

## December 3 2025, GPUSC Item IV.b Comments

These comments on an item on the Newport Beach [General Plan Update Steering Committee agenda](#) are submitted by: Jim Mosher ( [jimmosher@yahoo.com](mailto:jimmosher@yahoo.com) ), 2210 Private Road, Newport Beach 92660 (949-548-6229)

### ***Item IV.b. Review of GPAC's Meeting on November 5, 2025 (Attachment 2 - Draft Noise Element)***

Following the November 5 GPAC meeting, I submitted some comments to City staff attempting to clarify some of the suggestions made at that meeting and to suggest additional parts that may need attention.

I believe the redline you are seeing as Attachment 2 reflects staff's response to those comments and the ones received at the November 5 meeting.

I appreciate nearly all the changes that have been made, but am attaching a copy of Attachment 2 with some additional comments.

The principal issues I think need further attention are:

1. I believe it would be useful to include a table defining the noise standards expected within the exterior and particularly the interior spaces of new development. Most noise elements include such a table, as did the 1994 Newport Beach Noise Element. I do not know why it was removed in 2006, but I do not think anything in the Municipal Code has since replaced it.
2. I remain troubled by the proposed changes to Policy N-1.8, which sets the inverse standard of what a significant noise impact of a new development on its neighbors is. This is particularly critical because the existing policy is used to limit how much impact flights from John Wayne Airport can have on our community.
3. I remain disappointed by the analysis of existing and projected traffic noise portrayed in proposed Figures N1 and N2.
4. I appreciate that the "correct" projected *future* aviation noise contours (the JWA Settlement Agreement contours projected for December 31, 2030) are now portrayed in proposed Figure N3; but I remain baffled why we are not including an additional figure showing the *existing* aviation noise contours, which are readily available from JWA and arguably required by state mandate to be shown in the noise element.

Please see the separate copy of Attachment 2 with comments added as described above.

# Noise Element

## PURPOSE

The purpose of the Noise Element is to include noise control in the planning process in order to maintain land use compatibility with environmental noise levels. This 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.

## OVERVIEW

The Noise Element closely follows the State guidelines as required by Section 46050.1 of the Health and Safety Code. The Element quantifies the community noise environment in terms of noise exposure contours for both near and long-term levels of growth and traffic activity. The information contained in this document provides the framework to achieve compatible land uses and provide baseline levels and noise source identification for local noise ordinance enforcement.

Sound is created when objects vibrate and produce pressure variations that move rapidly outward into the surrounding air. The main characteristics of these air pressure waves are amplitude, which we experience as a sound's "loudness" and frequency, which we experience as a sound's "pitch." The standard unit of sound amplitude is the decibel (dB), which is a measure of the physical magnitude of the pressure variations relative to the human threshold of perception. The human ear's sensitivity to sound is dependent upon both amplitude and frequency. To measure sound in a way that matches human perception, a weighted scale is used. ~~dependent and thus a weighting scale is used to account for this, as, The~~ A-weighted decibels (dBA) scale measures sound to reflect both amplitude and frequency as it relates to the sensitivity of the human ear. ~~incorporate human sensitivity to a sound's frequency as well as its amplitude.~~

Noise is generally defined as unwanted sound, aspects of which can negatively affect the physiological or psychological well-being of individuals or communities. A typical noise

# Summary of Comments on Agenda

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	Number: 1	Author: R700	Subject: Comment on Text	Date: 12/02/2025 10:12:34 AM
Should be "(dBA)" without the "s"				

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environment consists of a base of <sup>1</sup>ambient or “background” noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise from, for example, traffic on a major highway. Noise in excessive levels can affect our living environment and quality of life.

Several quantitative indicators are commonly used to gauge the likelihood that environmental noise would have an adverse effect on a community. These indicators consider that the most disruptive aspects of noise are strongly associated with the average acoustical energy content of the sound over the time it occurs and/or with the time of day when the sound occurs. The indicators used to measure <sup>2</sup>exterior sound level exposure in the Noise Element are as follows:

- $L_{eq}$ , the equivalent energy noise level, is the average acoustic energy content of noise for a stated period of time. Thus, the  $L_{eq}$  of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. Common averaging times for  $L_{eq}$ s range from 5-minutes for a steady sound source like an air conditioning unit, 10 to 15 minutes for steady traffic, to 1-hour or even as long as 8-hours for a more variable source such as construction or traffic on a <sup>3</sup>ural roadway. For evaluating community impacts, this indicator is not affected by whether the noise occurs during the day or the night.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average  $L_{eq}$  with a 10 dBA “weight” added to noise during the hours of 10:00 P.M. to 7:00 A.M., and a 5 dBA “weight” added during the hours of 7:00 P.M. to 10:00 P.M. to account for increased noise sensitivity during the evening and nighttime hours.

Noise environments and consequences of human activities are usually well represented by average noise levels during the day, night, or over a 24-hour period. Environmental noise levels are generally considered low when the exterior CNEL is below 55 dBA, moderate in the 55 to 70 dBA range, and high above 70 dBA. Examples of sound levels and loudness in indoor and outdoor environments are shown in Table N1.







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-  Number: 1      Author: R700      Subject: Comment on Text      Date: 12/02/2025 10:16:24 AM  
Please delete this. "Ambient" is defined in the current Glossary as the total noise, not the background hum upon which distinguishable sound events are superimposed.
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-  Number: 2      Author: R700      Subject: Comment on Text      Date: 12/02/2025 10:19:01 AM  
Why "exterior"? Aren't these indicators used to measure sound at all locations, exterior or interior?
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-  Number: 3      Author: R700      Subject: Comment on Text      Date: 12/02/2025 10:21:13 AM  
Wouldn't traffic on a quiet residential street also be quite sporadic and more relevant to Newport Beach?
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Table N1 Representative Environmental Noise Levels		
Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	110—	Rock Band
Jet Fly-over at 100 feet		
	100—	
Gas Lawnmower at 3 feet		
	90—	
Diesel Truck going 50 mph at 50 feet		Food Blender at 3 feet
	80—	Garbage Disposal at 3 feet
Noisy Urban Area During Daytime		
Gas Lawnmower at 100 feet	70—	Vacuum Cleaner at 10 feet
Commercial Area		Normal Speech at 3 feet
Heavy Traffic at 300 feet	60—	
		Large Business Office
Quiet Urban Area During Daytime	50—	Dishwasher in Next Room
Quiet Urban Area During Nighttime	40—	Theater, Large Conference Room (background)
Quiet Suburban Area During Nighttime		
	30—	Library
Quiet Rural Area During Nighttime		Bedroom at Night, Concert Hall (background)
	20—	
		Broadcast/Recording Studio
	10—	
Threshold of Human Hearing	0—	Threshold of Human Hearing
SOURCE: California Department of Transportation 2013		

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 Number: 1      Author: R700      Subject: Comment on Text      Date: 12/02/2025 10:23:57 AM  
To tie in with preceding commentary, this should say these are Leq values, not CNEL.

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 Number: 2      Author: R700      Subject: Comment on Text      Date: 12/02/2025 10:25:37 AM  
Why are alternate lines left blank. Please in the intermediate values that go with the activites cited.

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### Noise-Sensitive Receptors

Newport Beach has a number of public and private educational facilities, hospitals, convalescent homes, day cares, and other facilities that are considered noise sensitive. However, the primary noise-sensitive use within the City is residential use. The noise exposure of these sensitive uses varies from low, in quiet residential areas, to high, in areas adjacent to the freeway. As for the Airport Area and the West Newport Mesa Focus Areas, as shown in the Housing Element and Land Use Element, both of which offer opportunities to integrate new residential and mixed use development, it is important to thoughtfully design new development in a manner that allows harmonious colocation of noise sensitive uses with noise generating uses.

### Roadway Noise Contours

Noise contours for the major surface transportation noise sources in Newport Beach, which include motor vehicles on arterial roadways and freeways, <sup>1</sup>ere developed for existing conditions and future conditions. Existing noise contours were determined from the 2020 traffic conditions and are expressed in terms of the CNEL. Existing noise contours are shown in Figure N1, Existing Traffic Noise Contours. Future noise conditions for roadways are presented for the 20 year time period ending 2040 and were derived from projected traffic conditions for that horizon year. These noise contours are based on complete buildout of the 6<sup>th</sup> Cycle General Plan Housing Element (GPHE) and are shown in Figure N2, <sup>2</sup>GPHE Traffic Noise Contours. These future noise contours will assist in setting policies for establishing new land uses and appropriate mitigation for properties that will continue to be exposed to higher noise levels.

Noise contours represent lines of equal noise exposure, just as the contour lines on a topographic map are lines of equal elevation. The traffic noise contours shown <sup>in</sup> Figures N1 and N2 are the 50 through 75 dBA CNEL noise levels in 5 dB intervals. Roadway traffic noise contours account for traffic volumes and speeds <sup>3</sup>and for terrain features but do not account for the shielding provided by building placement, sound walls, structures, and other features that might intervene between the roads and any location of interest.

In areas with dBA CNEL greater than 60, noise considerations should be included when making land use policy decisions that affect existing and proposed noise-sensitive developments.

~~Additionally, noise-sensitive uses shall not be located on parcels that are wholly within the John~~

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- Number: 1      Author: R700      Subject: Comment on Text      Date: 12/02/2025 11:08:39 AM  
There is a separate document, ("NoiseElement\_Measurements\_082925.docx") prepared by Dudek that explains in slightly greater, but still incomplete, depth how the contours were created. How will that be preserved and associated with the new General Plan?
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- Number: 2      Author: R700      Subject: Comment on Text      Date: 12/02/2025 10:29:42 AM  
What "GPHE" stands for will not be apparent when Figure N2 is encountered many pages later.
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- Number: 3      Author: R700      Subject: Comment on Text      Date: 12/02/2025 11:15:08 AM  
As pointed out by David Guder the contours appearing in Figures N1 and N2 are at a scale and displayed in a way that makes them very difficult to decipher. Most noise elements include tables listing the road segments and the distance to the various contours . Given only the crude maps that were provided, I am unable to find any evidence they reflect the effects of topography (as one might expect, for example, where Coast Highway has cliffs on one side and is flat on the other).

~~Wayne Airport 65 dBA CNEL contour as shown in Figure N3, Airport Noise Contours, further discussed below.~~

#### Airport Noise Contours

The aircraft noise contours used for planning purposes by the County of Orange and Airport Land Use Commission are found in the Airport Environs Land Use Plan (AELUP) and are derived from the 1985 Master Plan for JWA and the accompanying EIR 508. These noise contours are based on fleet mix and flight level assumptions developed in EIR 508.

However, the Noise Chapter <sup>1</sup>within 2014 John Wayne Airport Settlement Agreement Amendment Environmental Impact Report EIR No. 617 illustrated how the dBA CNEL noise contours within Newport Beach are projected to have reduced in size compared to the 1985 AELUP Master Plan CNEL noise contours. The noise contours in EIR No. 617 were generated using the INM Version 7.0d modeling program. <sup>2</sup>Figure N3 reflects the aircraft noise contours identified by ~~the 2014 John Wayne Airport Settlement Agreement Amendment Environmental Impact Report~~ EIR No. 617 at. ~~The aircraft noise contours shown in Figure N3 are~~ the 60, 65, and 70 dBA CNEL noise levels.

As technology and flight patterns change, The the projected airport noise contours are likely to change and will continue to be updated from time to time. <sup>3</sup>As updates become available, new contours may be considered for planning purposes.

#### Typical Noise Attenuation Methods for Transportation Sources

Noise impacts can typically be abated using four basic methods: (1) reducing the sound level of the noise generator, (2) interrupting the noise path between the source and receiver, (3) increasing the distance between the source and receiver, and (4) for interior noise, insulating the receiver with building materials and construction methods more resistant to noise intrusion.

A local government has limited direct control of transportation noise at the source. This control lies with the state and federal agencies that have this responsibility. The most effective method available to the City to mitigate transportation noise and reduce the impact of the noise onto the community is through comprehensive planning that includes noise as a planning criterion<sup>one</sup>, the inclusion of noise mitigation in project planning and design, and improved building noise


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Item No. IVb - Additional Materials Received


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 Number: 1      Author: R700      Subject: Comment on Text      Date: 12/02/2025 11:53:15 AM  
"within **the**"?

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 Number: 2      Author: R700      Subject: Comment on Text      Date: 12/02/2025 11:20:22 AM  
EIR 617 contains many maps with different contours. This should explain that the contours chosen represent the noise projected at the end of the 2014 Agreement, that is on December 31, 2030.

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 Number: 3      Author: R700      Subject: Comment on Text      Date: 12/02/2025 11:46:32 AM  
One of the clearest state mandates is for the Noise Element to disclose both current and projected contours. Please add a figure with the existing JWA contours (which differ from those projected for this date in EIR 617).

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reduction characteristics. Vehicular traffic noise may also be minimized by strategically utilizing quieter pavement surfaces on local roads or by placing a noise barrier (wall, berm, or combination wall/berm) between the noise source and the sensitive receiver. Aircraft noise, which arrives at the receiver from above, is reduced primarily by siting sensitive uses outside of noise impacted areas and through the use of a combination of forced-air mechanical ventilation and sound-rated construction methods to reduce interior sound exposure levels.

Construction of noise barriers is the most common way of alleviating traffic noise impacts. Generally, effective noise shielding requires a continuous, solid barrier with a mass which is large enough to block the line of sight between source and receiver. Variations may be appropriate in individual cases based on distance, nature, and orientation of buildings behind the barrier, and a number of other factors. Garages or other structures may be used to shield dwelling units and outdoor living areas from non-aircraft noise. Other methods of noise control for traffic noise include the use of quieter pavement surfaces or developing truck routes to minimize the occurrence of these noisier vehicles in noise sensitive areas. The effects of noise may also be minimized by separating or isolating the noise source from the potential receiver. Wide buffers along freeways, for example, may reduce the noise level affecting adjacent noise sensitive land uses. These buffer areas may be developed with less sensitive uses.

Building interior noise levels can be reduced by protecting the receiver with acoustical structures, enclosures, or construction techniques. Windows and doors are the most likely paths for sound to enter a structure. Use of sound insulating doors and double paned windows can provide substantial reductions of interior noise levels. Because these features have little effect in reducing noise when they are left open, installation of air conditioning for adequate ventilation may be required. Use of building construction techniques for noise reduction is effective for both ground transportation and aircraft noise sources.

Noise exposure criteria should be incorporated into land use planning to reduce future noise and land use incompatibilities. This is achieved by specifying acceptable noise exposure ranges for various land uses throughout the City. These criteria are designed to integrate noise considerations into land use planning to prevent noise/land use conflicts. Table N2 presents criteria used to assess the compatibility of proposed land uses with the noise environment.



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General Plan Update Steering Committee - December 3, 2025  
Item No. IVb - Additional Materials Received

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Number: 1      Author: R700      Subject: Comment on Text      Date: 12/02/2025 11:49:51 AM

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Use of quieter pavement was mentioned in the preceding paragraph at the top of the page..


The noise/land use compatibility matrix presented in Table N2 presents broad ranges of compatibility and ~~isare~~ intended to be flexible enough to apply to a wide range of projects and environments. For example, a project in a large undeveloped area may be evaluated differently than an infill project in a densely developed area of the City. But in no case would it be desirable for any land use to have noise exceeding the highest “normally compatible” noise level shown in the matrix. This matrix is intended to be used as one of the many factors used in the land use planning process. It should be noted<sup>1</sup>that California ~~Administrative Building~~ Code (CBC), Title 24 ~~of the California Code of Regulations~~,<sup>2</sup>and Part 2 requires that interior noise levels in multi-family residential uses not exceed 45 dBA CNEL; while it is not required for single family homes under the CBC, it is commonly used as an<sup>3</sup>interior standard for all residential uses.

In addition to the noise/land use compatibility guidelines contained in the General Plan Noise Element, the City of Newport Beach has adopted Community Noise Control policies and standards as part of its Municipal Code in order to limit unnecessary, excessive and annoying noise in the City. ~~These noise standards are consistent with those displayed in Table N3.~~ The noise levels established by the Municipal Code ensure that noise from mechanical equipment, and other types of non-transportation noise are not excessive in residential and other noise-sensitive areas once these facilities are constructed and operating. ~~The levels given in Table N3, which coincide with the Municipal Code levels, are used for planning purposes so that a project can be properly designed to maintain land use compatibility and reduce annoyance.~~

 Number: 1	Author: R700	Subject: Comment on Text	Date: 12/02/2025 11:52:58 AM
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"that **the**"

 Number: 2	Author: R700	Subject: Comment on Text	Date: 12/02/2025 11:55:17 AM
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Is this referring to Part 2 of Title 24? If so, delete the "and". If not, what is it Part 2 of?

 Number: 3	Author: R700	Subject: Comment on Text	Date: 12/02/2025 12:01:52 PM
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The noise element does not, as drafted, seem to contain the interior standards to which various kinds of buildings are to be designed.

Some noise language was added to the Zoning Code in 2010 in response to the 2006 Noise Element, but it is not clear it is comprehensive enough to fill the gap (the 1994 Noise Element contained a table of acceptable interior and exterior noise levels for a variety of uses, not all of which may be addressed in the state Building Code.

**Table N3 — Noise Limits for Land Uses Exposed to Exterior Non-Transportation Noise Sources**

Land Use Categories		Interior Receiving Use <sup>a</sup>		Exterior Receiving Use <sup>a</sup>	
Categories	Uses <sup>1,3</sup>	Interior Noise Level ( $L_{eq}$ ) 7am to 10pm	Interior Noise Level ( $L_{eq}$ ) 10pm to 7am <sup>2</sup>	Exterior Noise Level ( $L_{eq}$ ) 7am to 10pm	Exterior Noise Level ( $L_{eq}$ ) 10pm to 7am <sup>2</sup>
Residential	Single Family, Two Family, Multiple Family (Zone I)	45	40	55	50
	Residential Portions of Mixed Use Developments (Zone III)	45	40	60	50
Commercial Industrial	Commercial (Zone II)	See Note 3	See Note 3	65	60
	Industrial or Manufacturing (Zone IV)	See Note 3	See Note 3	70	70
Institutional	Schools, Day Care Centers, Churches, Libraries, Museums, Health Care Institutions (Zone I)	45	40	55	50

<sup>1</sup>In addition to the standards provided in Table N3, newly developed residential uses must also be designed so that interior sound levels from exterior sources are 45 dBA CNEL or less in noise sensitive spaces like bedrooms. This standard may be met with windows in the closed position if the residence is supplied with forced air ventilation, so as to allow residents to keep windows shut.

<sup>2</sup>Nighttime noise limits only apply to land uses with nighttime use.

<sup>3</sup>In addition to the standards provided in Table N3, newly developed non-residential uses must meet the California Green Building Standards Code, which provides noise standards for interior areas of non-residential uses.

<sup>a</sup>It shall be unlawful for any person at any location within the incorporated area of the City to create any noise or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such a person which causes the noise level when measured on any other property, to exceed either of the following:

- The noise standard for the applicable zone for any fifteen minute period ( $L_{eq-15min}$ ); or
- A maximum instantaneous noise level ( $L_{max}$ ) equal to the value of the noise standard plus twenty dBA for any period of time (measured using A-weighted slow response).

In the event the background noise level exceeds the noise standard, the noise standard applicable to said category shall be increased to reflect the background noise level so long as the resulting sound level increases do not exceed the standard provided in the Table associated with Policy N-1.8.

If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

Number: 1 Author: R700 Subject: Comment on Text Date: 12/02/2025 12:08:04 PM

This deleted Table N3 attempted to describe the enforcement criteria for nuisance noise in the Community Noise Control chapter of the Municipal Code. My suggestion was to replace it with an updated version of the table of interior and exterior standards to be used in planning (rather than enforcement) as found in the 1994 Noise Element -- that is, how well new construction should be insulated from the noise environment it is exposed to.

**GPAC/GPUSC REVIEW NOTE:**

EXISTING POLICY OR RENUMBERED POLICY

ADAPTED POLICY

NEW

## GOALS, POLICIES, AND ACTIONS

### Noise and Land Use Compatibility


Noise and land use compatibility refers to how well various land uses can coexist with noise levels. The Noise Element influences land use policies since excessive noise can affect the quality of life of residents, workers, and visitors. Noise and land use compatibility is especially important for noise-sensitive receptors such as educational facilities, libraries, day cares, hospitals, and most notably residential uses. Reducing noise impacts through coordination with land use policies such as siting of new development, building code, and other zoning regulations plays a critical role in the prevention and mitigation of excessive noise impacts. Below are goals and policies to address noise and land use compatibility.

*Goal N-1 A community where noise impacts are reduced, and compatibility between land uses is maintained*

- (EXISTING) Policy N-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 <sup>1</sup>~~shown in Table N3~~ in the City's Municipal Code. (Imp 2.1)
- (ADAPTED from Policy N-1.2) Policy N-1.2: Noise Exposure Verification for New Development. Allow a noise study to be submitted for the purpose of providing 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 for proposed projects that require environmental review as follows:
  - Residential or mixed-use projects located in the either the Airport Area Focus Area or the West Newport Mesa Focus Area projected to be exposed to exterior noise levels of <sup>2</sup>5-70 dBA CNEL.

 Number: 1 Author: R700 Subject: Comment on Text Date: 12/02/2025 12:55:00 PM

I do not believe clear construction noise standards are currently in the NBMC. Section 20.30.080 was added to the Zoning Code in response to the 2006 Noise Element. Part E of that refers to the Chapter 10.26 for the standards to which new development needs to be built. In Section 10.26.030 that chapter sets an interior noise standard for residential uses only. So we seem to have no standard for the many other uses as the former table provided.

 Number: 2 Author: R700 Subject: Comment on Text Date: 12/02/2025 1:53:02 PM

It is not clear how this more lenient standard is supposed to coexist with Policy N-2.1, which requires all sensitive uses exposed to more than 60 dB to demonstrate compliance with interior noise standards.

- Residential or mixed-use projects located in all other areas projected to be exposed to exterior noise levels of 60 dBA CNEL or greater.

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. (Imp 2.1)

- (EXISTING) Policy N-1.3: Remodeling and Additions of Structures. Require that all remodeling and additions of structures comply with the noise standards ~~shown in Table N3~~ in the City's Municipal Code. (Imp 7.1)
- (EXISTING) Policy 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)
- (EXISTING) Policy N-1.5: 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, including the residential component of a mixed-use project. (Imp 2.1, 7.1)
- (Existing) Policy 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 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 N3 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, or subsequent, Cycle RHNA mandate. Nonresidential uses are encouraged on parcels located wholly within the 65 dBA CNEL contour area, shown in Figure N3. (Imp 1.1)



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Number: 1      Author: R700      Subject: Comment on Text      Date: 12/02/2025 1:55:36 PM  
See comment on N-1.1. I do not believe clear construction noise standards are currently in the NBMC.

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- (Existing) Policy N-1.1: 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)
- (Existing) Policy N-1.7: 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)
- (2) ADAPTED FROM POLICY N 1.8) Policy N-1.8: Significant Noise Increases. Require the employment of noise mitigation measures for existing sensitive uses when a significant noise increase is identified. A significant noise impact occurs when there is an increase in the existing ambient<sup>3</sup> background CNEL produced by new development impacting existing sensitive uses. The CNEL increase is shown in the table below. Significant noise increases are described within the City's Municipal Code. (Imp 2.1, 7.1)

Existing <sup>4</sup> background CNEL (dBA)	Allowable Increase (dBA) Increase
55	3
60	2
65	1
70	1
Over 75	Any increase is considered significant


<sup>5</sup> NEL (dBA) shall be measured in whole numbers.

- (NEW) Policy N-1.9: Noise Regulations. Review the City's noise ordinances upon adoption of this element and periodically thereafter, but no less than every 10 years, and make revisions where needed. (Imp 2.1)
- (NEW) Policy N-1.10: Improved Communications. Seek to Improve communications regarding noise regulations and processes through City website features, information bulletins, and reporting procedures. (Imp 29.1)
- (NEW) Policy N-1.11: Improved Noise Monitoring. Periodically consider new noise monitoring technologies and improved metrics for assessing noise impacts. (Imp 10.1)


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 Number: 1 Author: R700 Subject: Comment on Text Date: 11/28/2025 1:02:50 PM  
1.6?

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 Number: 2 Author: R700 Subject: Comment on Text Date: 12/02/2025 2:04:54 PM  
I regret raising any questions about this policy, which is crucial to the implementation of the JWA Settlement Agreement (which allows for no "significant" noise increase at certain locations). With the possible exception of inserting "Existing" in the heading of the first column, it should have been left as it is.


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 Number: 3 Author: R700 Subject: Comment on Text Date: 12/02/2025 1:59:15 PM  
"background" should be deleted. The earlier narrative referred to that as the background hum on which noise spikes occur, which is not what is being referred to here.

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 Number: 4 Author: R700 Subject: Comment on Text Date: 12/02/2025 1:59:48 PM  
Again, please delete "background".

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 Number: 5 Author: R700 Subject: Comment on Text Date: 12/02/2025 2:09:10 PM  
This proposed addition only adds confusion. Whether it is meaningful or not, practitioners predict levels to 0.1 dB and compare them to this table to decide if an impact will be significant. Which line to look on could be better explained, but not by this. It is not clear if "whole numbers" means rounding or dropping the fractional parts. Either way, it makes turn an imprecise result into an even more imprecise one.

noise levels are evaluated and noise mitigation strategies are developed as necessary to meet City standards.

Noise levels along roadways are determined by a number of traffic characteristics. Most important is the average daily traffic (ADT). Additional factors include the percentage of trucks, vehicle speed, the time distribution of this traffic, pavement type, gradient of the roadway, and if there are any structures or topographical elements located between the roadway and the receivers.

#### *Water Vehicles*

Newport Beach has the largest small boat harbor in Southern California. Thousands of boats operate near noise-sensitive residential uses that border much of Newport Bay, and noise associated with these boats can be a problem to these residences. Of particular concern are the charter boats which generate engine noise and noise from the occupants, as well as use loudspeakers or live entertainment.

#### *Aircraft Operations*

Many residents of Newport Beach are impacted by noise generated by commercial and general aviation aircraft departing John Wayne Airport (JWA). Owned and operated by the County of Orange, JWA serves both general aviation and scheduled commercial passenger airline and cargo operations. Newport Beach is located immediately south of JWA and is under the primary departure corridor. Although aircraft noise can be heard throughout Newport Beach, the highest noise levels are experienced just south of JWA, in the Airport Area, Santa Ana Heights Area, both sides of the Upper Bay, and Balboa Island, and are<sup>1</sup> generated by aircraft departures.

In 1985, the City, the County of Orange, the Airport Working Group (AWG), and Stop Polluting Our Newport (SPON) entered into a Settlement Agreement to resolve litigation related to John Wayne Airport (JWA). This agreement is unique in the United States and extremely important to protecting the quality of life in Newport Beach.

The City believes that the coordinated, collective efforts of local citizen groups, neighboring cities, and the County are essential to controlling the adverse impacts of JWA and protecting the quality of life in Newport Beach for this and future generations of residents.

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Number: 1      Author: R700      Subject: Comment on Text      Date: 12/02/2025 2:11:46 PM  
"generated **primarily** by **jet** aircraft"

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### *Emerging Technologies*

As new technologies emerge, they may change the way people and goods are transported. New technologies have the potential to create new noise in communities. The potential noise impacts of vertiports, air taxis, drones, delivery robots, and other advanced transportation systems must be carefully considered to ensure they do not adversely affect community noise levels.

### *Goal N-2 Sensitive receptors are protected from excessive motor vehicle and boat noise*

- (EXISTING) Policy N-2.1: New Development. Require that proposed noise-sensitive uses in areas of 60 dBA CNEL and greater, as identified from Figure N2 and Figure N3, demonstrate that they meet interior and exterior noise levels as determined in the analyses stipulated by Policy N-1.2. (Imp 2.1)
- (EXISTING) Policy N-2.2: 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 interior noise levels to 45 dBA CNEL or less. Other new noise sensitive land uses that are adjacent to major arterials or 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 recreation areas. Application of the Noise Standards in Table N2 shall govern this requirement. (Imp 7.1)
- (EXISTING) Policy N-2.3: 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 in accordance with ~~Table N3~~ the City's Municipal Code. (Imp 2.1, 8.1)
- (EXISTING) Policy N-2.4: 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)

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See note about that policy, which seems to set a more relaxed standard for residential development in two areas.

- (ADAPTED from Policy N 2.5) Policy N-2.5: Boating Activities. Encourage the enforcement of the Municipal Code noise limits for boating activities through coordination with <sup>1</sup>Jewport Beach Police Department. (Imp 26.1)
- (EXISTING) Policy N-2.6: Barrier Construction Funding. <sup>2</sup>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 and that alternate methods such as quieter pavement or use of solid safety barriers may also be considered. Noise barriers are most feasible for single-family homes where the rear yards are at grade with and adjacent to the roadway. The feasibility of other situations should be evaluated on a case-by- case basis. (Imp 30.2)



*Goal N-3 A community safeguarded from the adverse noise impacts of operations at John Wayne Airport and that proactively responds to and plans for emerging transportation technologies*

- (EXISTING) Policy N-3.1: 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 N3, 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 or subsequent cycles. (Imp 2.1, 3.1, 4.1)
- (EXISTING) Policy N-3.2: Residential Development. Require developers of residential or mixed-use land uses located within the John Wayne Airport 65 dBA CNEL with a residential component to notify prospective purchasers or tenants of aircraft overflight and noise. Additionally, require outdoor common areas or recreational areas of residential or mixed-use developments to be posted with signs notifying users regarding



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General Plan Update Steering Committee - December 3, 2025  
Item No. IVb - Additional Materials Received

	Number: 1	Author: R700	Subject: Comment on Text	Date: 12/02/2025 2:15:35 PM
Also, if not primarily, the Harbor Department (and possibly the Sheriff's Harbor Patrol if they are interested).				
	Number: 2	Author: R700	Subject: Comment on Text	Date: 12/02/2025 2:17:35 PM
This has been in place since at least 2006. It is not clear if anything has been done (or if residents even want sound walls).				

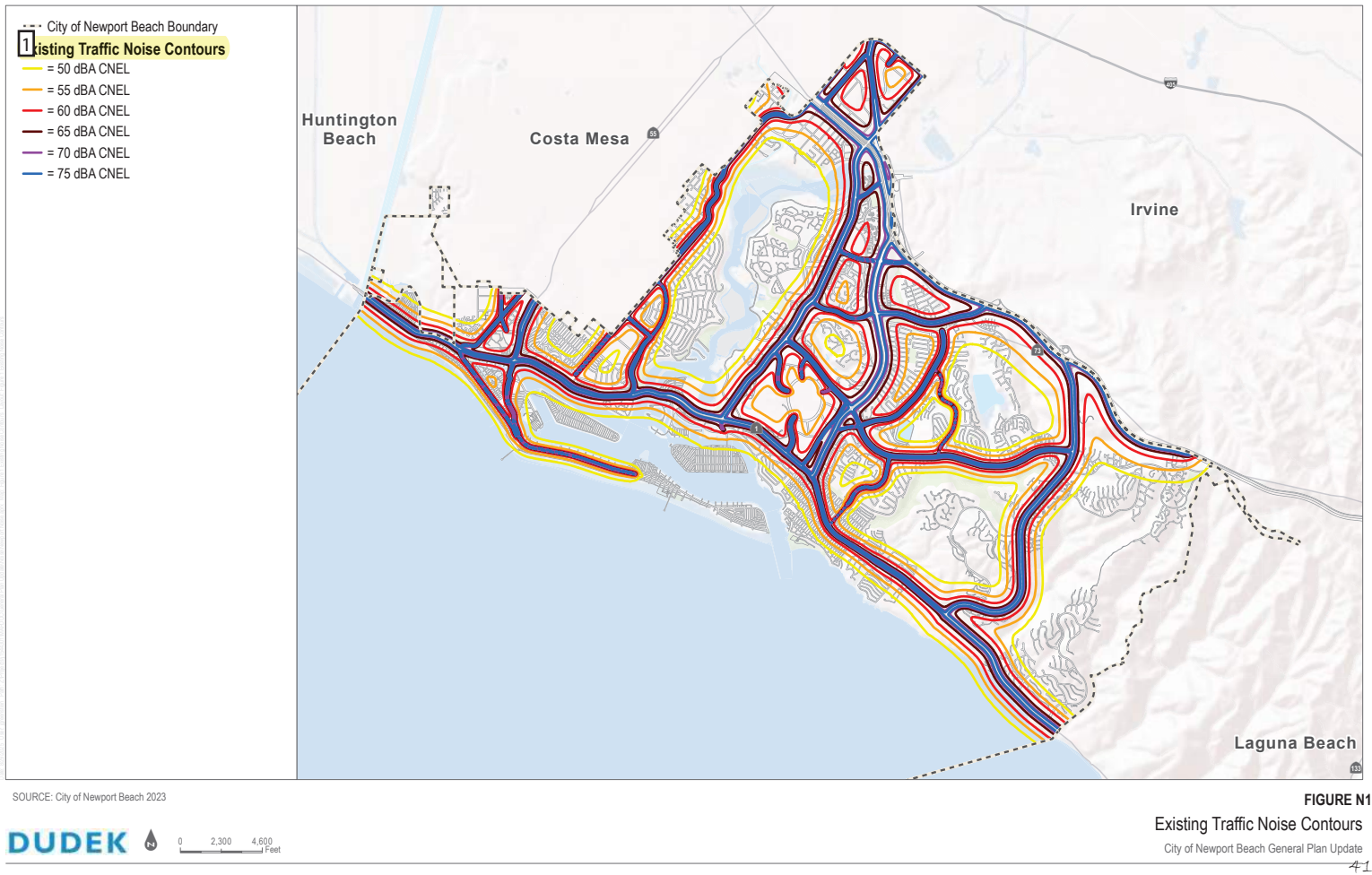
- (ADAPTED from Policy N 4.4) Policy N-4.4: Limiting Hours of Recreational Activities. Limit hours when recreational activities in parks and the harbor can take place, consistent with the Municipal Code. (Imp 9.1, 23.4)
- (ADAPTED from Policy N 4.5) Policy N-4.5: Sound-Amplifying Equipment. Ensure that projects that include sound amplifying equipment are designed to comply with the limits in ~~Table N-3~~ the City's Municipal Code. Regulate the use of sound-amplifying equipment through the City's Municipal Code. (Imp 2.1, 8.2)
- (ADAPTED from Policy N 4.6) Policy N-4.6: Residential Activities. Enforce Noise Ordinance noise limits and limits on hours in or adjacent to residential areas, including noise that results from maintenance and in-home hobby or work-related activities. (Imp 8.1, 26.1)
- (~~FORMERLY Policy N 4.7 EXISTING~~) Policy <sup>1</sup> N-4.6: Nuisances. Regulate the control of nuisances, such as residential party noise, boat party noise, private fireworks, and barking dogs, through the City's Municipal Code. (Imp 8.1, 26.1)
- (~~FORMERLY Policy N 4.8 EXISTING~~) Policy N-4.7: Mechanized Landscaping Equipment. Regulate the use of mechanized landscaping equipment through the City's Municipal Code. (Imp 8.1)
- (NEW) Policy N-4.8: Residential Uses in West Newport Mesa Focus Area. Require noise attenuation measures for new residential development in the West Newport Mesa Focus Area to ensure compatibility with existing industrial uses, protect residents from excessive noise exposure, and maintain operational flexibility for surrounding businesses. (Imp 7.1)

#### Construction Noise

Construction can temporarily elevate noise levels due to the nature of activities such as demolition and building and the heavy machinery used such as earth movers, dump trucks, saws, and drills. In Newport Beach, construction noise is a common complaint received by the City. While construction noise may be necessary, the City can work to minimize noise levels associated with construction. ~~Given the short duration of construction activity, operational noise limits are inappropriate for the regulation of construction noise occurring during allowable hours;~~

Number: 1      Author: R700      Subject: Comment on Text      Date: 11/28/2025 1:22:11 PM

Need to renumber this and following due to restoration of N-4.6.

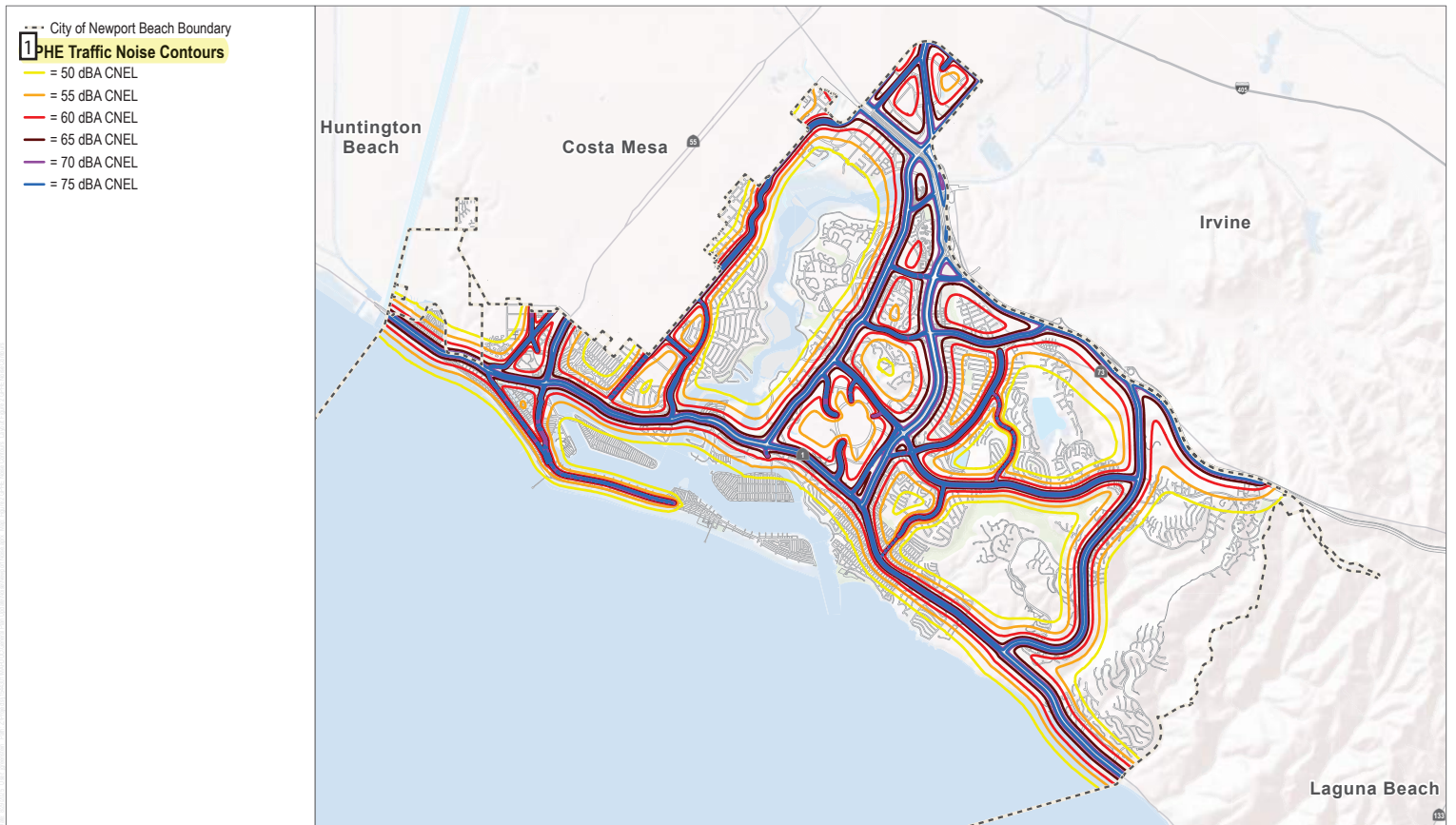


Number: 1 Author: R700 Subject: Comment on Text Date: 12/02/2025 11:44:54 AM

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Showing only the side of the contours within the City limits is very confusing since sound sources inside or outside the City all contribute to a continuous noise environment. For roads defining the Newport Beach City border, is only the traffic on the Newport Beach side of the street considered?

Equally importantly, since traffic noise is likely seasonal, what part of the year does this claim to represent?



SOURCE: City of Newport Beach 2023

The noise contours displayed are based on complete buildout of the 6th Cycle General Plan Housing Element (GPHE).



**FIGURE N2**

**GPHE Traffic Noise Contours**

City of Newport Beach General Plan Update

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GPHE needs to be spelled out, and that this is for buildout of the 6th Cycle Housing Element.







SOURCE: City of Newport Beach 2023



**FIGURE N3**  
**14 Settlement Agreement Airport Noise Contours**  
City of Newport Beach General Plan Update



	Number: 1	Author: R700	Subject: Comment on Text	Date: 11/28/2025 1:33:38 PM
Various labels don't make sense, such as "UpperNewport Bay Nature Ceneter" and "Upper Newport Bay" on CdMHS site.				
	Number: 2	Author: R700	Subject: Comment on Text	Date: 12/02/2025 11:27:53 AM
?? What is the "Upper Newport Bay Nature Center" and how could it be located in the middle of the Upper Back Bay tidelands?				
	Number: 3	Author: R700	Subject: Comment on Text	Date: 12/02/2025 11:38:57 AM
?? Why is there an "Upper Newport Bay" label over Corona del Mar High School?				
	Number: 4	Author: R700	Subject: Comment on Text	Date: 12/02/2025 11:25:47 AM
Needs to explain these are projected, and to what year. "EIR 617" might be a better descriptor than "2014 Settlement Agreement."				