

Appendices

Appendix B General Plan Goals and Policies

Appendices

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General Plan Policies

AESTHETICS

The General Plan includes the following goals and policies that relate specifically to potential aesthetics and visual character impacts of the proposed project.

Goal LU 5.6: Neighborhoods, districts, and corridors containing a diversity of uses and buildings that are mutually compatible and enhance the quality of the City's environment.

- **LU 5.6.2: Form and Environment:** Require that new and renovated buildings be designed to avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open spaces, or adversely modify wind patterns.
- **LU 5.6.3: Ambient Lighting:** Require that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location.

Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.

- **LU 6.15.1 - Land Use Districts and Neighborhoods:** Provide for the development of distinct business park, commercial, and airport serving districts and residential neighborhoods that are integrated to ensure a quality environment and compatible land uses.
- **LU 6.15.3 - Airport Compatibility:** Require that all development be constructed in conformance with the (Airport height restrictions set forth by the Federal Aviation Administration Compatibility); (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Pg 3-101 Division of Aeronautics, and that residential development shall be allowed only on parcels with noise levels of less than the John Wayne Airport 65 dBA CNEL noise contour area as shown in Figure NS of the Noise Element of the General Plan, unless and until the City determines, based on substantial evidence, that the sites wholly within the 65 dBA CNEL noise contour shown in Figure NS are needed for the City to satisfy its Sixth Cycle RHNA mandate. Nonresidential uses are, however, encouraged on parcels located wholly within the 65 dBA CNEL contour area.
- **LU 6.15.7 - Overall Density and Housing Types:** Require that residential units be developed at a minimum density of 30 units and maximum of 50 units per net acre averaged over the total area of each residential village. Net acreage shall be exclusive of existing and new rights-of-way, public pedestrian ways, and neighborhood parks. Within these densities, provide for the development of a mix of building types ranging from townhomes to high-rises to accommodate a variety of household types and incomes and to promote diversity of building masses and scales.

AGRICULTURE AND FORESTRY RESOURCES

There are no relevant General Plan policies in the GPU for potential agricultural or forest resources.

AIR QUALITY

The General Plan includes several policies that would reduce air quality emissions associated with development projects in the city.

Goal NR 6: Reduce mobile emissions.

- **NR 6.1 – Walkable Neighborhoods:** Provide for walkable neighborhoods to reduce vehicle trips by siting amenities such as services, parks, and schools in close proximity to residential areas.
- **NR 6.2 – Mixed-Use Development:** Support mixed-use development consisting of commercial or office with residential uses in accordance with the Land Use Element that increases the opportunity for residents to live in proximity to jobs, services, and entertainment.
- **NR 6.3 – Vehicle-Trip Reduction Measures:** Support measures to reduce vehicle-trip generation such as at-work day care facilities, and on-site automated banking machines.
- **NR 6.4 – Transportation Demand Management Ordinance:** Implement the Transportation Demand Management (TDM) Ordinance, which promotes and encourages the use of alternative transportation modes, and provides those facilities such as bicycle lanes that support such alternate modes.
- **NR 6.5 – Local Transit Agency Collaboration:** Collaborate with local transit agencies to: develop programs and educate employers about employee rideshare and transit; establish mass transit mechanisms for the reduction of work-related and non-work-related vehicle trips; promote mass transit ridership through careful planning of routes, headways, origins and destinations, and types of vehicles; and develop bus shelters, bicycle lanes, and other bicycle facilities.
- **NR 6.6 – Traffic Signal Synchronization:** Encourage synchronization of traffic signals throughout the City and with adjoining cities and counties to allow free flow of traffic.
- **NR 6.7 – City Fleet Vehicles:** Implement the program to replace existing vehicles in the City fleet with clean vehicles that are commercially available and will provide needed services.
- **NR 6.8 – Accessible Alternative Fuel Infrastructure:** Support the development of alternative fuel infrastructure that is available and accessible to the public, and provide incentives for alternative fuel vehicles.
- **NR 6.9 – Education on Mobile Source Emission Reduction Techniques:** Provide education to the public on mobile source emission reduction techniques such as using alternative modes of transportation.

Goal NR7: Reduced air pollutant emissions from stationary sources.

- **NR 7.1 – Fuel Efficient Equipment:** Support the use of fuel efficient heating equipment and other appliances.

- **NR 7.2 – Source Emission Reduction Best Management Practices:** Require the use of Best Management Practices (BMP) to minimize pollution and to reduce source emissions.
- **NR 7.3 – Incentives for Air Pollution Reduction:** Provide incentives to promote siting or to use clean air technologies and building materials (e.g., fuel cell technologies, renewable energy sources, UV coatings, hydrogen fuel).

Goal NR 8: Reduced air pollutant emissions from construction activities.

- **NR 8.1 – Management of Construction Activities to Reduce Air Pollution:** Require developers to use and operate construction equipment, use building materials and paints, and control dust created by construction activities to minimize air pollutants.

Goal NR 24: Increased energy efficiency in City facilities and operations and in private developments.

- **NR 24.1 – Incentives for Energy Conservation:** Develop incentives that encourage the use of energy conservation strategies by private and public developments.
- **NR 24.2 – Energy-Efficient Design Features:** Promote energy-efficient design features.
- **NR 24.3 – Incentives for Green Building Program Implementation:** Promote or provide incentives for “Green Building” programs that go beyond the requirements of Title 24 of the California Administrative Code and encourage energy efficient design elements as appropriate to achieve “green building” status.
- **NR 24.4 – Incentives for Provision of LEED Certified Buildings:** Provide incentives for implementing Leadership in Environmental and Energy Design (LEED) certified building such as fee waivers, bonus densities, and/or awards recognition programs.

BIOLOGICAL RESOURCES

The General Plan includes the following goals and policies that are relevant to biological resources.

Goal NR 10: Protection of sensitive and rare terrestrial and marine resources from urban development.

- **NR 10.2 - Orange County Natural Communities Conservation Plan:** Comply with the policies contained within the Orange County Natural Communities Conservation Plan.
- **NR 10.5 - New Development Siting and Design Require:** that the siting and design of new development, including landscaping and public access, protect sensitive or rare resources against any significant disruption of habitat values.
- **NR 10.7 - Use of Buffers:** Maintain a buffer of sufficient size around significant or rare biological resources, if present, to ensure the protection of these resources. Require the use of native vegetation and prohibit invasive plant species within these buffer areas.
- **NR 10.8 - Exterior Lighting:** Shield and direct exterior lighting away from significant or rare biological resources to minimize impacts to wildlife.

CULTURAL RESOURCES

The General Plan includes the following goals and policies that are relevant to cultural resources.

Goal HR 2: Identification and protection of important archeological and paleontological resources within the City.

- **HR 2.1 - New Development Activities:** Require that, in accordance with CEQA, new development protect and preserve paleontological and archaeological resources from destruction and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.
- **HR 2.2 - Grading and Excavation Activities:** Require a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archeological or paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archeologist, subject to the approval of the City Planning Department.
- **HR 2.3 - Cultural Organizations:** Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow representatives of such groups to monitor grading and/or excavation of development sites.
- **HR 2.4 - Paleontological or Archaeological Materials:** Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach, or Orange County, whenever possible.

Goal NR 18: Protection and preservation of important paleontological and archaeological resources.

- **NR 18.1 - New Development:** Require new development to protect and preserve paleontological and archaeological resources from destruction and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.
- **NR 18.3 - Potential for New Development to Impact Resources:** Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites.

Require new development, where on site preservation and avoidance are not feasible, to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange County, whenever possible.

ENERGY

The General Plan includes the following goals and policies that are relevant to energy.

Goal NR 24: Increased energy efficiency in City facilities and operations and in private developments.

- **NR 24.1 – Incentives for Energy Conservation:** Develop incentives that encourage the use of energy conservation strategies by private and public developments.
- **NR 24.2 – Energy-Efficient Design Features:** Promote energy-efficient design features.
- **NR 24.3 – Incentives for Green Building Program Implementation:** Promote or provide incentives for “Green Building” programs that go beyond the requirements of Title 24 of the California Administrative Code and encourage energy efficient design elements as appropriate to achieve “green building” status.
- **NR 24.4 – Incentives for Provision of LEED Certified Buildings:** Provide incentives for implementing Leadership in Environmental and Energy Design (LEED) certified building such as fee waivers, bonus densities, and/or awards recognition programs.

GEOLOGY AND SOILS

The General Plan includes the following goals and policies that are relevant to geology and soils.

Goal NR 3: Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors, and wetlands.

- **NR 3.5 - Storm Sewer System Permit:** Require all development to comply with the regulations under the City’s municipal separate storm sewer system permit under the National Pollutant Discharge Elimination System.
- **NR 3.10 - Water Quality Management Plan:** Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction.
- **NR 3.11 - Best Management Practices:** Implement and improve upon Best Management Practices (BMPs) for residences, businesses, development projects, and City operations.
- **NR 3.12 - Site Design and Source Control:** Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Discharge Elimination System (NPDES), structural treatment BMPs will be implemented along with site design and source control measures.
- **NR 3.13 - Reduction of Infiltration:** Include equivalent BMPs that do not require infiltration, where infiltration of runoff would exacerbate geologic hazards.

- **NR 3.16 - Street Drainage Systems:** Require all street drainage systems and other physical improvements created by the City, or developers of new subdivisions, to be designed, constructed, and maintained to minimize adverse impacts on water quality. Investigate the possibility of treating or diverting street drainage to minimize impacts to water bodies.
- **NR 3.18 - Parking Lots and Rights-of-Way:** Require that parking lots and public and private rights-of-way be maintained and cleaned frequently to remove debris and contaminated residue.
- **NR 3.21 - Impervious Surfaces:** Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible.

Goal NR 4: Maintenance of water quality standards through compliance with the total maximum daily loads (TMDLs) standards.

- **NR 4.4 - Erosion Minimization:** Require grading/erosion control plans with structural BMPs that prevent or minimize erosion during and after construction for development on steep slopes, graded, or disturbed areas.

Goal NR 18 Protection and preservation of important paleontological and archaeological resources.

- **NR 18.1 - New Development:** Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.
- **NR 18.3 - Potential for New Development to Impact Resources:** Require new development, where on site preservation and avoidance are not feasible, to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange County, whenever possible.

Goal HR 2: Identification and protection of important archeological and paleontological resources within the City.

- **HR 2.1 - New Development Activities:** Require that, in accordance with CEQA, new development protect and preserve paleontological and archaeological resources from destruction and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.
- **HR 2.2 - Grading and Excavation Activities:** Require a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archeological or paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archeologist, subject to the approval of the City Planning Department.

- **HR 2.4 - Paleontological or Archaeological Materials:** Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach, or Orange County, whenever possible.

GREENHOUSE GAS EMISSIONS

The General Plan includes several policies that would reduce GHG emissions associated with future development projects in the City, including:

- **NR 6.1 – Walkable Neighborhoods:** Provide for walkable neighborhoods to reduce vehicle trips by siting amenities such as services, parks, and schools in close proximity to residential areas.
- **NR 6.2 – Mixed-Use Development:** Support mixed-use development consisting of commercial or office with residential uses in accordance with the Land Use Element that increases the opportunity for residents to live in proximity to jobs, services, and entertainment.
- **NR 6.3 – Vehicle-Trip Reduction Measures:** Support measures to reduce vehicle-trip generation such as at-work day care facilities, and on-site automated banking machines.
- **NR 6.4 – Transportation Demand Management Ordinance:** Implement the Transportation Demand Management (TDM) Ordinance, which promotes and encourages the use of alternative transportation modes, and provides those facilities such as bicycle lanes that support such alternate modes.
- **NR 6.5 – Local Transit Agency Collaboration:** Collaborate with local transit agencies to: develop programs and educate employers about employee rideshare and transit; establish mass transit mechanisms for the reduction of work-related and non-work-related vehicle trips; promote mass transit ridership through careful planning of routes, headways, origins and destinations, and types of vehicles; and develop bus shelters, bicycle lanes, and other bicycle facilities.
- **NR 6.6 – Traffic Signal Synchronization:** Encourage synchronization of traffic signals throughout the City and with adjoining cities and counties to allow free flow of traffic.
- **NR 6.7 – City Fleet Vehicles:** Implement the program to replace existing vehicles in the City fleet with clean vehicles that are commercially available and will provide needed services.
- **NR 6.8 – Accessible Alternative Fuel Infrastructure:** Support the development of alternative fuel infrastructure that is available and accessible to the public, and provide incentives for alternative fuel vehicles.
- **NR 7.1 – Fuel Efficient Equipment:** Support the use of fuel efficient heating equipment and other appliances.
- **NR 7.2 – Source Emission Reduction Best Management Practices:** Require the use of Best Management Practices (BMP) to minimize pollution and to reduce source emissions.
- **NR 8.1 – Management of Construction Activities to Reduce Air Pollution:** Require developers to use and operate construction equipment, use building materials and paints, and control dust created by construction activities to minimize air pollutants.

- **NR 24.1 – Incentives for Energy Conservation:** Develop incentives that encourage the use of energy conservation strategies by private and public developments.
- **NR 24.2 – Energy-Efficient Design Features:** Promote energy-efficient design features.
- **NR 24.3 – Incentives for Green Building Program Implementation:** Promote or provide incentives for “Green Building” programs that go beyond the requirements of Title 24 of the California Administrative Code and encourage energy efficient design elements as appropriate to achieve “green building” status.

HAZARDS AND HAZARDOUS MATERIAL

The General Plan includes the following goals and policies that are relevant to hazards and hazardous materials.

Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitates walking and enhance livability.

- **LU 6.15.3 - Airport Compatibility:** Require that all development be constructed in conformance with the height restrictions set forth by Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and that residential development be located outside of the 65 dBA CNEL noise contour specified by the 1985 JWA Master Plan.

Goal S 7: Exposure of people and the environment to hazardous materials associated with methane gas extraction, oil operations, leaking underground storage tanks, and hazardous waste generators is minimized.

- **S 7.1 - Known Areas of Contamination:** Require proponents of projects in known areas of contamination from oil operations or other uses to perform comprehensive soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards, and if contamination exceeds regulatory action levels, require the proponent to undertake remediation procedures prior to grading and development under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board (depending upon the nature of any identified contamination).
- **S 7.4 - Implementation of Remediation Efforts:** Minimize the potential risk of contamination to surface water and groundwater resources and implement remediation efforts to any resources adversely impacted by urban activities.
- **S 7.5 - Siting of Sensitive Uses:** Develop and implement strict land use controls, performance standards, and structure design standards including development setbacks from sensitive uses such as schools, hospitals, day care facilities, elder care facilities, residential uses, and other sensitive uses that generate or use hazardous materials.
- **S 7.6 - Regulation of Companies Involved with Hazardous Materials:** Require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, State and Federal agencies in the event of a violation.

HYDROLOGY AND WATER QUALITY

The General Plan includes the following goals and policies that are relevant to hydrology and water quality.

Goal NR 3: Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors, and wetlands.

- **NR 3.2 - Chemical Use Impacts:** Support regulations limiting or banning the use insecticides, fertilizers, and other chemicals which are shown to be detrimental to water quality.
- **NR 3.4 - Ground Water Contamination:** Suspend activities and implement appropriate health and safety procedures in the event that previously unknown groundwater contamination is encountered during construction. Where site contamination is identified, implement an appropriate remediation strategy that is approved by the City and the state agency with appropriate jurisdiction.
- **NR 3.5 - Storm Drain Sewer System Permit:** Require all development to comply with the regulations under the City's municipal separate storm drain system permit under the National Pollutant Discharge Elimination System.
- **NR 3.6 - Natural Water Bodies:** Require that development does not degrade natural water bodies.
- **NR 3.10 - Water Quality Management Plan:** Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction.
- **NR 3.11 - Best Management Practices:** Implement and improve upon Best Management Practices (BMPs) for residences, businesses, development projects, and City operations.
- **NR 3.12 - Site Design and Source Control:** Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Discharge Elimination System (NPDES), structural treatment BMPs will be implemented along with site design and source control measures.
- **NR 3.13 - Reduction of Infiltration:** Include equivalent BMPs that do not require infiltration, where infiltration of runoff would exacerbate geologic hazards.
- **NR 3.16 - Street Drainage Systems:** Require all street drainage systems and other physical improvements created by the City, or developers of new subdivisions, to be designed, constructed, and maintained to minimize adverse impacts on water quality. Investigate the possibility of treating or diverting street drainage to minimize impacts to water bodies.
- **NR 3.17 - Siting of New Development:** Require that development be located on the most suitable portion of the site and designed to ensure the protection and preservation of natural and sensitive site resources that provide important water quality benefits.
- **NR 3.18 - Parking Lots and Rights-of-Way:** Require that parking lots and public and private rights-of-way be maintained and cleaned frequently to remove debris and contaminated residue.

- **NR 3.20 - Natural Drainage Systems:** Require incorporation of natural drainage systems and stormwater detention facilities into new developments, where appropriate and feasible, to retain stormwater in order to increase groundwater recharge.
- **NR 3.21 - Impervious Surfaces:** Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible.

Goal NR 4: Maintenance of water quality standards through compliance with the total maximum daily loads (TMDLs) standards

- **NR 4.4 - Erosion Minimization:** Require grading/erosion control plans with structural BMPs that prevent or minimize erosion during and after construction for development on steep slopes, graded, or disturbed areas.

Goal NR 5: Sanitary Sewer Outflows—Minimal adverse effects to water quality from sanitary sewer outflows

- **NR 5.2 - Waste Discharge Permits:** Require waste discharge permits for all food preparation facilities that produce grease.

LAND USE AND PLANNING

Relevant General Plan goals and policies are reviewed in detail in Section 6.11, Table 12, *Newport Beach General Plan Consistency Analysis*. Applicable General Plan policies for specific environmental topics are listed in this Appendix.

MINERAL RESOURCES

The General Plan does not include any mineral resources goals or policies that are relevant to the proposed project.

NOISE

The General Plan includes the following goals and policies that relate specifically to potential noise impacts of the proposed project.

Goal N 1: Noise Compatibility: Minimized land use conflicts between various noise sources and other human activities.

- **N 1.1 - Noise Compatibility of New Development:** Require that all proposed projects are compatible with the noise environment through use of Table N2 of the Noise Element, and enforce the interior and exterior noise standards shown in Table N3 of the Noise Element.
- **N 1.2 - 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.

- **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.
- **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 or mixed-use project containing a residential component, consistent with Title 21 of California Code of Regulations.
- **N 1.5 – 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 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.
- **N 1.8 - Significant Noise Impacts:** Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting existing sensitive uses. The CNEL increase is shown in the table below.

No Project Noise Exposure	Allowable Noise Exposure Increment
55	3
60	2
65	1
70	1
75	0

Goal N 2: Minimized motor vehicle traffic and boat noise impacts on sensitive noise receptors

- **N 2.1 - 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.
- **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 noise levels to not exceed 45 dBA CNEL interior. Other new noise sensitive land uses that are adjacent to major roads 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.

Goal N 3: 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.

- **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 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..
- **N 3.2 - Residential Development:** Require that residential development proximate to John Wayne Airport shall not be located outside on parcels wholly within the John Wayne Airport 65 dBA of 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.

Goal N 4: Minimization of Nontransportation-Related Noise: Minimized nontransportation-related noise impacts on sensitive noise receptors.

- **N 4.1 - Stationary Noise Sources:** Enforce interior and exterior noise standards outlined in Table N3 of the Noise Element 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.
- **N 4.6 - Maintenance or Construction Activities:** Require the enforcement of the Noise Ordinance noise limits and limits hours of maintenance or construction activity in or adjacent to residential areas, including noise that results from in-home hobby or work related activities.

Goal N 5: Minimized excessive construction-related noise.

- **N 5.1 - Limiting Hours of Activity:** Enforce the limits on hours of construction activity.

Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.

- **LU 6.15.3 - Airport Compatibility:** Require that all development be constructed in conformance with the height restrictions set forth by Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and that residential development be located outside of the 65 dBA CNEL noise contour specified by the 1985 JWA Master Plan.

- **LU 6.15.15 - Aircraft Notification:** Require that all neighborhood parks be posted with a notification to users regarding proximity to John Wayne Airport and aircraft overflight and noise.

POPULATION AND HOUSING

The City of Newport Beach’s General Plan Certified 6th Cycle Housing Element was updated in September 2022 (Newport Beach 2022). This is in accordance with the state’s requirement to update housing elements every five years in response to the Regional Housing Needs Assessment (RHNA). Goals and policies particularly relevant to the proposed project, including affordable housing and airport-area-related policies, are reproduced below.

Goal H1: Provision of adequate sites to accommodate projected housing unit growth needs.

- **Housing Policy 1.1** - Identify a variety of sites to accommodate housing growth need by income categories to serve the needs of the entire community.

Goal H3: A variety of housing types, designs, and opportunities for all social and economic segments.

- **Housing Policy 3.1** - Encourage preservation of existing and provision of new housing affordable to extremely low-, very low-, low-, and moderate-income households.
- **Housing Policy 3.2** - Encourage housing developments to offer a wide spectrum of housing choices, designs, and configurations.

Goal H4: Housing opportunities for as many renter- and owner-occupied households as possible in response to the market demand and RHNA obligations for housing in the City.

- **Housing Policy 4.2** - Enable construction of new housing units sufficient to meet City quantified goals by identifying adequate sites for their construction.

PUBLIC SERVICES

The General Plan includes the following goals and policies that are relevant to public services.

- **LU 2.8 – Adequate Community Supporting Uses:** Accommodate the types, densities, and mix of land uses that can be adequately supported by transportation and utility infrastructure (water, sewer, storm drainage, energy, and so on) and public services (schools, parks, libraries, seniors, youth, police, fire, and so on).
- **LU 6.1.1 – Adequate Community Supporting Uses:** Accommodate schools, government administrative and operational facilities, fire stations and police facilities, religious facilities, schools, cultural facilities, museums, interpretative centers, and hospitals to serve the needs of Newport Beach’s residents and businesses.

Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitates walking and enhance livability.

- **LU 6.15.15 - Aircraft Notification:** Require that all neighborhood parks be posted with a notification to users regarding proximity to John Wayne Airport and aircraft overflight and noise.

Goal R 1: Provision of Facilities—Provision of adequate park and recreation facilities that meet the recreational needs of existing and new residents of the community.

- **R 1.4 - Density Bonuses:** Consider development of incentives such as density bonuses for private commercial, office, and other developments to provide usable open space such as rooftop courts, pocket parks, public plazas, jogging trails, and pedestrian trails.
- **R 1.12 - Aircraft Overflight and Noise:** Require that all public parks located within the noise impact zones as defined in the 1985 JWA Master Plan for John Wayne Airport be posted with a notification to users regarding aircraft overflight and noise.

RECREATION

The General Plan includes the following goals and policies that are relevant to recreation.

Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.

- **LU 6.15.13 Neighborhood Parks Standards:** To provide a focus and identity for the entire neighborhood and to serve the daily recreational and commercial needs of the community within easy walking distance of homes, require dedication and improvement of at least 8 percent of the gross land area (exclusive of existing rights-of-way) of the first phase development in each neighborhood, or ½ acre, whichever is greater, as a neighborhood park. This requirement may be waived by the City where it can be demonstrated that the development parcels are too small to feasibly accommodate the park or inappropriately located to serve the needs of local residents, and when an in-lieu fee is paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area.

In every case, the neighborhood park shall be at least 8 percent of the total Residential Village Area or one acre in area, whichever is greater, and shall have a minimum dimension of 150 feet. Park acreage shall be exclusive of existing or new rights-of-way, development sites, or setback areas. A neighborhood park shall satisfy some or all of the requirements of the Park Dedication Ordinance, as prescribed by the Recreation Element of the General Plan.

- **LU 6.15.16 On - Site Recreation and Open Space Standards:** Require developers of multi-family residential developments on parcels 8 acres or larger to provide on-site recreational amenities. For these developments, 44 square feet of on-site recreational amenities shall be provided for each dwelling unit in addition to the requirements under the City's Park Dedication Ordinance and in accordance with the Parks and Recreation Element of the General Plan. On-site recreational amenities can consist of public urban plazas or squares where there is the capability for recreation and outdoor activity. These recreational amenities may also include swimming pools, exercise facilities, tennis courts, and basketball courts. Where there is insufficient land to provide on-site recreational amenities, the developer shall be required to pay cash in-lieu that would be used to develop or upgrade nearby recreation facilities to offset user demand as defined in the City's Park Dedication Fee Ordinance.

The acreage of on-site open space developed with residential projects may be credited against the parkland dedication requirements where it is accessible to the public during daylight hours, visible from public rights-of-way, and is of sufficient size to accommodate recreational use by the public. However, the credit for the provision of on-site open space shall not exceed 30 percent of the parkland dedication requirements.

Goal R 1: Provision of Facilities—Provision of adequate park and recreation facilities that meet the recreational needs of existing and new residents of the community.

- **R 1.1 - Provision of Parkland:** Require future development to dedicate land or pay in-lieu fees at a minimum of 5 acres of parkland per 1,000 persons.
- **R 1.4. Density Bonuses.** Consider development of incentives such as density bonuses for private commercial, office, and other developments to provide usable open space such as rooftop courts, pocket parks, public plazas, jogging trails, and pedestrian trails.

Goal R 2: Maintenance and Preservation—Maintenance and preservation of existing parks and recreation facilities.

- **R 2.1 - Enhancement of Facilities:** Use funding from the City's Park Dedication Fee Ordinance to enhance existing parks and recreation facilities.

TRANSPORTATION

The General Plan includes the following goals and policies from the updated Circulation Element that are relevant to transportation/traffic impacts of the proposed project.

Goal CE 1.1: An overall transportation system that facilitates the movement of people and goods within and through the City of Newport Beach and accommodates conservative growth within the City of Newport Beach, but is not expanded primarily to accommodate growth in the surrounding region.

- **CE 1.1.1 - Comprehensive Transportation System:** Provide a diverse transportation system that provides mobility options for the community.
- **CE 1.1.2 - Integrated System of Multiple Modes:** Provide an integrated transportation system that supports the land use plan set forth in the Land Use Element.
- **CE 1.1.3 - Levels of Service Related to Community Character:** Establish level of service standards that reflect the character of the various unique districts and neighborhoods of Newport Beach.

Goal CE 1.2: Reduced summertime visitor traffic impacts.

- **CE 1.2.4 - Public Transit:** Support and encourage OCTA efforts to provide/fund summertime expanded bus service and/or local shuttle services to reduce visitor traffic.

Goal CE 2.1: A roadway system that provides for the efficient movement of goods and people in the City of Newport Beach, while maintaining the community's character and its residents' quality of life.

- **CE 2.1.2 - Street and Highway Network:** Construct the circulation system described on the map entitled Newport Beach Circulation Element-Master Plan of Streets and Highways shown in Figure CE1 and Figure CE2 (cross-section).
- **CE 2.1.4 - Roadway Improvements:** Pursue construction of intersection improvements shown on Figure CE3 or alternate improvements that achieve an acceptable level of service.
- **CE 2.1.6 - Protection of Right-of-Way:** Protect right-of-way for designated future streets and highways through all practicable means.

Goal CE 2.3: Optimal roadway system operation.

- **CE 2.3.4 - Improvements to Reflect Changing Traffic Conditions:** Based on the monitoring of traffic conditions, consider additional improvements in areas with operations issues, such as intersections with heavy turn volumes (e.g. additional turn lanes, traffic signal progression, etc.).

Goal CE 5.1: Convenient trail systems that satisfy recreational desires and transportation needs.

- **CE 5.1.2 - Pedestrian Connectivity:** Link residential areas, schools, parks, and commercial centers so that residents can travel within the community without driving.
- **CE 5.1.3 - Pedestrian Improvements in New Development Projects:** Require new development projects to include safe and attractive sidewalks, walkways, and bike lanes in accordance with the Master Plan, and, if feasible, trails.
- **CE 5.1.4 - Linkages to Citywide Trail System and Neighborhoods:** Require developers to construct links to the planned trail system, adjacent areas, and communities where appropriate.
- **CE 5.1.5 - Bikeway System:** Cooperate with state, federal, county, and local agencies to coordinate bikeways and trails throughout the region.
- **CE 5.1.6 - Bicycle Supporting Facilities:** Incorporate bicycle and pedestrian facilities in the design plans for new streets and highways and, where feasible, in the plans for improving existing roads.
- **CE 5.1.7 - Bicycle Safety:** Provide for safety of bicyclists, equestrians, and pedestrians by adhering to current national standards and uniform practices.
- **CE 5.1.8 - Bicycle Conflicts with Vehicles and Pedestrians:** Minimize conflict points among motorized traffic, pedestrians, and bicycle traffic.
- **CE 5.1.9 - Integrated Bicycle Improvements:** Coordinate community bicycle and pedestrian facilities in a citywide network for continuity of travel.

Goal CE 6.2: Reduced automobile travel through the use of travel demand management strategies.

- **CE 6.2.1 - Alternative Transportation Modes:** Promote and encourage the use of alternative transportation modes, such as ridesharing, carpools, vanpools, public transit, bicycles, and walking; and provide facilities that support such alternate modes.
- **CE 6.2.2 Support Facilities for Alternative Modes:** Require new development projects to provide facilities commensurate with development type and intensity to support alternative modes, such as preferential parking for carpools, bicycle lockers, showers, commuter information areas, rideshare vehicle loading areas, water transportation docks, and bus stop improvements.
- **CE 6.2.3 - Project Site Design Supporting Alternative Modes:** Encourage increased use of public transportation by requiring project site designs that facilitate the use of public transportation and walking.

Goal CE 8.1: Adequate funding for needed transportation infrastructure and operations.

- **CE 8.1.9 - Right-of-Way Dedication:** Require the dedication of needed right-of-way in conjunction with approval of subdivision maps or other discretionary approvals.
- **CE 8.1.10 - Development Requirements:** Require development to provide the needed roadway improvements adjacent to a site, commensurate with project impact and in accordance with the Master Plan of Streets and Highways.
- **CE 8.1.11 - Joint Funding with Adjoining Jurisdictions:** Pursue joint funding of improvements in areas (such as the Airport Area) where traffic growth and/or needed improvements are demonstrably based upon traffic contributions or improvements that are a joint responsibility of Newport Beach and one or more adjacent jurisdictions/agencies.
- **CE 8.1.12 - Measure M Restrictions:** Measure M sales tax revenues shall not be used to replace private developer funding that has been committed for any project or normal subdivision obligations.
- **CE 8.1.13 - Transportation Improvement or Special Assessment District:** Establish a transportation improvement or special assessment district to fund improvements needed in the Airport Area.

TRIBAL CULTURAL RESOURCES

The General Plan includes the following goals and policies that are relevant to tribal cultural resources.

Goal HR 2: Identification and protection of important archeological and paleontological resources within the City.

- **HR 2.1 - New Development Activities:** Require that, in accordance with CEQA, new development protect and preserve paleontological and archaeological resources from destruction and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.
- **HR 2.2 - Grading and Excavation Activities:** Require a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archeological or paleontological

resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archeologist, subject to the approval of the City Planning Department.

- **HR 2.3 - Cultural Organizations:** Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow representatives of such groups to monitor grading and/or excavation of development sites.
- **HR 2.4 - Paleontological or Archaeological Materials:** Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach, or Orange County, whenever possible.

Goal NR 18: Protection and preservation of important paleontological and archaeological resources.

- **NR 18.1 - New Development:** Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.
- **NR 18.3 - Potential for New Development to Impact Resources:** Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites.

Require new development, where on site preservation and avoidance are not feasible, to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange County, whenever possible.

UTILITIES AND SERVICE PROVIDERS

The General Plan includes several policies that would reduce impacts to utilities and service providers associated with future development projects in the City, including:

Goal HB 8: Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors and wetlands.

- **HB 8.4 - Storm Drain Sewer System Permit:** Require all development to comply with the regulations under the City's municipal separate storm sewer system permit under the National Pollutant Discharge Elimination System.
- **HB 8.9 - Water Quality Management Plan:** Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction.
- **HB 8.11 - Site Design and Source Control:** Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Elimination System, structural treatment BMPs will be implemented along with site design and source control measures.

- **HB 8.14 - Runoff Reduction on Private Property:** Retain runoff on private property to prevent the transport of pollutants into recreational waters, to the maximum extent practicable.
- **HB 8.20 - Impervious Surfaces:** Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible.

Goal NR 1: Minimized water consumption through conservation methods and other techniques.

- **NR 1.1 - Water Conservation in New Development:** Enforce water conservation measures that limit water usage, prohibit activities that waste water or cause runoff, and require the use of water-efficient landscaping and irrigation in conjunction with new construction projects.

WILDFIRE

The General Plan does not include any wildfire goals or policies that are relevant to the proposed project.