="#">17.10.050.A</a> (Marine Activities Permit), <a href="#">17.25.020</a> (Anchorage, Berthing and Mooring Regulations), <a href="#">17.25.030.A.1.b.i</a> (Storage Regulations), and <a href="#">17.35.020.A.3</a> (Piers)</p>	

**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
<p>N2.6: Barrier Construction Funding- Establish a program to secure funding for the construction of noise barriers to protect private outdoor yard areas along arterial roadways where existing homes are exposed to noise levels above the City noise standards and develop a priority program for the construction of such barriers. A potential source of such funding may be a fee for new projects, which generate new traffic within the City, as well as road improvement funds where road improvements are made. The amount of these fees should be proportional to the amount of the new traffic that is caused by the new project. It should be recognized that noise barriers will not always be feasible mitigation to roadway noise. Noise barriers are most feasible for single-family homes where the rear yards are adjacent to the roadway. The feasibility of other situations should be evaluated on a case-by case basis. (Imp 30.2)</p>		<p>Imp. 30.2 is “Administer Impact and User Fees”</p>
<p><b>Goal N3: Transportation-Related Noise--Protection of Newport Beach residents from the adverse noise impacts of commercial air carrier operations at John Wayne Airport as provided in the City Council Airport Policy.</b></p>		
<p>N3.1: New Development- Ensure new development is compatible with the noise environment proximate to John Wayne Airport by not allowing residential units on parcels located wholly within the John Wayne Airport 65 dBA CNEL noise contour, as shown in Figure N5 of the Noise Element of the General Plan, unless and until the City determines, based on substantial evidence, that the sites wholly within such contour area are needed for the City to satisfy its Sixth Cycle RHNA mandate. (Imp 2.1, 3.1, 4.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Policy N3.1 was <a href="#">modified</a> in response to adoption of the 6<sup>th</sup> Cycle Housing Element. See Council <a href="#">Item 22</a> from 11/14/2023.</p> <p>It formerly required land use compatibility to be guided by noise contours no larger than those in the 1985 JWA Master Plan.</p> <p>It now seems to require consideration only for residential projects on parcels wholly within a 65 dBA contour that was <a href="#">revised</a> to be smaller than the Master Plan.</p> <p>The implementation in NBMC Subection 20.30.080.F relaxes the standard to</p>

**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
		“parcels or sites” (a site potentially consisting of multiple parcels, any portion of any one of which being outside 65 dBA would exempt the project).
<p>N3.2: Residential Development- Require that residential development proximate to John Wayne Airport shall not be located on parcels wholly within the John Wayne Airport 65 dBA CNEL noise contour shown in Figure N5 of the Noise Element of the General Plan, unless and until the City determines, based on substantial evidence, that the sites wholly within such contour area are needed for the City to satisfy its Sixth Cycle RHNA mandate. Require developers of residential or mixed-use land uses with a residential component to notify prospective purchasers or tenants of aircraft noise. Additionally, require outdoor common areas or recreational areas of residential or mixed-used developments to be posted with signs notifying users regarding the proximity to John Wayne Airport and the presence of operating aircraft and noise. (Imp 2.1, 3.1, 4.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>Policy N3.1 was <a href="#">modified</a> in response to adoption of the 6<sup>th</sup> Cycle Housing Element. See Council <a href="#">Item 22</a> from 11/14/2023.</p> <p>It formerly required residential development to be located outside a 65 dBA CNEL contour no larger than the one in the 1985 JWA Master Plan.</p>
<p>N3.3: Avigation Easement- Consider requiring the dedication of avigation easements in favor of the County of Orange when noise sensitive uses are proposed in the JWA planning area, as established in the JWA Airport Environs Land Use Plan (AELUP). (Imp 2.1, 3.1, 4.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	<p>This is addressed in Subsections E.2 and H of NBMC Section 20.30.080, which appear to inadvertently be duplicates.</p> <p>Why is the City promoting avigation easements? It seems like condemning swaths of land to permanent noise.</p>
<p>N3.4: Existing Noise Restrictions- Take any action necessary to oppose any attempt to modify the existing noise restrictions, including the existing curfew and the General Aviation Noise Ordinance. (Imp 9.1)</p>	<p>City Council Policy <a href="#">A-17</a>. Monitored by the City Manager and City’s Aviation Committee.</p>	
<p>N3.5: Additional Facilities at John Wayne Airport- Take any action necessary to oppose any attempt to construct a second air carrier runway including the acquisition of land</p>	<p>City Council Policy <a href="#">A-17</a>. Monitored by the City Manager and City’s Aviation Committee.</p>	

**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
<p>necessary to provide required separation of the existing air carrier runway and any proposed facility. (Imp 9.1)10</p>		
<p>N3.6: Existing Level of General Aviation Operations- Support any plan or proposal that maintains, and oppose any plan or project that proposes any significant changes to the existing level of general aviation operations and general aviation support facilities. (Imp 9.1)</p>	<p>City Council Policy <a href="#">A-17</a>. Monitored by the City Manager and City's Aviation Committee.</p>	
<p>N3.7: Remote Monitoring Systems- Support preservation or enhancement of the existing remote monitoring systems (RMS) and the public reporting of the information derived from the RMS. (Imp 9.1)</p>	<p>City Council Policy <a href="#">A-17</a>. Monitored by the City Manager and City's Aviation Committee.</p>	
<p>N3.8: Meeting Air Transportation Demand- Support means of satisfying some of Orange County's air transportation demand at airports other than John Wayne Airport or through alternative means of transportation. (Imp 14.3)</p>	<p>City Council Policy <a href="#">A-17</a>. Monitored by the City Manager and City's Aviation Committee.</p>	
<p>N3.9: John Wayne Airport Amended Settlement Agreement- Take all steps necessary to preserve and protect the validity of the John Wayne Airport Amended Settlement Agreement, including the following:</p> <ul style="list-style-type: none"> <li>▪ Oppose, or seek protection from any federal legislative or regulatory action that would or could affect or impair the County's ability to operate John Wayne Airport consistent with the provisions of the John Wayne Airport Amended Settlement Agreement or the City's ability to enforce the Amended Settlement Agreement.</li> <li>▪ Approving amendments of the John Wayne Airport Settlement Agreement to ensure continued validity provided amendments are consistent with the City Council Airport Policy, do not materially impair the quality of life, and are in the long-term best interests of Newport Beach residents.</li> </ul>	<p>City Council Policy <a href="#">A-17</a>. Monitored by the City Manager and City's Aviation Committee.</p>	



**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
<ul style="list-style-type: none"> <li>Continuing to monitor possible amendment of the Airport Noise and Capacity Act of 1990 as well as various FAA Regulations and Advisory Circulars that relate to aircraft departure procedures. (Imp 14.3)</li> </ul>		
<p>N3.10: Community and Public Agency Support- Take steps necessary to secure broad-based support for all aspects of the City Council Airport Policy. (Imp 14.3, 29.1)</p>	<p>City Council Policy <a href="#">A-17</a>. Monitored by the City Manager and City’s Aviation Committee.</p>	
<p><b>Goal N4: Minimization of Nontransportation-Related Noise--Minimized nontransportation related noise impacts on sensitive noise receptors.</b></p>		
<p>N4.1: Stationary Noise Sources- Enforce interior and exterior noise standards outlined in Table N3, and in the City’s Municipal Code to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources, such as heating, ventilation, and air conditioning equipment. (Imp 7.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Chapter <a href="#">10.26</a> (Community Noise Control), specifically Section <a href="#">10.26.045</a>.</p>	
<p>N4.2: New Uses- Require that new uses such as restaurants, bars, entertainment, parking facilities, and other commercial uses where large numbers of people may be present adjacent to sensitive noise receptors obtain a use permit that is based on compliance with the noise standards in Table N3 and the City’s Municipal Code. (Imp 2.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Chapters <a href="#">20.20</a> (Commercial Zoning Districts), <a href="#">20.22</a> (Mixed-Use Zoning Districts), and <a href="#">20.52</a> (Permit Review Procedures).</p>	
<p>N4.3: New Commercial Developments- Require that new commercial developments abutting residentially designated properties be designed to minimize noise impacts generated by loading areas, parking lots, trash enclosures, mechanical equipment, and any other noise generating features specific to the development to the extent feasible. (Imp 2.1)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">20.30.080</a> (Noise).</p>	
<p>N4.4: Limiting Hours of Recreational Activities- Limit hours when recreational activities in parks and the harbor can take place. (Imp 9.1, 23.4)</p>	<p>Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">-11.04.040</a> (Park Hours) and Chapter <a href="#">17.10</a> (Marine Activities Permit).</p>	



**GPAC Noise Subcommittee**  
**Current General Plan Noise Element Policy Matrix**

Current Goal or Policy	Implementation Notes	GPAC Subcommittee Notes
N4.5: Sound-Amplifying Equipment- Regulate the use of sound-amplifying equipment through the City’s Municipal Code. (Imp 2.1, 8.2)	Implemented through administration of Newport Beach Municipal Code (NBMC) Chapter <a href="#">10.26</a> (Community Noise Control) and Chapter <a href="#">10.32</a> (Sound-Amplifying Equipment).	
N4.6: 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)	Implemented through administration of Newport Beach Municipal Code (NBMC) Chapter <a href="#">10.28</a> (Loud and Unreasonable Noise).	
N4.7: Nuisances- Regulate the control of nuisances such as residential party noise, boat party noise, private fireworks, and barking dogs, through the City Municipal Code. (Imp 8.1, 26.1)	Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">7.20.010</a> (Noisy Animals), Chapters <a href="#">10.28</a> (Loud and Unreasonable Noise) and <a href="#">10.66</a> (Loud and Unruly Gatherings).	
N4.8: Mechanized Landscaping Equipment- Regulate the use of mechanized landscaping equipment. (Imp 8.1)	Implemented through administration of Newport Beach Municipal Code (NBMC) Section <a href="#">6.04.040</a> (Leaf Blowers) and Chapter <a href="#">10.28</a> (Loud and Unreasonable Noise).	
<b>Goal N5: Construction Noise--Minimized excessive construction-related noise.</b>		
N5.1: Limiting Hours of Activity- Enforce the limits on hours of construction activity. (Imp 8.1)	Implemented through administration of Newport Beach Municipal Code (NBMC) Chapter <a href="#">10.28</a> (Loud and Unreasonable Noise).	