



# AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

## AGENDA ITEM 2

May 18, 2023

**TO:** Commissioners/Alternates

**FROM:** Lea Choum, Executive Officer

**SUBJECT:** City of Buena Park Zoning Code Text Amendment Related to Billboard Signs

### Background

The City of Buena Park has submitted a Zoning Code Text Amendment related to Billboard Signs for a consistency review. The Zoning Text Amendment would add one location to the existing Billboard Overlay Zone. The City proposes to add the property located at 7201 Artesia Boulevard (APN: 066-020-36) to the eligible locations within the Billboard Overlay Zone. The Amendment would also allow the City of Buena Park to enter into relocation agreements for removal or relocation of billboards subject to Development Agreement approval. See Attachment 1 to view the additional proposed billboard location.

The proposed billboard location is within the FAR Part 77 Notification and Obstruction Imaginary Surfaces for Fullerton Municipal Airport (FMA) and has a proposed maximum height of 65 feet above ground level. The proposed billboard site is an irregularly shaped parcel near the 5 Freeway and currently serves as an island between Firestone Boulevard and Artestia Boulevard.

The project is being referred to your Commission because of the project's location within the Airport Planning Area for FMA and due to the need for a Zoning Code Amendment.

The City of Buena Park has held/scheduled the following public hearings on the proposed project:

April 12, 2023  
May 23, 2023

Planning Commission (7-0 vote recommending approval)  
City Council

The project has been evaluated for consistency with the *AELUP for Fullerton Municipal Airport (AELUP for FMA)*.

### **Regarding Aircraft Noise Impacts**

The proposed project is not located within the FMA 60 or 65 dB CNEL contours, therefore there are no issues related to noise. (See Attachment 2).

### **Regarding Height Restrictions**

In Section 2.1.3 of the *AELUP for FMA*, the Commission has incorporated the standards for height limits for determining obstructions and has incorporated the definitions of “imaginary surfaces” for airports as defined in Federal Aviation Regulations (FAR) Part 77. The proposed project is located within the FAR Part 77 Obstruction Conical Surface for FMA as shown on Attachment 3. The conical surface would be penetrated at 350 feet above mean sea level (AMSL). The maximum height allowed by the City for proposed billboard is 65 feet. With a ground elevation of approximately 67 feet, the proposed billboard will remain below the Conical surface at 132 feet AMSL.

The proposed project is located within the AELUP Notification Area for FMA (see Attachment 4). The proposed maximum height for the project is 132 feet AMSL which does not penetrate the notification surface of 160.9 feet AMSL.

### **Heliports**

Heliports are not proposed as part of the project; therefore no analysis of heliports was conducted.

### **Environmental Compliance**

The City of Buena Park prepared and circulated a Negative Declaration (MND-22-3) for the proposed development as well as the text amendment. The 30-day public review period ended on March 9, 2023. The Negative Declaration concluded that there are no potentially significant impacts to the environment from the proposed project.

### **Conclusion**

Attachment 5 to this report contains excerpts from the project submittal package received from the City of Buena Park for your reference. The proposed additional billboard location is located outside of the noise contours for FMA and does not penetrate the notification or the obstruction imaginary surfaces for FMA.

### **Recommendation:**

That the Commission find the proposed City of Buena Park Zoning Code Text Amendment Related to Billboard Signs consistent with the *Airport Environs Land Use Plan for Fullerton Municipal Airport (AELUP for FMA)*.

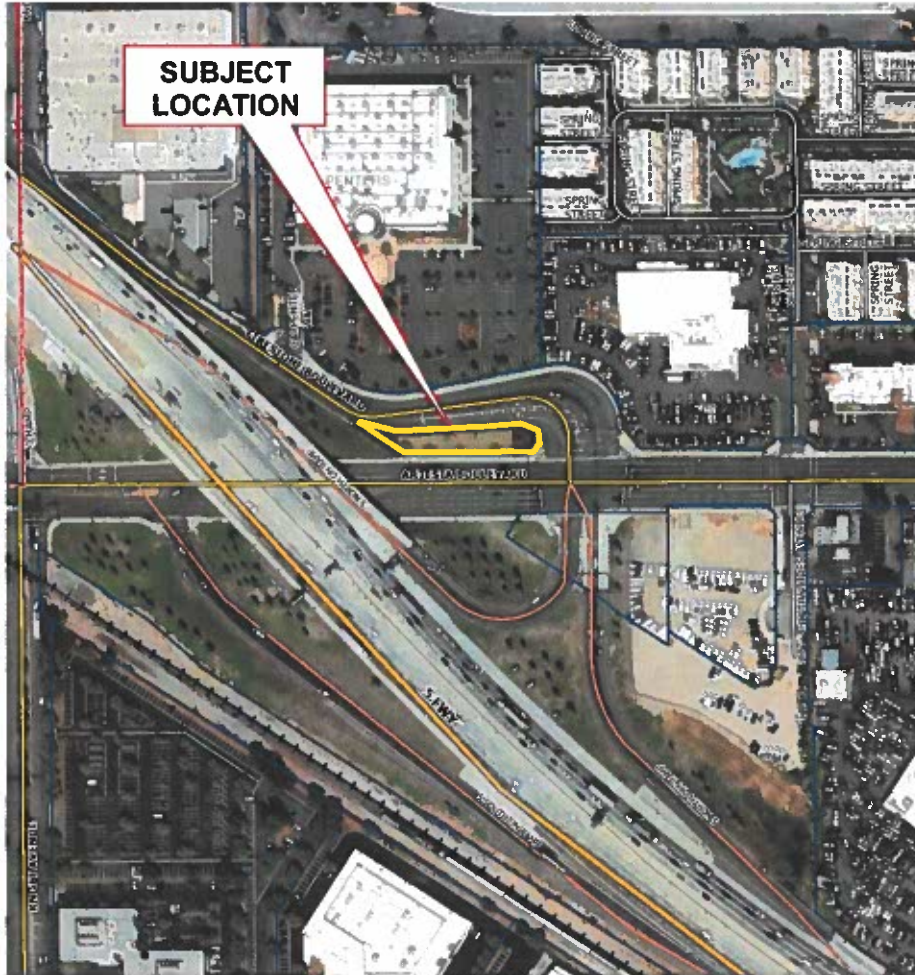
Respectfully submitted,



Lea U. Choum  
Executive Officer

Attachments:

1. Project Location Map
2. FMA CNEL Contours
3. FAR Part 77 FMA Obstruction Imaginary Surfaces
4. FAR Part 77 AELUP Notification Area for FMA
5. Submittal from City of Buena Park



# **PLANNING COMMISSION**

**April 12, 2023**

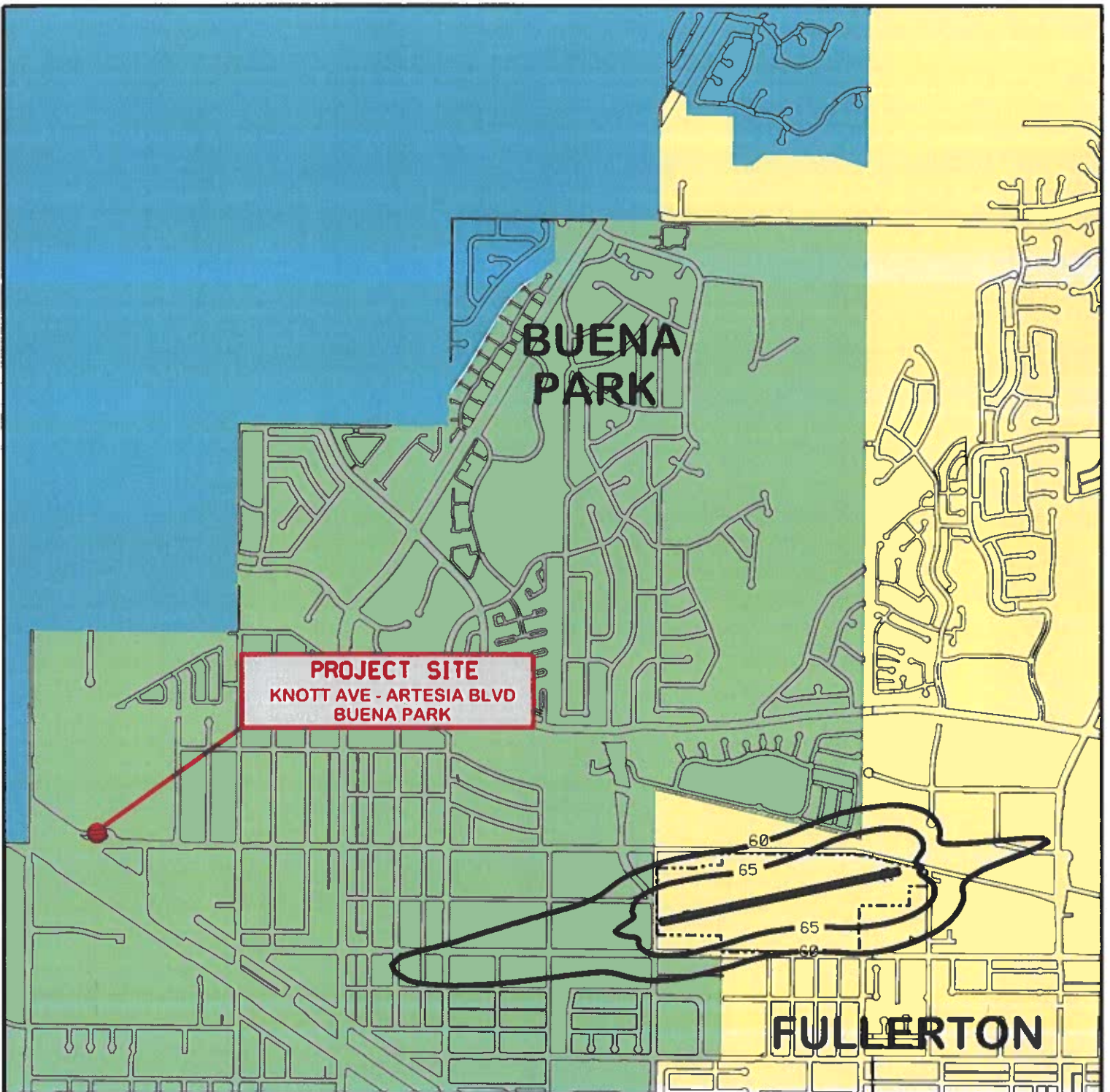
**DEVELOPMENT AGREEMENT NO. DA-21-1  
TEXT AMENDMENT NO. C-21-1  
NEGATIVE DECLARATION NO. MND-22-3**

**7201 Artesia Boulevard**

**APN: 066-020-36**

**ATTACHMENT 1**





Note – Larger format map is available through Commission office at 949-252-5170

## AIRPORT IMPACT ZONES AND NOISE CONTOURS FULLERTON MUNICIPAL AIRPORT

**LEGEND**

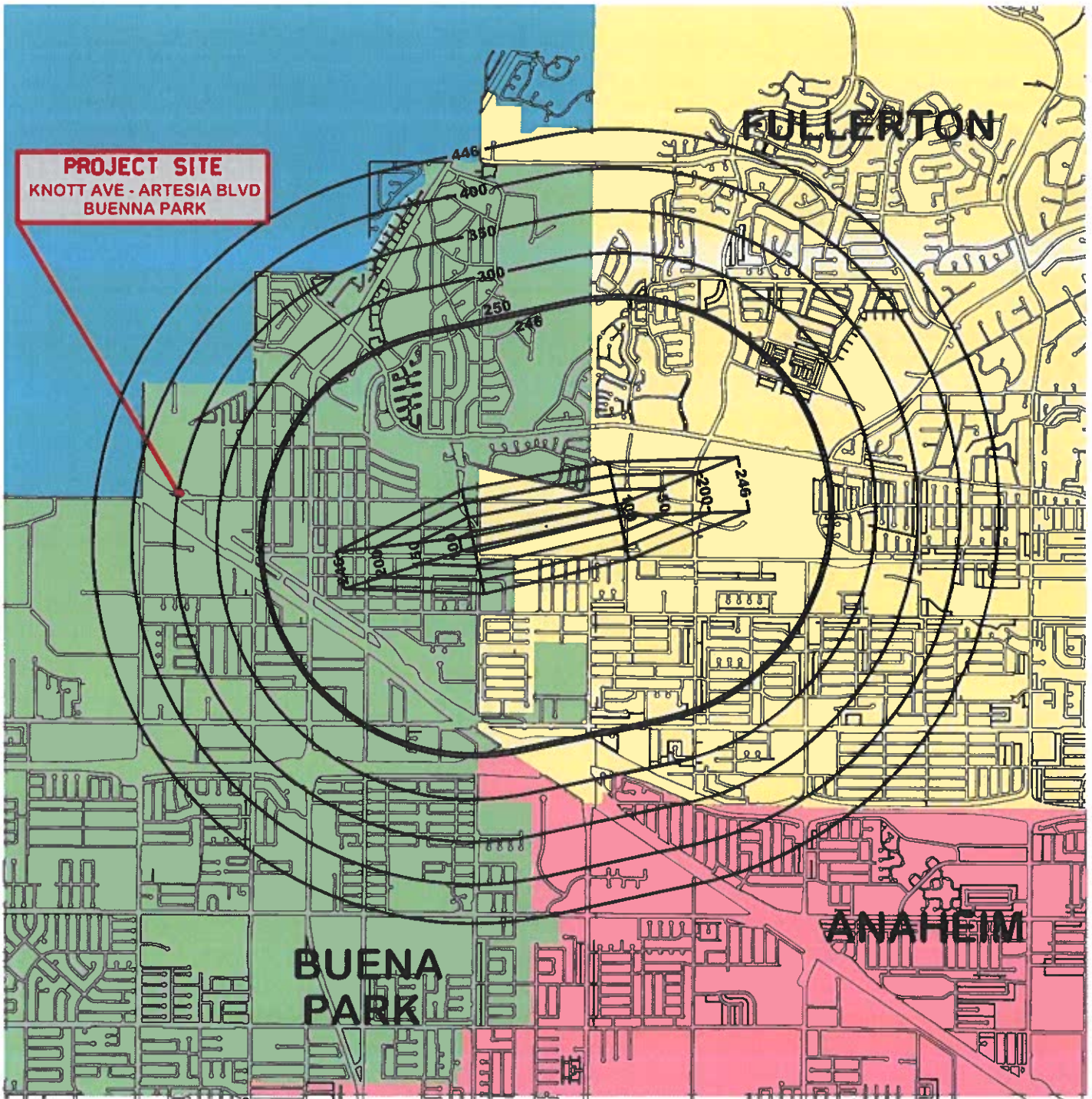
- 60- CNEL CONTOUR
- RUNWAY PROTECTION ZONE
- ACCIDENT POTENTIAL ZONE II
- CITY BOUNDARIES
- AIRPORT BOUNDARIES



CERTIFICATION

**ATTACHMENT 2**





Note: - County Unincorporated areas are shown in white.  
 - Larger format map is available through Commission office at 949-252-5170

## FAR PART 77

### Fullerton Municipal Airport Obstruction Imaginary Surfaces



0 1000 2000 3000 4000 5000  
 500 Scale In Feet

LEGEND

- CITY BOUNDARIES
- AIRPORT BOUNDARIES

CERTIFICATION

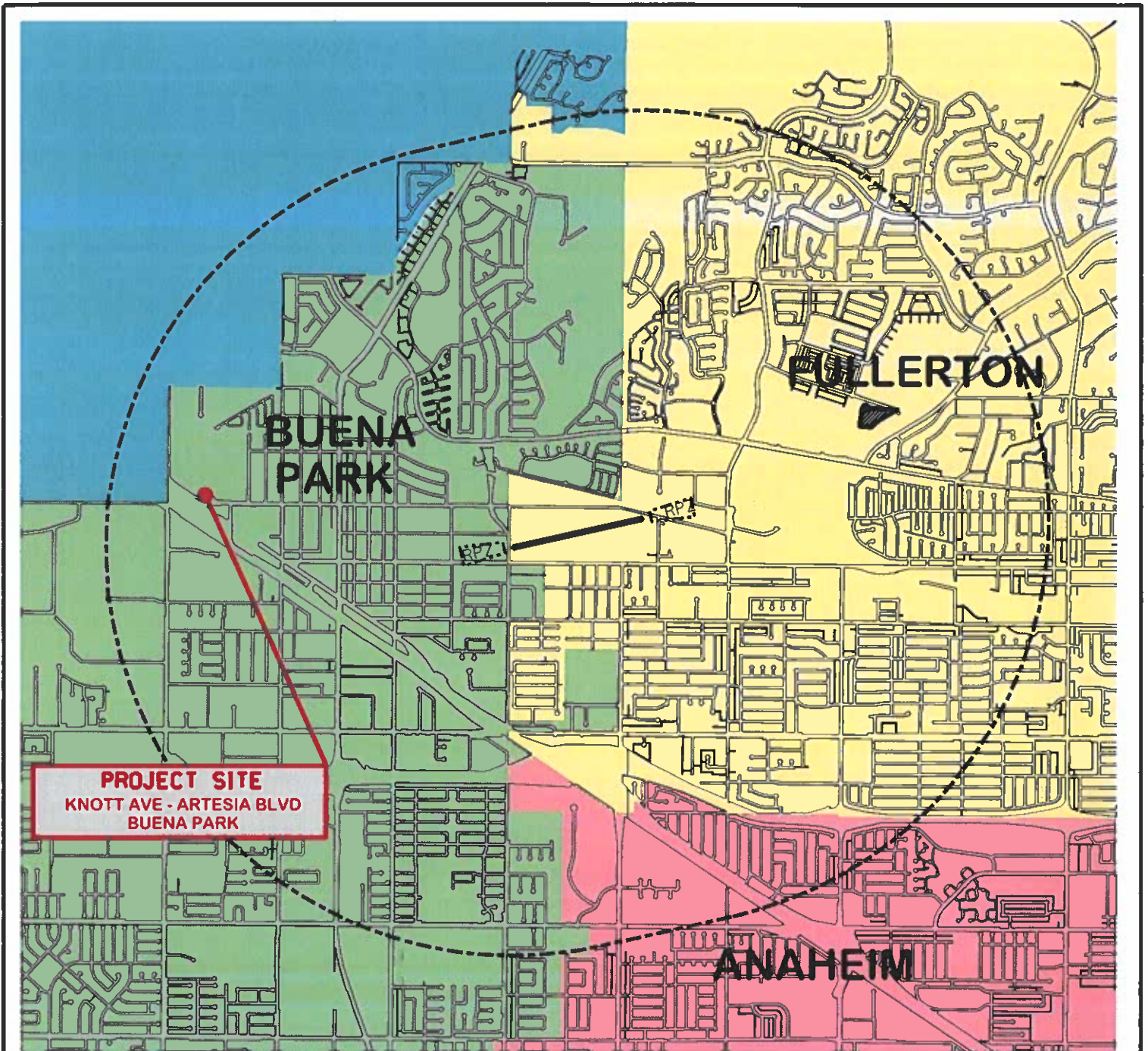
Orange County

**ATTACHMENT 3**

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# AELUP Notification Area for FMA



Note: - County Unincorporated areas are shown in white.  
 - Larger format map is available through Commission office at 949-252-5170

## FAR PART 77 Fullerton Municipal Airport Notification Area: 10,000' Radius at 50:1 Slope



### LEGEND

- 10,000 Radius
- CITY BOUNDARIES

### CERTIFICATION

**ATTACHMENT 4**

Lead Engineer, Executive Director Date



COMMUNITY & ECONOMIC DEVELOPMENT  
PLANNING DIVISION

April 14, 2023

Lea U. Choum, Executive Officer  
Orange County Airport Land Use Commission  
3160 Airway Avenue  
Costa Mesa, CA 92626

**SUBJECT: CITY OF BUENA PARK ZONING CODE TEXT AMENDMENT TO RELATED TO  
BILLBOARD SIGNS (SUBMITTED VIA EMAIL TO ALUCINFO@OCAIR.COM)**

Dear Ms. Choum:

The City of Buena Park is pleased to submit the Zoning Code Text Amendment to the Orange County Airport Land Use Commission (ALUC) for review and recommendation.

The text amendment will include one additional location APN: 066-020-36 within the previously adopted Billboard Overlay Zone and allow for the City of Buena Park to enter into relocation agreements for removal or relocation of billboards subject to Development Agreement approval. The site is located within the notification area of the Fullerton Municipal Airport but is not located within the Airport Safety Zones or the 60 or 65 CNEL noise contours of the airport. The proposed maximum height for a new billboard at this location will be 65 feet above ground level and would not penetrate the FAR Part 77 Notification and Obstruction imaginary Surfaces for FMA.

Enclosed you will find the ALUC Submittal Form, Submittal Checklist, as well as draft City Council Ordinance with the proposed Zoning Code text amendment in strike through and underline format. The City of Buena Park respectfully requests to be placed on the May 18, 2023 ALUC meeting agenda. If you have any questions or require any additional information, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads 'Swati Meshram'.

Swati Meshram, PhD, AICP, Planning Manager  
Planning Division, City of Buena Park

**Enclosures:**

- ALUC Submittal Form and Checklist
- Draft Buena Park City Council Ordinance for Text Amendment
- Buena Park General Plan Excerpts – Noise Policies/Mitigation Measures
- Notification Area Exhibit
- Obstruction Imaginary Surfaces exhibit
- Noise Contours exhibit





## AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY

### SUBMITTAL FORM: GENERAL PLAN • SPECIFIC PLAN • ZONING CODE

1. Name of City or County: City of Buena Park
2. Contact Information - Name/Title Swati Meshram  
Agency: City of Buena Park  
Address: 6650 Beach Boulevard, Buena Park  
Phone/email: [Click or tap here to enter text.](#)
3. Airport Planning Area(s):  
 John Wayne Airport     Fullerton Municipal Airport     JFTB - Los Alamitos
4. Item being submitted for review (submit each item separately): Zoning Code Amendment  
Name of General Plan Element, Specific Plan or Planned Community: [Click or tap here to enter text.](#)
5. Scheduled date of Planning Commission Public Hearing: 4/12/2023
6. Tentative date of City Council/Board of Supervisors Public Hearing: 5/23/2023
7. Requested date of ALUC Review: May 18  
*(Complete submittals must be received by the first day of the month for the next meeting).*
8. Does the item submitted propose a change of land use or heights within the airport Notification/Planning Area\*?  No (skip items # 9-12).  Yes (continue below).
9. Does the item propose a change of land use within the  60 CNEL or  65 CNEL noise contours of the airport(s)\*? Please attach an exhibit showing location(s) of the proposed new uses in relation to noise contours.
10. Are noise policies or mitigation measures identified in the proposed item or elsewhere in the General Plan?  No  Yes - Please attach pages with current (and proposed if applicable) noise policies/mitigation measures highlighted.
11. Does the item submitted propose a change of land use within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport\*?  No  Yes - Please attach exhibit showing location(s) of proposed uses.
12. Does the item submitted propose a change of land use within the Obstruction Imaginary Surfaces\*?  No  Yes
13. Please indicate current [Click or tap here to enter text.](#) and proposed 65 feet maximum heights allowed.

### SUBMITTAL CHECKLIST: General Plan · Specific Plan · Zoning Code

- Cover letter on City/County letterhead.
- Completed Submittal Form.
- Link to existing [https://library.qcode.us/lib/buena\\_park\\_ca/pub/city\\_code/item/title\\_19-division\\_9-chapter\\_19\\_912-19\\_912\\_090](https://library.qcode.us/lib/buena_park_ca/pub/city_code/item/title_19-division_9-chapter_19_912-19_912_090) and proposed See Attached General Plan Element, Specific Plan or Zoning Code for this submittal.
- Attachment showing proposed changes to General Plan Element, Specific Plan or Zoning Code Section(s) with strikethrough/underline.
- Exhibit showing location(s) of proposed new uses within the Notification Area/Planning Area for airport(s).
- Exhibit showing location(s) of proposed new uses in relation to noise contours for airport(s).
- Exhibit showing location(s) of proposed new uses in relation to Airport Safety Zones.
- Exhibit showing location(s) of proposed new uses in relation to the Obstruction Imaginary Surfaces.
- Attachment showing current and proposed noise policies/mitigation measures.
- Explanation of how the General Plan, Specific Plan, or Zoning Code address the AELUP standards for noise impact, safety compatibility, and height restriction zones.  
 The text amendment will include one additional location APN: 066-020-36 within the previously adopted Billboard Overlay Zone of the Buena Park Zoning Code and allow for the City of Buena Park to enter into relocation agreements for removal or relocation of billboards elsewhere subject to Development Agreement approval.  
  
 The site is located within the notification area of the Fullerton Municipal Airport but is not located within the Airport Safety Zones or the 60 or 65 CNEL noise contours of the airport. The proposed location is 1.66 miles, or approximately 8764.8 feet away from the airport, meaning that the maximum height allowed for the proposed project would be 175.3 feet, per the Obstruction Imaginary Surfaces. The proposed maximum height for a new billboard at this location will be 65 feet overall, and thus would not constitute a hazard.
- Describe height and density changes in cover letter and attach pages of General Plan, Specific Plan and/or Zoning Code where maximum heights are specified.

\*For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at:

*Mail or Email Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,  
 Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170  
[ALUCinfo@ocair.com](mailto:ALUCinfo@ocair.com)*



<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

Noise sensitive uses include but are not limited to community facilities such as: churches, libraries, schools, preschools, day-care centers, hospitals, and nursing/convalescent homes.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK AMENDING TITLE 19 (ZONING CODE) OF THE BUENA PARK MUNICIPAL CODE PERTAINING TO THE BILLBOARD SIGNS ADDING A NEW LOCATION WITHIN THE BILLBOARD OVERLAY ZONE AND ALLOWING RELOCATION OF DISPLAYS FROM OUTSIDE THE CITY OF BUENA PARK

**A. Recitals.**

(i) The City of Buena Park ("City") is a California charter city with plenary authority over all "municipal affairs," and the broad "police powers" vested by California's Constitution, pursuant to which it may make and enforce laws necessary to protect and preserve the health, safety, and welfare of residents, subject only to enactments by the California Legislature on matters of "statewide concern."

(ii) Consistent with such authority, the City enacted the Buena Park Municipal Code ("BPMC") and Buena Park Zoning Code (Title 19 of the BMPC, hereinafter "BPZC") to, among other things, regulate the location and nature of land uses in the City.

(iii) On April 12, 2023 following a duly noticed public hearing, as required by law, the Planning Commission of the City of Buena Park adopted Resolution No. \_\_\_\_ thereby recommending that the City Council adopt Text Amendment No. C21-1 amending regulations relating to Billboard Signs.

(iv) On \_\_\_\_\_, 2023 the City Council of the City of Buena Park conducted a duly noticed public hearing as required by law to consider proposed Text Amendment No. C21-1. Said public hearing was concluded prior to the adoption of this Ordinance.

(v) On \_\_\_\_\_, 2023 the Airport Land Use Commission conducted a public hearing and concluded that the proposed Text Amendment No. C21-1 is consistent with the Airport Environs Land Use Plan for the Fullerton Municipal Airport.

(vi) All legal prerequisites to the adoption of this Ordinance have occurred.

**B. Ordinance.**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUENA PARK DOES ORDAIN AS FOLLOWS:

**SECTION 1.** This Council hereby specifically finds that all the facts set forth in the Recitals, Part A, of Ordinance No. \_\_\_\_ are true and correct.

**SECTION 2.** This Council finds that inclusion of this irregularly shaped remnant parcel which currently serves as an island between Firestone Boulevard and Artesia Boulevard within the Billboard Overlay Zone is consistent with the General Plan. Other parcels within the City designated Open Space carry a number of utility easements, or are part of freeway rights-of-way,



and contain commercial uses such as wireless communication facilities. Therefore, the inclusion of this parcel within the BOZ is consistent with the General Plan. The Auto Center Specific Plan allows several commercial uses as well as freeway oriented signs. The proposed sign will be compliant with the requirements within the ACSP. The proposal is compatible with existing development.

**SECTION 3.** This Council finds that Zoning Text Amendment No. C21-1 does not have any effect on the housing needs of the region. The parcel is an island on a busy street intersection and is not identified as a potential site for housing development. Therefore, the proposal will not have a negative effect on housing needs of the region.

**SECTION 4.** Section 19.912.090 B. Definitions. Is hereby amended to read as follows:

**B. Definitions.** For purposes of this section, the following definitions shall apply:

**Billboard** means a static or revolving free-standing sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located. This includes, but is not limited to, building graphics, supergraphics, building wraps, and wall drop signs containing off-site messages, and billboards painted or applied to building walls. The terms "billboard" and "off-premises sign" may be used interchangeably to mean the same thing.

**Electronic Billboard** means a billboard, utilizing digital message technology, capable of changing the static message or copy on the sign electronically, such that the alphabetic, pictographic, or symbolic informational content of which can be changed or altered on a fixed display surface composed of electronically illuminated or electronically actuated or motivated elements can be changed or altered electronically. An electronic billboard may be internally or externally illuminated. This includes billboards with displays that must be preprogrammed to display only certain types of information (i.e., time, date, temperature) and billboards whose informational content can be changed or altered by means of computer-driven electronic impulses. This includes, without limitation, billboards also known as digital billboards or LED billboards.

**Billboard Overlay Zone or BOZ** means a zone that overlays an existing industrial, ~~or commercial~~ or Auto Center Specific Plan zones, and that allows for the placement of billboards that conform to this section.

**Supergraphic** means a sign containing either on-site or off-site advertising, and consisting of an image that is applied to and integrated with a wall, or projected onto a wall, or printed on vinyl, mesh, or any other material, or other light pliable

material not enclosed in a rigid frame. The term "supergraphic" also shall include signs known as "building wraps."

**SECTION 5.** Section 19.912.090. C.2. **Locations allowed** is hereby amended to read as follows:

*2. Locations allowed. Billboards shall be allowed only in the BOZ, and shall not be permitted in any location which would result in violation of any applicable federal, state or local law. Pursuant to the Section 5412 of the California Business and Professionals Code, the Development Agreement required in Section 19.912.090 (C)(1) may include provisions related to the relocation or removal of billboards in areas outside or inside the boundaries of the City of Buena Park.*

**SECTION 6.** Section 19.912.090.D. **Billboard Overlay Zone Established** is hereby amended to read as follows:

*D. Billboard Overlay Zone Established. A new Billboard Overlay Zone is hereby established in the following areas:*

*1. On the southwest line of the Santa Ana (I-5) freeway, the length of the BOZ begins at the intersection of the north line of Orangethorpe Avenue and the railroad and the freeway right-of-way and extends to a point 1,050 feet northwest along the southwest line of the freeway right-of-way (Point 1A). The depth of the BOZ is 150 feet perpendicular and to the southwest line of the freeway right-of-way starting at Point 1A.*

*2. On the southwest line of the Santa Ana (I-5) freeway, the length of the BOZ begins from the intersection of the west line of Beach Boulevard and the north line of Orange County Assessor parcel number 276-213-39 and extends to a point 250 feet northwest and parallel to the southwest freeway right-of-way (Point 2A). The depth of the BOZ is 100 feet perpendicular from the south line of the freeway right-of-way starting at Point 2A.*

*3. On the southwest line of the Santa Ana (I-5) freeway, the length of the BOZ begins from the intersection of the west line of Western Avenue and the north line of Orange County Assessor parcel number 276-202-23 and extends to a point 250 feet northwest and parallel to*



*the southwest freeway right-of-way (Point 3A). The depth of the BOZ is 100 feet perpendicular from the south line of the freeway right-of-way starting at Point 3A.*

*4. On the north line of the Artesia (I-91) freeway, starting from a starting point that is 1,072 feet west along the north line of the freeway right-of-way from the intersection of the west line of Western Avenue and the southeast corner of Orange County Assessor parcel number 136-173-25, the length of the BOZ begins from said starting point and extends to a point 285 feet east (Point 4A). The depth of the BOZ is 100 feet perpendicular from the north line of the freeway right-of-way starting at Point 4A.*

*5. On the north line of the Artesia (I-91) freeway, starting from a starting point that is 600 feet west along the north line of the freeway right-of-way from the intersection of the west line of Beach Boulevard and the north line of the freeway, the length of the BOZ begins from said starting point and extends to a point 500 feet east along the north line of the freeway right-of-way (Point 5A). The depth of the BOZ is 100 feet perpendicular from the south line of the freeway right-of-way starting at Point 5A.*

*6. The City owned parcel Assessor Parcel Number 066-020-36 as described in Grant Deed number 2016000223043, as recorded in the Official Records of Orange County, California.*

**SECTION 7.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective. To this end, the provisions of this Ordinance are declared to be severable.

**SECTION 8.** The City Council finds that this Ordinance is compliant with the California Environmental Quality Act (CEQA) guidelines, 14 California Code of Regulations, based on a Initial Study/ Negative Declaration was that was prepared in compliance with the State CEQA Guidelines (California Administrative Code Section 15000 et. seq.). Notice of Intent to adopt the Negative Declaration was filed and public comment period lawfully closed on March 10, 2023. No comments were received and no significant adverse environmental effects will occur.

**SECTION 9:** This Ordinance shall take effect thirty (30) days after its adoption

ORDINANCE NO. \_\_\_\_\_

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**SECTION 10.** The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published or posted according to law.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2023, by the following called vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

I, Adria M. Jimenez, City Clerk of the City of Buena Park, California, do hereby certify that the foregoing ordinance was introduced and passed at a regular meeting of the City Council of the City of Buena Park held on the \_\_\_\_ day of \_\_\_\_\_ 2023.



## Chapter 8 *Noise Element*

- ***Acoustic Architectural Design.*** Involves the incorporation of noise reduction strategies in the design and layout of individual structures. Building heights, room arrangements, window size and placement, balcony and courtyard design, and the provision of air conditioning all play an important role in shielding noise sensitive activities from intrusive sound levels.
- ***Acoustic Construction.*** Involves the treatment of various parts of a building to reduce interior noise levels. Acoustic wall design, doors, ceilings and floors, as well as dense building materials, the use of acoustic windows (i.e., double glazed, double paned, thick, non-opening, or small with airtight seals), and the inclusion of maximum air spaces in attics and walls are all available options.
- ***Noise barriers.*** Ideally, noise barriers incorporate the placement of berms, walls, or a combination of the two in conjunction with appropriate landscaping to create an aesthetically pleasing environment. Where space is available (clustered developments), a meandering earth berm is both effective and aesthetically pleasing. Where space is restricted, a wall is an effective treatment.



The City will continue to enforce State laws and will ensure compliance with the Buena Park Noise Ordinance. The City may require acoustical studies be prepared as part of the development review process to ensure adequate analysis of potential noise impacts associated with the proposed development project. Additionally, the City will continue to coordinate with airport and rail operators to minimize noise impacts associated with these uses.

### 8.11 PRINCIPLES, GOALS, AND POLICIES

#### PRINCIPLE: NOISE CONTROL STANDARDS

The City recognizes the need for noise control standards and is committed to complying with the applicable requirements.

**Goal N-1: Appropriate Federal, State, and City standards, guidelines, and ordinances for noise control implemented and enforced throughout the City.**

**Policy N-1.1:** Continue to monitor noise throughout Buena Park and enforce the standards and regulations of the City's Noise Ordinance.

## Chapter 8 *Noise Element*

- Policy N-1.2: Continue to enforce noise standards consistent with health and quality of life goals and employ effective techniques of noise abatement through such means as a noise ordinance, building codes, and subdivision and zoning regulations.
- Policy N-1.3: Adhere to the City's Municipal Code Standards and planning guidelines that include noise control for the interior space of residential developments.
- Policy N-1.4: Continue to encourage the enforcement of regulations such as the State Vehicle Code Noise Standards for automobiles, trucks, and motorcycles operating within the City.
- Policy N-1.5: Coordinate with California Occupational Safety and Health Administration (Cal-OSHA) to provide information on occupational noise requirements within the City.
- Policy N-1.6: Conform to the noise attenuation standards sets forth in the Airport Environs Land Use Plan (AELUP) for residential, commercial, and industrial development within the Fullerton Municipal Airport and Los Alamitos Joint Forces Training Center planning areas.

### PRINCIPLE: CONSTRUCTION AND MAINTENANCE ACTIVITY NOISE

The City seeks to reduce noise levels created by construction and maintenance activities.

### Goal N-2: **Minimized noise levels from construction and maintenance equipment, vehicles, and activities.**

- Policy N-2.1: Regulate construction activities to ensure all noise associated with construction activities comply with the City's Noise Ordinance.
- Policy N-2.2: Employ construction noise reduction methods to the maximum extent feasible. These measures may include, but not limited to, shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and use of electric air compressors and similar power tools, rather than diesel equipment.



## Chapter 8 *Noise Element*

- Policy N-2.3: Require municipal vehicles and noise-generating mechanical equipment purchased or used by the City to comply with noise standards specified in the City's Municipal Code, or other applicable codes.
- Policy N-2.4: Exceedance of noise standards may occur on a case-by-case basis for special circumstances including emergency situations, special events, and expedited development projects.
- Policy N-2.5: Ensure acceptable noise levels are maintained near schools, hospitals, convalescent homes, churches, and other noise-sensitive areas.

### PRINCIPLE: LAND USE AND NOISE CONSIDERATIONS

Land use planning decisions can result in potential noise impacts. Buena Park recognizes the need for careful consideration of noise affects when considering land use decisions.

### Goal N-3: Consideration of noise affects in the land use planning process.

- Policy N-3.1: Fully integrate noise considerations into land use planning decisions to prevent new noise/land use conflicts.
- Policy N-3.2: Consider the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development proposals.
- Policy N-3.3: Adhere to the City's Municipal Code Standards and planning guidelines that include noise control for the interior space of new residential developments within noise impacted areas (noise control practices include installing thick glass windows, restricting the hours of construction, double glazing, façade treatment, installing and maintaining mufflers, erecting noise barriers, etc.).
- Policy N-3.4: Permit only those new development or redevelopment projects that have incorporated appropriate mitigation measures, so that standards contained in the Noise Element or adopted ordinance are met.
- Policy N-3.5: Encourage proper site planning and architecture to reduce noise impacts.
- Policy N-3.6: Discourage the development of sensitive uses in areas in excess of 65 dBA CNEL without appropriate mitigation.



## Chapter 8 *Noise Element*

- Policy N-3.7:** Require all residential units be attenuated to comply with the City's Noise Ordinance. .
- Policy N-3.8:** Encourage all new entertainment, tourist-related, commercial, or industrial development adjacent to residential or sensitive land uses to prepare an Acoustical Assessment discussing the existing noise environment, analyzing potential noise impacts of the operation of the new development, and recommending measures to mitigate potential impacts to meet established Federal, State, and City Standards, Guidelines, and Ordinances for noise control.
- Policy N-3.9:** Incorporate noise reduction features for items such as but not limited to parking and loading areas, ingress/egress point, HVAC units, and refuse collection areas, during site planning to mitigate anticipated noise impacts on affected noise sensitive land uses.
- Policy N-3.10:** Require the design of mixed-use structures to incorporate techniques to prevent the transfer of noise and vibration from the commercial to residential use.
- Policy N-3.11:** Encourage commercial uses in mixed-use developments that are not noise intensive.
- Policy N-3.12:** Orient mixed-use residential units, where possible, away from major noise sources.
- Policy N-3.13:** Locate balconies and operable windows of residential units in mixed-use projects away from the primary street and other major noise sources, where possible, or provide appropriate mitigation.
- Policy N-3.14:** Conform to the noise attenuation standards set forth in the Airport Environs Land Use Plan (AELUP) for residential, commercial, and industrial development, within the Orange County Airport Land Use Commissions planning area boundaries for the Fullerton Municipal Airport and Los Alamitos Joint Forces Training Base.
- Policy N-3.15:** Continue to address community concerns about entertainment- or tourist-related uses, trains, or other uses that generate excessive noise adjacent to noise-sensitive uses.



## Chapter 8 *Noise Element*

### PRINCIPLE: NOISE SENSITIVE LAND USES

The City seeks to reduce noise spillover or encroachment of non-residential uses on adjoining residential areas and other noise sensitive land uses.

#### **Goal N-4: Ambient noise conditions in sensitive land use areas maintained and/or improved.**

- Policy N-4.1: Identify and reduce or eliminate unnecessary noise near noise sensitive areas (such as parks, residential areas, hospitals, libraries, convalescent homes, etc.) to meet established regulations outlined in the City's Municipal Code.
- Policy N-4.2: Encourage the use of noise absorbing materials in existing and new development to reduce interior noise impacts to sensitive land uses.
- Policy N-4.3: Encourage existing noise sensitive uses, including schools, libraries, health care facilities, and residential uses in areas where existing or future noise levels exceed 65 dBA CNEL to incorporate fences, walls, and/or other noise buffers and barriers, where appropriate and feasible.
- Policy N-4.4: Discourage new projects located in commercial or entertainment areas from exceeding stationary-source noise standards at the property line of proximate residential or commercial uses, as appropriate.
- Policy N-4.5: For sensitive land uses located near to or adjacent to industrial land uses, evaluate the ambient noise condition and, as appropriate, reduce noise affects upon the sensitive land use (such as erecting noise barriers, restricting hours of operation, investing in noise canceling technologies, etc.).
- Policy N-4.6: Ensure new industrial uses comply with the City's Noise Ordinance.
- Policy N-4.7: Encourage school districts or other educational facilities to locate outdoor activity areas, such as play grounds and sport fields, away from residential areas.

**The Land Use and Community Design Element also acknowledges the importance of protecting sensitive land uses through goals and policies that address compatible development.**

### PRINCIPLE: TRANSPORTATION NOISE

The City seeks to minimize transportation noise impacts from motor vehicles, trains, and airport operations.

#### **Goal N-5: Reduction of noise from circulation-related sources such as motor vehicles, trains, and airplanes.**

- Policy N-5.1: Encourage the construction of noise barriers and maintenance of existing noise barriers for residential uses along the Artesia (SR-91) and Santa Ana (I-5) Freeways.
- Policy N-5.2: Continue to encourage the enforcement of regulations such as the State Vehicle Code Noise Standards for automobiles, trucks, and motorcycles operating within the City.
- Policy N-5.3: Enforce established hours and routes for delivery trucks and through truck traffic.
- Policy N-5.4: Discourage through traffic on residential local streets to reduce noise.
- Policy N-5.5: Employ noise mitigation practices, as necessary, when designing future streets and highways, and when improvements occur along existing road segments. Mitigation measures should emphasize the establishment of buffers or setbacks between the arterial roadways and adjoining noise-sensitive areas.
- Policy N-5.6: Continue to encourage all active railroads within the City to reduce the level of noise produced by train movements within the City.
- Policy N-5.7: Encourage all active railroads within the City to schedule trains during daylight hours when possible.
- Policy N-5.8: Encourage the Public Utilities Commission, Southern California Regional Rail Authority, Union Pacific, Burlington Northern & Santa Fe, Amtrak, and Metrolink to minimize the level of noise produced by train movements and whistle noise within the City by reducing the number of nighttime operations, improving vehicle system technology, and developing improved sound barriers where residences exist next to the track.

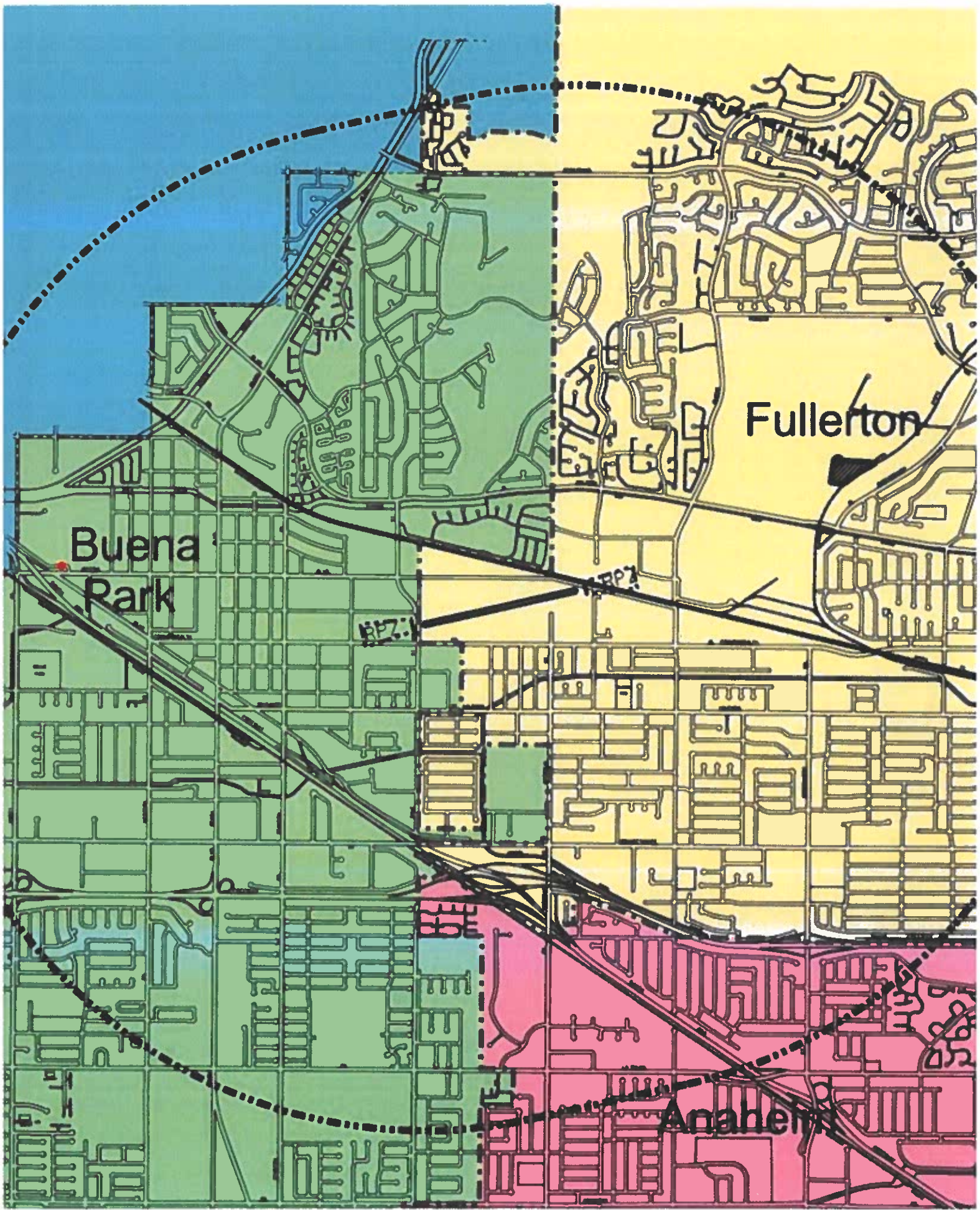
## Chapter 8 *Noise Element*

- Policy N-5.9:** Coordinate with the Fullerton Municipal Airport and the Los Alamitos Joint Forces Training Base to continue the implementation of noise control procedures for the airport and create new procedures and policies to reduce noise impacts to the City.
- Policy N-5.10:** Encourage Caltrans to meet the State standard of 65 dBA CNEL for exterior noise levels for the Artesia Freeway (SR-91) and Santa Ana Freeway (I-5).
- Policy N-5.11:** Encourage Caltrans to keep the interior residential noise levels below the State standard of 45 dBA CNEL, where appropriate and feasible.
- Policy N-5.12:** Continue to work with Caltrans to ensure that soundwalls or other appropriate mitigations are provided where the Artesia Freeway (SR-91) and Santa Ana Freeway (I-5) abuts residential areas or areas with sensitive receptors within the City.
- Policy N-5.13:** Encourage Caltrans to develop a range of sound attenuation alternatives to mitigate noise impacts from the Artesia Freeway (SR-91) and Santa Ana Freeway (I-5).

**Goal N-6:** **Noise levels created by the Union Pacific, Southern Pacific, Metrolink, and any other future rail systems located in close proximity to residential and other noise-sensitive land uses will be minimized or reduced.**

- Policy N-6.1:** Work with rail operators to ensure noise impacts are considered and mitigated through proper design, siting, and construction.
- Policy N-6.2:** Work with rail operators to install and maintain noise mitigation features where operations adversely impact existing or planned residential and other noise-sensitive land uses.
- Policy N-6.3:** Encourage noise attenuation measures be incorporated into all new development, renovations, and remodels of residential, health care facilities, schools, libraries, senior facilities, and churches in close proximity to existing or known planned rail lines.
- Policy N-6.4:** Require future rail projects under the City's control to analyze noise impacts and to identify and incorporate noise reducing features into the project design.





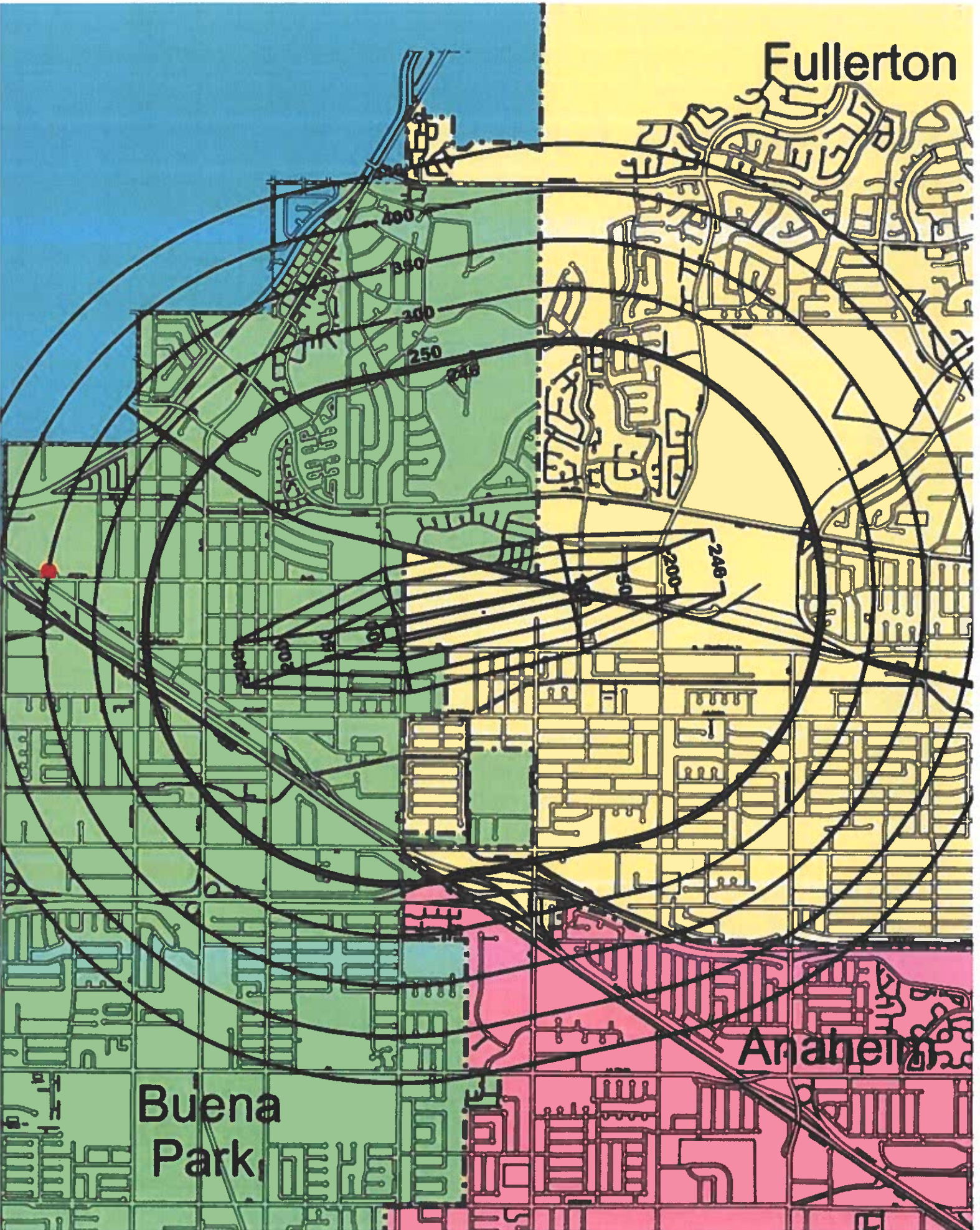
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