

Attachment No. 3

Noise Subcommittee Action Minutes

Action Minutes: GPAC Noise Subcommittee

Meeting Date: Wednesday, November 13, 2024, at 4 p.m.

Location: Newport Beach Meeting Room at City Hall and Teams

GPAC and GPUSC Members in Attendance: Amber Snider, Anthony Maniscalchi, David Guder (Remote), Jim Mosher, Nancy Gardner (Remote), and Thomas Meng

City Staff in Attendance: Ben Zdeba

Brief Discussion Recap and Action Minutes

Subcommittee Chair Jim Mosher initiated the meeting at 4 p.m. and referenced the agenda and supporting materials he had prepared and distributed.

Length of the Meeting

Chair Mosher noted the scheduled run time of one hour for the meeting and then led a brief discussion surrounding the length of Subcommittee meetings. The Subcommittee's consensus was that longer meetings are acceptable, as necessary, and that an earlier start time is acceptable.

Progress on Dudek's Contract Amendment

In response to Chair Mosher's inquiries, Planning Manager Ben Zdeba: (1) shared that Dudek is working on some refinements based on the Subcommittee's previous review of its proposed scope to clarify that certain roadway segments (namely the SR-73 Freeway) would be included in the analyses; (2) identified January 2025 as possible timing of getting the contract amended; (3) clarified the Subcommittee's anticipated role in reviewing community noise survey locations; and (4) acknowledged the importance of providing existing and projected noise contours.

Identifying New Noise Sources

Chair Mosher led a discussion regarding noise sources in Newport Beach. The following highlights were provided:

- Hospitals can be noisy with mechanical equipment, delivery activities, and occasional helicopter traffic.
- Daycare centers have noise from outdoor activities and are a recurring complaint.
- Restaurants and hospitality venues, especially those near residential developments.
- Schools and associated sports fields may be problematic. Members cited announcements and events at Newport Harbor High School as excessive, especially for nearby residents.
- In the future, we may see potential increased noise from higher-density housing and new technology, such as advanced air mobility (e.g., drones).
- Subcommittee Member Maniscalchi expressed the need to balance necessary activities with noise mitigation.

✓ **Action:** Subcommittee members will consider additional noise sources to compile an eventual list for Dudek's review.

Guiding Principles

Chair Mosher emphasized the importance of creating guiding principles that are specific to the Noise Element. The Subcommittee discussed potential guiding principles and determined that noise should be acknowledged as part of urban growth; however, the City should strive to limit excessive sound while preserving quiet areas. Chair Mosher shared a draft set of guiding principles for the Subcommittee's consideration and revisions were suggested to prioritize maintaining quality of life without over-regulation.

- ✓ **Action:** The Subcommittee agreed upon the following guiding principles:
 1. Recognize noise as part of urban life while minimizing excessive noise.
 2. Preserve quiet areas and improve noisy ones.
 3. Regulate only as necessary.

Review of the Existing Noise Element

Chair Mosher provided a brief overview of outdated tables and inconsistent standards in current Noise Element policies. Some key takeaways from the Subcommittee's discussion were the following:

- Tables N2 and N3 were flagged as outdated and needing revision for consistency and clarity.
 - There was some debate over enforcing stricter construction noise rules versus maintaining current exemptions.
 - It was noted there are inconsistencies in construction hours across neighborhoods, including Newport Coast and HOA-regulated areas.
 - It is important for policies to be adaptable given evolving technology, such as battery-powered tools. Regulations must adapt and be agile with time.
- ✓ **Action:** Planning Manager Zdeba will provide a collaborative review process to share the matrix of existing Noise Element Goals and Policies. Subcommittee members committed to sharing input in the document before the next meeting.

Next Steps and Future Meeting

The Subcommittee discussed next steps, including the policy matrix with instructions for commenting.

- ✓ **Action:** The Subcommittee will aim to hold its next meeting on December 2 at 3 p.m. with a two-hour duration. Planning Manager Zdeba will send the collaborative Noise Element matrix for members to review and comment on.

The Subcommittee meeting adjourned at 5 p.m.

Action Minutes: GPAC Noise Subcommittee

Meeting Date: Friday, December 6, 2024, at 3 p.m.

Location: Newport Beach Meeting Room at City Hall and Teams

GPAC and GPUSC Members in Attendance: Amber Snider, Charles Klobe (Remote), David Guder (Remote), Jim Mosher, Nancy Gardner, and Thomas Meng

City Staff in Attendance: Ben Zdeba

Brief Discussion Recap and Action Minutes

Subcommittee Chair Jim Mosher initiated the meeting at 3 p.m. and referenced the agenda and supporting materials he had prepared and distributed.

Progress on Dudek's Contract Amendment

In response to Chair Mosher's inquiry, Planning Manager Ben Zdeba shared that he anticipates bringing Dudek's contract amendment to City Council for consideration at the second meeting in January or one of the meetings in February at the latest. He noted that he would follow up with the Subcommittee with any updates.

Review of Existing Noise Element Goals and Organization

Chair Mosher provided a brief historical overview of the genesis and iteration of the City of Newport Beach's Noise Element. In summary, he shared the following observations:

- The City's Noise Element was first adopted in 1974, updated in 1994, and then again in 2006 with the current General Plan.
- The 1994 version emphasized providing information on noise environments, maintaining acceptable levels, improving areas with excessive noise, and addressing airport noise impacts.
- The 2006 version streamlined goals but lacked explanatory context for each goal, leading to vagueness.

Chair Mosher also noted he had reviewed several other versions from other jurisdictions, including Huntington Beach, San Diego, and Long Beach. He observed that those cities incorporated structured explanations and implementation strategies, including a designated responsible department for implementation actions. After some discussion, the Noise Subcommittee identified the following suggestions for broader consideration as the City potentially updates the Noise Element this time:

- It is important to reintroduce the narrative context surrounding goals for clarity and to narrow the purpose and intent.
- Conciseness is also important, and San Diego's goal-policy structure may be a good example to consider.
- Not necessarily narrowed to the Noise Element, but for the overarching implementation program, the City should consider creating an easy-to-use matrix that identifies the responsible department(s) and the anticipated or suggested implementation timing.

- ✓ **Action:** Subcommittee members agreed to: (1) review the City of Long Beach’s Noise Element for a list of comprehensive strategies; and (2) examine the 1994 version of the City of Newport Beach’s Noise Element for issues that were overlooked in the 2006 version that should be reincorporated.

Review of Existing Noise Element Policies

Chair Mosher acknowledged the challenge of meaningfully reviewing all goals and policies in the Noise Element during the meeting, so the Subcommittee focused on three policies and made some general observations, as described in brief below.

- Policy N 1.2 – Compatibility Standards
 - The Subcommittee raised concerns about compatibility standards for new developments. The current policies refer to outdated tables (N2 and N3) without clear guidelines.
 - The Subcommittee also identified the need to clarify enforcement responsibilities and standards compliance during development approval.
- Policy N 1.7 – Commercial Activity Noise Controls
 - The Subcommittee discussed the policies to limit hours and require attenuation for noise from entertainment activities and determined they are effectively implemented through conditions of approval on use permits.
 - The need for consistent enforcement, especially for establishments operating under older use permits, was highlighted. Chair Mosher used the Planning Commission’s recent review of the longstanding Five Crowns Restaurant as an example.
- Policy N 3.3 – Avigation Easements near JWA
 - Members questioned the rationale behind requiring avigation easements, which waive residents’ rights to noise complaints. It was discussed that the City may wish to consider removal of this Policy if there is no clear rationale behind it.
- General Observations
 - In sum, the Subcommittee expressed a feeling that many policies are sensible but require clearer enforcement language and the Noise Element could benefit from a consistency review.
 - The Subcommittee also agreed that the existing structure lacks clarity and requested examples of Dudek’s streamlined formats.

Next Steps and Future Meeting

The Subcommittee discussed appropriate next steps and plans for future meetings.

- ✓ **Action:** Subcommittee members will review the City of Long Beach Noise Element as well as the City of Newport Beach 1994 Noise Element for inspiration on goals and/or policies that may be missing. Subcommittee members also agreed to review and flag existing goals or policies in need of further discussion in advance of the next meeting.

The Subcommittee meeting adjourned at 4:45 p.m.

Action Minutes: GPAC Noise Subcommittee

Meeting Date: Friday, December 13, 2024, at 2 p.m.

Location: Newport Beach Meeting Room at City Hall and Teams

GPAC and GPUSC Members in Attendance: Charles Klobe (Remote), David Guder (Remote), Jim Mosher, Nancy Gardner, and Thomas Meng

City Staff in Attendance: Ben Zdeba

Brief Discussion Recap and Action Minutes

Subcommittee Chair Jim Mosher initiated the meeting just after 2 p.m. and referenced the agenda and supporting materials he had prepared and distributed.

Odds & Ends

The Subcommittee discussed the following three matters:

- Advanced Air Mobility and Drone Noise Impacts.
 - Chair Mosher emphasized a need to monitor developments in drone delivery systems and personal transportation for noise impacts.
 - Subcommittee Member Charles Klobe supported the idea and advocated for early planning to manage potential noise and safety issues.
 - GPUSC Chair Nancy Gardner suggested windowing the topic with the full GPAC.
 - Subcommittee Member Klobe commented on the inactivity of the City's Aviation Committee and suggested that City staff engage directly with related groups.
- Prospective Dudek Noise Study/Survey Concerns.
 - Chair Mosher highlighted the importance of revisiting outdated noise survey data.
 - Chair Mosher also identified a former professional conference session in which Dana Lodico, Senior Acoustician at Dudek, and Jim Campbell, former Deputy Director of Community Development discussed the "three decibel myth." The Subcommittee expressed interest in hearing more about this topic from Ms. Lodico in the future.
- Code Enforcement.
 - Subcommittee members noted the importance of clearer standards to guide enforcement officers and prevent the need for subjective interpretations.
 - Construction related noise was highlighted as a persistent issue in need of better addressing.

Recap of Initial Policy Review

Chair Mosher reminded the Subcommittee of the previous meeting's discussion surrounding the City of Newport Beach's 1994 Noise Element. The Subcommittee's discussion then focused on its vision and goals and affirmed the importance of the following:

- Data should be provided to ensure informed decision making.
- Areas with acceptable levels of noise should be protected.
- Areas with excessive noise should be improved.

- Noise impacts from John Wayne Airport's operations should be limited to the greatest extent possible.

The Subcommittee also discussed Noise Element goal structure and formatting and identified that those used in Huntington Beach and Long Beach appear to be clear by incorporating goals with explanations and accountability metrics.

It was also noted that, with the City's current Noise Element, policies related to construction noise, air traffic impacts, and compatibility standards require clarification and better enforcement mechanisms. There was a suggestion to streamline language for clarity and accountability while retaining detailed appendices or references as hyperlinks in the electronic version.

Continued review of Existing Noise Element

Chair Mosher led a discussion regarding the City's current Noise Element and the Subcommittee highlighted the following key goal or policy topic areas:

- Construction Noise
 - Major issue identified as construction-related noise complaints.
 - Current policies focus only on operating hours, lacking enforcement mechanisms for excessive noise during allowable hours.
 - The Subcommittee discussed some possible recommended improvements, including:
 - Prohibiting unnecessary noise (e.g., loud music, idling trucks);
 - Requiring construction equipment to meet modern noise standards and be properly maintained;
 - Introducing decibel limits for specific activities and timeframes; and
 - Implementing temporary power poles instead of generators to reduce noise.
- Advanced Air Mobility Impacts
 - There was agreement to push for more detailed planning and policies to address emerging technologies like drones and electric aircraft.
 - GPUSC Chair Gardner suggested inviting aviation experts to brief the Subcommittee.
- Code Enforcement Process
 - There was interest in refining procedures to evaluate and document violations more accurately.
 - GPUSC Chair Gardner and Chair Mosher identified a potential proposal to create standard practices for construction noise monitoring and provide clearer definitions of excessive noise.
- Avigation Easements
 - The Subcommittee expressed concern over policies promoting navigation easements, which may waive noise complaint rights.
 - A recommendation was made to investigate reasons for the inclusion of easements in 2006 policies and propose removal unless justified.
 - Chair Mosher indicated he would investigate the genesis of this policy further and report back to the Subcommittee.
- Harbor Noise

- Subcommittee Member Klobe identified issues with tied-up vessels (“raft ups”) creating noise disturbances.
- There was a suggestion to set metrics and standards for enforcement related to harbor noise.
- **Baseline Noise Studies**
 - Emphasis on performing new citywide noise studies to assess trends and impacts.
 - Agreement on including clear timeframes (e.g., every 5 years) for updates in policies.

Next Steps and Future Meeting

The Subcommittee discussed next steps.

- ✓ **Action:** Planning Manager Zdeba will prepare a Doodle Poll to help coordinate the next Subcommittee meeting. In the meantime, members will collaborate on a shared document to prepare specific proposals for construction noise policies, including defining excessive noise and best practices.

The Subcommittee meeting adjourned at 4 p.m.