



# **BLUE LAKE PLANNING COMMISSION MEETING AGENDA Monday, April 20, 2020 at 7:00 P.M.**

MEETING LOCATION: In accordance with the Governor's Executive Orders N-25-20 and N-29-20, the Planning Commission of the City of Blue Lake shall conduct the Planning Commission Meeting by teleconference via Zoom. Public input can be given to the Commission by emailing [cityclerk@bluelake.ca.gov](mailto:cityclerk@bluelake.ca.gov) until 4:30 p.m. on Monday April 20, 2020. Public Input will also be facilitated at Skinner Store, 111 Greenwood behind City Hall - utilizing Social Distancing Protocols.

1. **Approval of Minutes: February 24, 2020 Special Meeting (Will be available at the next meeting)**
2. **Public Input** – *The Public is invited to present petitions, make announcements, or provide other information to the Planning Commission that is relevant to the scope of authority of the City of Blue Lake that is not on the Agenda. The Planning Commission may provide up to 15 minutes for this public input session. To assure that each individual presentation is heard, the Planning Commission may uniformly impose time limitations of 3 minutes to each individual presentation. The public will be given the opportunity to address items that are on the agenda at the time the Planning Commission takes up each specific agenda item*
3. **Approval of Agenda**

## **Discussion / Action:**

4. **Planning Commission Action: #025-061-021/2020 Exception to the Fence Regulations in Section 17.24.190 (Vision Clearance and Fence Regulations) of the City's Municipal Code for Kat Napier to allow a 6-foot fence along Greenwood Road within the front yard setback area. Located on parcel 025-061-021 (110 Greenwood Road). The project is categorically exempt from CEQA per Section 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities or structures.**
5. **Public Hearing/Planning Commission Action: #025-201-018/2020 Conditional Use Permit and Site Plan Approval for Rousseau Investments LLC for the remodel of an existing 1,792 s.f. structure on the property with a 1,280 s.f. addition that will result in a 3,072 s.f.**

**commercial structure. The project also includes related site improvements including access, parking, and landscaping improvements. A Conditional Use Permit is required for the project to allow a reduction of the required setback in the Light Industry (ML) zone from the Monda Way public right-of-way. Located on parcel 025-101-023 (No address assigned) at the end of the Monda Way cul-de-sac in the Powers Creek District. This project is categorically exempt from CEQA per §15303 (Class 3) and §15332 (Class 32) of the CEQA Guidelines exempting new construction or the conversion of small structures (Class 3) and projects characterized as in-fill development.**

- 6. Planning Commission Discussion: Amendment of the Municipal Code to incorporate City-wide noise regulations.**
- 7. Miscellaneous Planner Items.**
- 8. Upcoming Planning Commission Meetings for the next 3 months will be on May 18<sup>th</sup>, June 15<sup>th</sup>, and July 20<sup>th</sup>.**
- 9. Adjournment by 9:00 pm unless extended by the Planning Commission.**

A request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, by contacting City Manager Amanda Mager, (707) 668-5655, at least 24 hours prior to the commencement of the meeting.



# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

DATE: April 17, 2020

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

**RE: Application # 025-061-021/2020 – Exception to the Fence Regulations in Municipal Code Section 17.24.190 (Vision Clearance and Fence Regulations)**

This application is for an exception to fence regulations in Municipal Code Section 17.24.190 (Vision Clearance and Fence Regulations) to allow a 6-foot fence along Greenwood Road within the front yard setback area.

Per Municipal Code Section 17.24.190(B), no fence shall exceed a height of four feet in the front yard setback area. As shown on the Site Plan sketch provided by the applicant (see attached), they are requesting a 6-foot fence in the front yard setback area along the Greenwood Road property line (i.e., front property line). Municipal Code Section 17.24.190(E) allows the Planning commission to waive the strict requirements of the City's fence regulations, if the following findings can be made:

- 1) That the actual visual clearance is adequate for safety purposes; and
- 2) That all design purposes, such as screening parking areas from view, have been satisfied or waived.

In the applicant's submittal, they have provided several reasons for their request and a justification for making the findings required by Municipal Code Section 17.24.190(E) (see attached).

Based on the proposed location, the 6-foot fence would not obstruct vision clearance and result in safety issues for vehicles and other modes at the intersection of Greenwood Road/Railroad Avenue/E Street. For design purposes, the fence will not be located in front of the residence, thereby preserving the existing aesthetic character of the structure on the property. In addition, screening of parking areas is not an applicable requirement to a single-family residential use in the Mixed-Use zone.

In addition to the above findings, the Planning Commission must also adopt a CEQA determination for approval of exception request. Staff recommends that the Planning Commission find that the project is categorically exempt from CEQA per Section 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities or structures.

**RECOMMENDATION:**

Staff recommends that the Planning Commission:

- 1) Receive a Staff Report concerning the request for an exception to the fence regulations in Municipal Code Section 17.24.190 (Vision Clearance and Fence Regulations).
- 2) Open the item for public comment.
- 3) Close the item for public comment and discuss the application.
- 4) Adopt Resolution 3-2020 approving the request for an exception to the fence regulations.

Mar 30, 2020

REQUEST FOR WAIVER FOR 6' WOOD PRIVACY FENCE

Address: 110 Greenwood Ave  
Blue Lake, CA

Owner: Erica Dykehouse, RN, PHN  
PO Box 656  
Blue Lake, CA 95525

Phone: "Kat" @ (707) 502-8970 (spouse)  
Email: katmosphere@yahoo.com

Request approval to install 6' wooden privacy fence along Greenwood Ave property line. From north/NW corner of property going south for  $\approx$  46', then 90° East for approx 6' then 90° South for approximately 6' & terminating at the NW corner of the residence. A gate will be installed to ~~retain~~ <sup>retain</sup> access to backyard from Greenwood Ave. (See drawing) 00000

For your consideration:

1. Fence will not create any visual clearance issue
2. Fence will not be erected in front of house thereby preserving neighbor hood aesthetics.
3. Property is an odd-shaped lot with public roadways on three of its four property lines
4. Restricting fence along Greenwood Ave property line <sup>(to four foot height)</sup> deprives owner of usual & customary usage of yard. An elaboration of issues is as follows:

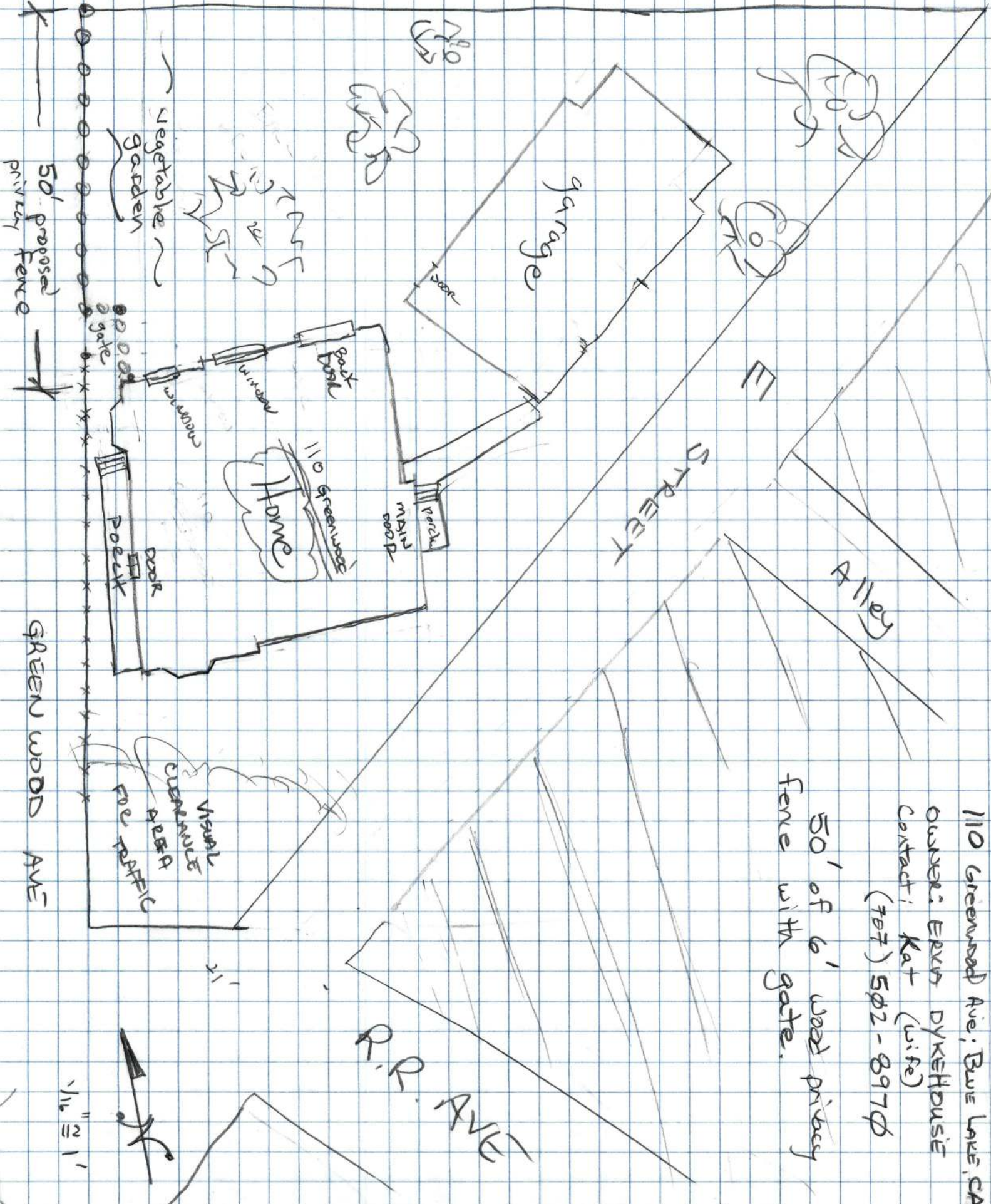
### Usual & customary uses include:

- Being in one's back yard without being observed by others. Sunbathing, hot tub, bbq, gardening, napping, reading a book in a hammock!
- Being able to open doors, curtains & windows <sup>in family room</sup> to enjoy sunshine & a fresh breeze and be safe.
- Being able to safely store belongings including kayaks, yard tools, garden, generator, etc.
- Being able to have a safe place for pets & animals such as our dog, cats & chickens and without worry they will scale a short fence along a busy road.

### Health & Security concerns:

- A 6' privacy fence would greatly reduce road noise & car fumes from entering our yard & home.
- The fence will also provide greater security for our property, home and selves.
- A 6' privacy fence will also allow our dog to patrol & protect our yard and home without nuisance barking caused by so much traffic & activity at City Hall and along sidewalk. It will also allow for a more relaxed experience for those walking by. 😊
- We have experienced random theft

4/4



110 Greenwood Ave; Blue Lake, CA  
 Owner: ERIN DYKEDHOUSE  
 Contact: Kat (wife)  
 (707) 502-8970

50' of 6' wood privacy fence with gate.

1/16" = 1'



# CITY OF BLUE LAKE

Post Office Box 458,  
Phone 707.668.5655

111 Greenwood Road,

Blue Lake, CA 95525  
Fax 707.668.5916

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## STAFF REPORT

**DATE:** April 17, 2020

**APPLICATION #:** #025-201-018/2020

**APPLICANT:** Rousseau Investments LLC

**PROPERTY OWNER:** Rousseau Investments LLC

### **PROJECT DESCRIPTION:**

The applicant is proposing to remodel the existing 1,792 square foot structure on the property with a 1,280 square foot addition that will result in a 3,072 square foot commercial structure. The commercial structure is proposed to be used for a plumbing business and potentially rental space. The project also includes related site improvements including a compacted gravel driveway (temporary), six compacted gravel vehicle parking spaces (temporary), one ADA compliant vehicle parking space, two bicycle parking spaces, 1,702 square feet of walkways, and 660 square feet of landscaping (see attached Architectural Plans). Per Municipal Code Section 17.16.071(C)(7), the project must receive Site Plan Approval from the Planning Commission.

The applicant is also requesting a reduction of the required setback in the Light Industry (ML) zone from the Monda Way right-of-way. In the ML zone, no building (front) shall be within 25 feet horizontal of any public right-of-way and no building (side) shall be within 15 feet horizontal of any public right-of-way. As shown on the Architectural Plans, the proposed building addition does not comply with the required setback from the Monda Way right-of-way for the building front. The Architectural Plans appear to show that the building addition does comply with the required setback from the Monda Way right-of-way for the building side. With approval of a Conditional Use Permit (CUP), Municipal Code Section 17.16.071(B)(2) allows uses that do not meet all the requirements in the ML zone. As such, the applicant has applied for a CUP to allow the reduced setback.

**PROJECT LOCATION:** No address currently assigned

**ASSESSORS PARCEL #:** 025-201-018

**ZONING:** Light Industry (ML)



**GENERAL PLAN DESIGNATION:** Industrial (M)

**ENVIRONMENTAL REVIEW:**

Categorically exempt per CEQA Guidelines Section 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities, or structures. This includes commercial buildings not involving the use of significant amounts of hazardous substances and not exceeding 2,500 s.f. in floor area. The project proposes a 1,280 s.f. addition to an existing building that will be used for a plumbing business and will not involve the use of significant amounts of hazardous substances. Therefore, the proposed project meets the criteria for the Class 3 exemption.

Categorically exempt per CEQA Guidelines Section 15332 (Class 32) exempting projects characterized as in-fill development and meeting the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

The project meets the criteria for the Class 32 exemption for the following reasons: 1) the proposed project is consistent with the Industrial General Plan Designation and Light Industry Zoning Classification, which allow a variety of commercial service type uses; 2) the project is located in City limits on a site that is less than one acre; 3) the project site is an underutilized property in the Powers Creek District without any major vegetation and does not contain habitat for endangered, rare or threatened species; 4) the project would result in a limited increase in commercial activity and would not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required utilities and public services.

**SITE CHARACTERISTICS/HISTORY:**

The project site is located at the end of Monda Way in the Power Creek District. To the north of the site is City-owned parcel 025-201-001, which contains Powers Creek, the creek trail, and a sewer lift station. To the west of the site is vacant land owned by the City (APNs 025-201-001, -023), the Monda Way cul-de-sac, the creek trail, and a metal building containing Paradise Cay Publishing and Jewell Distillery. To the south is the City's Corp Yard and Taylor Way. To the east is the Mad River Brewery, Powers Creek, and the creek trail (see Figure 1).

The project site is approximately 32,064 s.f. (0.736 acres) and has an existing 1,792 square foot structure that has been used in the past for storage. Vegetation occurring at the site includes grasses and shrubs. All utilities are adjacent to and available to service the project site. Primary access for the site is off Monda Way.



**Figure 1: Aerial Photo of the Project Site**

Historically, until 1979 the central portion of the City’s Business Park contained the McIntosh Mill. Mill facilities were subsequently removed, including a log pond which occurred directly west of the project site (see Figure 2). When the pond was removed it was replaced with fill, wood debris, and other materials. Any development that is proposed to occur on the project site may be required by the Building Department to have specific soils requirements for construction.



**Historic Aerial Photo of the McIntosh Mill (Schuster, 1950)**

According to the Envirostor Database ([www.envirostor.dtsc.ca.gov](http://www.envirostor.dtsc.ca.gov)), the only clean-up site in the City of Blue Lake is the McIntosh Lumber Mill (Envirostor ID: 12240045), which is listed as having a cleanup status of “*No Action Required as of 8/8/1996*”. The rationale provided in the ‘Site Evaluation Tracking Sheet’ (Dated 8/8/96) stated, “*There is no documented evidence of release of contaminants at hazardous levels that threatens public health and/or the environment.*” The mill site previously occupied most of what is now the Blue Lake Business Park. The area identified in the Envirostor Database mapping is the property containing the Calgon Carbon facility (APN: 025-161-010), which is approximately 600 feet southeast of the project site.

## **STAFF COMMENTS:**

This project was sent out for referral to the City Manager, Public Works Department, Building Inspector, City Engineer, Volunteer Fire District, Wiyot Tribe, Blue Lake Rancheria, and Bear River Band of Rohnerville Rancheria.

### City Manager

The City Manager responded to the referral with comments in support of the project including the following: 1) the project fits in with the long-term visions of the Powers Creek District; 2) the project fits in with the scope and vision of the Opportunity Zone, which will most likely be in place prior to construction of the project; 3) the City looks forward to working with the applicant on the access easement on the southern portion of the property; and 4) the project will bring enhanced services to the community and will be a catalyst for new development in the District.

### Public Works Department

The Public Works Department responded to the referral with comments related to water, sewer, sidewalks, and drainage. The comments stated the following:

- 1) Water: All water infrastructure improvements must meet City requirements. Water line is adjacent to property line and is easily accessed with no concrete or asphalt.
- 2) Sewer: All sewer infrastructure improvements must meet City requirements. Sewer line is adjacent to property line and is easily accessed.
- 3) Sidewalk: Refer to City Engineer for ADA compliant driveway approaches.
- 4) Drainage: There is an existing drainage inlet at the end of Monda Way that has a drain line going to Powers Creek near the new bridge over Powers Creek. The existing stormwater infrastructure is sufficient to handle site drainage. Refer to City Engineer for stormwater improvement requirements.

The requirements of the Public Works Department have been included as conditions of approval for the project.

### Building Inspector

The Building Inspector responded to the referral stating no comment on the project.

### City Engineer

The City Engineer responded to the referral with comments related to sidewalks, driveway improvements, sediment control, and sewer improvements. The comments stated the following:

- 1) Sidewalk is required per Municipal Code Section 15.080.030 (New Development Requirements). The sidewalk and driveway entrance must meet ADA requirements.
- 2) Any driveway that connects to the paved public right-of-way shall be paved with asphalt or concrete for a minimum distance as is necessary to prevent significant deterioration of the edge of sidewalk or roadway. Applicant shall work with the City Engineer through the building permit process to address this requirement.
- 3) The applicant shall comply with the sediment control standards in Municipal Code Section 15.12.070 (Grading Standards).
- 4) The applicant shall install new sanitary sewer clean-out at the property line per City specifications in Municipal Code Section 13.16.050 (Building Sewers, Lateral Sewers and Connections).

The requirements of the City Engineer have been included as conditions of approval for the project.

#### Volunteer Fire District

Comments were not received from the Fire District within the requested referral period.

#### Tribal Comments

The project was also referred to the Tribal Historic Preservation Officers of the Wiyot Tribe, Blue Lake Rancheria, and Bear River Band of Rohnerville Rancheria for comment. Comments received by the Blue Lake Rancheria recommended that the project be conditioned with an Inadvertent Archaeological Discovery Protocol. Comments received from the Wiyot Tribe concurred with the recommendation from the Blue Lake Rancheria for an Inadvertent Archaeological Discovery Protocol. No comments were received from the Bear River Band of the Rohnerville Rancheria. The recommendations of the Blue Lake Rancheria and Wiyot Tribe have been included as a condition of approval for the project.

#### **GENERAL PLAN CONSISTENCY:**

The project site has a General Plan Designation of I (Industrial). The goals of Industrial Development in the City of Blue Lake as stated in the Industrial Land Use Section of the General Plan are (1) To provide the community with suitable areas to attract a mixture of business/industrial activity that will provide the City with revenues, produce jobs, and stimulate economic activity; (2) To develop and maintain performance standards for the Business Park to protect Blue Lake's environmental and social character; (3) To establish a safe, balanced and efficient circulation and pedestrian system serving all segments of the community, preserving the city's character and quality of life, and planning for anticipated growth; and (4) To establish an inviting atmosphere as well as develop community pride in the Blue Lake Business Park.

This project proposes to remodel the existing 1,792 square foot structure on the property with a 1,280 square foot addition that will result in a 3,072 square foot commercial building. The commercial building is proposed to be used for a plumbing business and potentially rental space. This proposal is consistent with the Goals & Policies in the Industrial Land Use Section of the Blue Lake General Plan since it proposes the improvement of an existing building that will allow the relocation of an existing Humboldt County business to the Powers Creek District, as well as create additional rental space. This will increase the mixture of business/industrial activity in the Business Park and stimulate economic activity in the greater Blue Lake community. The proposed use of the commercial building is a use type that produces minimal impacts (e.g. noise, lighting, dust, odors,

etc.) and will be consistent with the performance standards in the Light Industry (ML) zone. As such, the proposed project is determined to be consistent with the Blue Lake General Plan including plans for development of the Powers Creek District.

## **ZONING CODE COMPLIANCE:**

### Light Industry (ML) Zone

The project site has a Zoning Classification of ML (Light Industry). Municipal Code Section 17.16.071 describes the requirements for the ML zone. This zone is intended to “*provide an environment where manufacturing businesses of a light industrial or commercial character; which may be incompatible with other uses, can operate and cooperate with each other with minimum restrictions while having minimum adverse affects on adjacent land uses. This zone encourages craft-type manufacturing businesses to include a retail component of goods produced onsite, enhancing a community ‘Made in Blue Lake’ sense of pride.*”

The project proposes to remodel the existing 1,792 square foot structure on the property with a 1,280 square foot addition that will result in a 3,072 square foot commercial building. The commercial building is proposed to be used for a plumbing business and potentially rental space. In the Light Industry (ML) zone, the proposed use is principally permitted per Section 17.16.071(A)(3) – ‘*Commercial Services (Limited).*’ In the ML zone, all new development requires Site Plan Approval per Municipal Code Section 17.24.250.

### Setback Requirements and CUP for Reduction Request

The setback requirements in the ML zone are not in reference to the property lines as is normally required, but are instead in reference to any adjacent public right-of-way such as Monda Way, the centerline of Powers Creek, and the boundary of the Blue Lake Rancheria. The setbacks from a public right-of-way require that the building front be setback 25 feet horizontal and the building side be setback 15 horizontal from any public right-of-way. The setbacks from Powers Creek and the Blue Lake Rancheria require 50 feet horizontal from the centerline of the creek and 50 feet horizontal from the boundary of the Blue Lake Rancheria. As shown on the Architectural Plans, the proposed building addition does not comply with the required setback from the Monda Way right-of-way for the building front. The Architectural Plans appear to show that the building addition does comply with the required setback from the Monda Way right-of-way for the building side. Even though no setback is required from the property lines, the applicant has proposed an approximately 5-foot setback from the western property line and creek trail on City-owned parcel 025-201-001. The proposed improvements are well beyond the 50-foot setback from the centerline of the creek and the Rancheria boundary.

Since the proposed addition to the existing structure on the property will not meet the setback requirement for the building front, the applicant is requesting a reduction. With approval of a CUP, Municipal Code Section 17.16.071(B)(2) allows uses that do not meet all the requirements in the ML zone, but due to specific project design and amenities conform to the purpose and intent of the zone. As such, the applicant has applied for a CUP to allow the reduced setback. In order to grant a CUP, the following additional findings must be made by the Planning Commission, which are listed in Municipal Code Section 17.28.030(F).

- A. That the proposed location of the conditional use is in accord with the objectives of Section 17.28.030(A) and the purposes of the zone in which the site is located.

- B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

#### Maximum Ground Coverage

Maximum ground coverage requirements in the ML zone require that, “*Building coverage shall not exceed 70% of lot area.*” After the addition, the building on the property will be 3,072 s.f. and the total lot size is 32,064 s.f. This would result in a building coverage of approximately 9.6% which is well below the requirements of the zone.

#### Building Height Limit

In the ML zone, the building height limit is three stories but not exceeding 60 vertical feet. As indicated on the Architectural Plans, the existing structure has a height of 20 feet and the proposed additions will not exceed this height. Therefore, the project complies with the height requirement of the ML zone.

#### Off-Street Parking

Off street parking requirements are specified in the ML zone, which states, “*The minimum number of spaces shall be one for every 800 square feet of gross floor area or 1 parking spot per 1.35 shift employees whichever is more applicable.*” Based on the project proposal, City staff has determined that the parking standard based on gross floor area is more applicable. The proposed building will be 3,072 s.f., which requires a total of 4 off-street parking spaces when applying the standard based on gross floor area. As shown on the Architectural Plans, seven off-street vehicle parking spaces will be provided. In addition, two bicycle parking spaces will be provided. The Architectural Plans show the proposed off-street parking spaces meet the length and width requirements (8.5’ x 19’) for perpendicular parking spaces in Municipal Code Section 17.24.100(C)(1). As proposed, the off-street parking shown meets the requirements of the Municipal Code.

#### Landscaping

Landscaping requirements are specified under Municipal Code Section 17.24.240, which states that “*a portion of the site visible from the street and comprising not less than 10% of the site area shall be landscaped.*” Due to the size of the project site (32,064 s.f.) and the limited amount of development proposed, City staff determined that the applicant only needs to provide landscaping for the portion of the site that will be developed. As illustrated on the Architectural Plans, the amount of landscaping proposed (660 s.f.) is proportionate to the size of the proposed site improvements and complies with the 10% site area requirement. The landscaping is proposed to occur along the Monda Way frontage and the creek trail on City-owned parcel 025-201-001, which is visible from Monda Way, Taylor Way, and the creek trail. As proposed, the landscaping shown on the Architectural Plans meets the requirements of the Municipal Code.

#### Signage

No signage is proposed by the applicant at this time. Any signage proposed in the future will be required to comply with Municipal Code Section 17.24.120 (Signs). If the proposed sign is over 35 in height or 50 s.f. in area it is subject to Planning Commission approval. If the proposed sign is under these limits, then it can be administratively approved by the City Planner.

## **SITE PLAN APPROVAL:**

As described above, the project site is zoned ML. Site Plan Approval per Municipal Code Section 17.24.250 is required for new construction in the ML zone. Section 17.24.250 lists the ‘principals to be followed’ for Site Plan Approval. Section 17.24.250 states, “*Areas of aesthetic and site plan consideration shall include, but are not necessarily limited to the following:*

- 1. Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*
- 2. Review of proposed exterior color and material application with relationship to adjacent architectural or natural elements.*
- 3. Review of proposed location, height, and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development or to conceal storage area, utility installations or other unsightly development. The planting of ground cover or other surfacing to prevent dust and erosion. The unnecessary destruction of existing healthy trees and woody vegetation.*
- 4. Review of location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures, in relation to traffic hazards and the appearance and harmony with the environment.*
- 5. Review of location, height and material of walls, fences, hedges and screen plantings.*
- 6. Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*
- 7. Review of the effect of the site development plan on traffic conditions on abutting streets. The layout of vehicular and pedestrian entrances, exists, drives, and walkways. The adequacy of off-street parking facilities to prevent traffic congestion. The location, arrangement, and dimensions of truck loading and unloading facilities. The circulation patterns within the boundaries of the development. The surfacing and lighting of off-street parking facilities.*
- 8. Review of the effect of the site development plan on the adequacy of storm and surface water drainage.*
- 9. Review of the location, height, size, wattage, and shielding of outdoor lighting.*
- 10. Nothing contained herein shall be construed as restricting or curtailing any of the powers of the Planning Commission of the City of Blue Lake.*

The Architectural Plans attached to this Staff Report include Elevations of the proposed additions to the existing building for consideration by the Planning Commission.

## **CITY PLANNER RECOMMENDATION:**

If the Planning Commission wishes to approve this project application, then specific findings that the project is consistent with the City's General Plan and Municipal Code should be made. Conditions of approval, addressing the issues contained herein and in the referral comments, should be required.

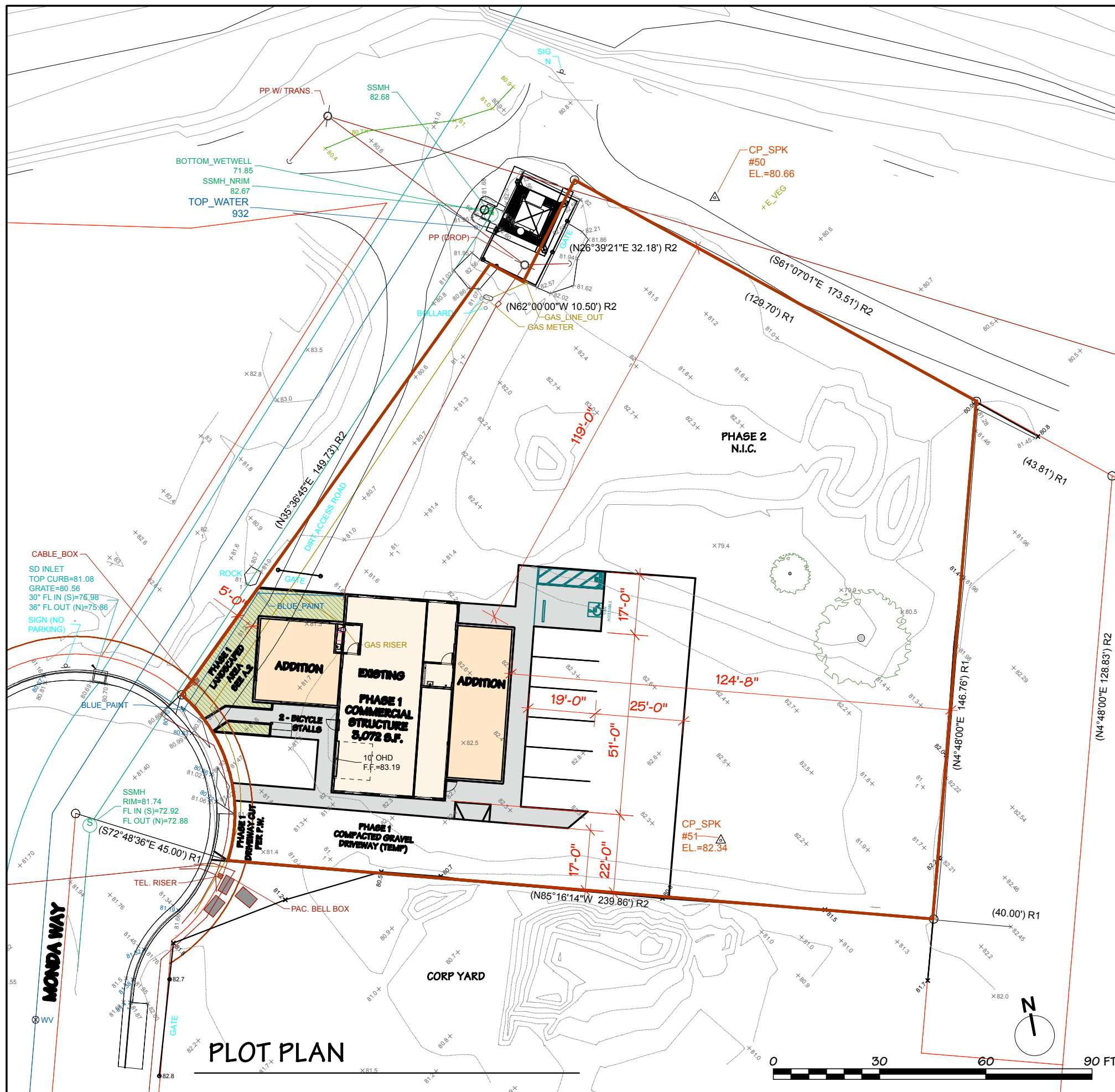
Staff recommends approval of the project, as submitted with the following Conditions of Approval:

1. Applicant shall reimburse the City for all fees involved in processing this application, including any work necessary to ensure compliance with the project conditions of approval, prior to the final inspection by the building department.
2. The applicant must meet all requirements of the various City Departments including the City Manager, Public Works Department, Building Inspector, City Engineer, and City Planner.
3. The applicant must meet all requirements of agencies with jurisdiction over the proposed project, including the Blue Lake Volunteer Fire District.
4. Approval is for the project as shown on the Architectural Plans (dated 3/3/20) that are attached to this Staff Report.
5. Utility improvements shall comply with the requirements of the Municipal Code, including Section 17.16.071(C)(5).
6. All water and sewer improvements shall meet City specifications and requirements of the Municipal Code.
7. The applicant shall comply with all requirements of the City Engineer, including the following:
  - A) Sidewalk is required per Municipal Code Section 15.080.030 (New Development Requirements). The sidewalk and driveway entrance must meet ADA requirements.
  - B) Any driveway that connects to the paved public right-of-way shall be paved with asphalt or concrete for a minimum distance as is necessary to prevent significant deterioration of the edge of sidewalk or roadway. Applicant shall work with the City Engineer through the building permit process to address this requirement.
  - C) The applicant shall comply with the sediment control standards in Municipal Code Section 15.12.070 (Grading Standards).
  - D) The applicant shall install new sanitary sewer clean-out at the property line per City specifications in Municipal Code Section 13.16.050 (Building Sewers, Lateral Sewers and Connections).
8. The applicant and their contractors shall comply with the following inadvertent discovery protocol:

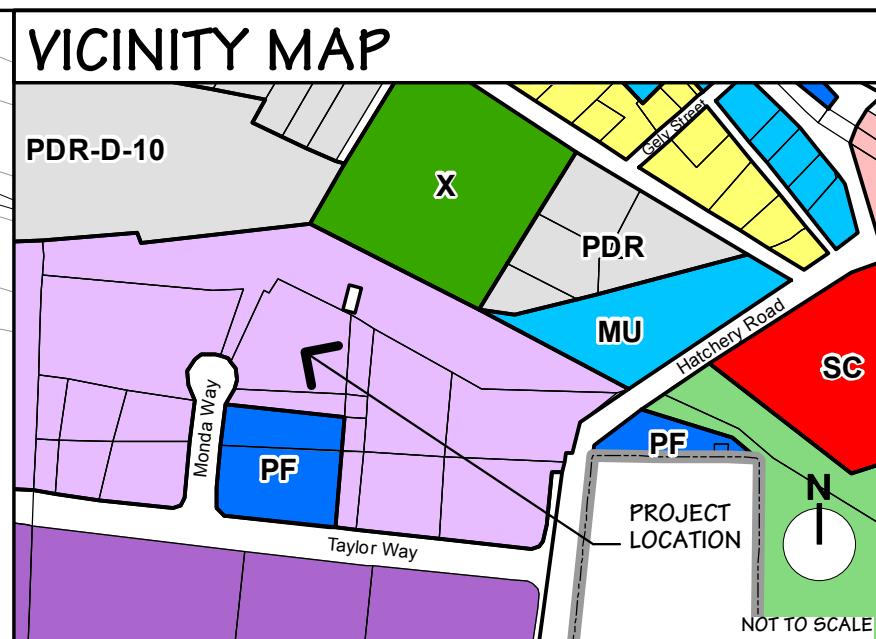
In cases of inadvertent (unplanned) discovery of archaeological resources or human remains, the following procedures are required:



- A) If buried cultural materials are encountered during construction, it is required that work stop in the immediate vicinity that area until a qualified archaeologist can evaluate the nature and significance of the find [CCR 15064.5(f)].
- B) If the discovery relates to Native American archaeological materials, notifications shall also be addressed to the THPO of the Blue Lake Rancheria, the Wiyot Tribe at Table Bluff Reservation, and the Bear River Band of the Rohnerville Rancheria.



**PLOT PLAN**



**VICINITY MAP**

**PROJECT DESCRIPTION**

THIS PROPOSED PROJECTS CONSIST OF VARIOUS PHASES: PHASE ONE IS THE REMODEL OF THE EXISTING 1,792 SQ.FT. STRUCTURE WITH A 1,280 S.F. ADDITION RESULTING IN A 3,072 S.F. COMMERCIAL STRUCTURE ALONG WITH RELATED SITE IMPROVEMENTS WHICH INCLUDE 7 PARKING SPACES, 1,702 S.F. OF WALKWAYS AND 660 S.F. OF LANDSCAPING. THE FOLLOWING PHASES ARE NOT INCLUDED DUE TO CITY'S REQUEST. AS A PART OF THIS APPLICATION A REDUCED SETBACK, PER SECTION 17.16.071 B-2, IS REQUESTED.

**LEGALIZONING**

PROJECT TITLE:	ROUSSEAU MIXED USE
APPLICANT / OWNER:	ROUSSEAU INVESTMENTS L.L.C. P. O. 782 BLUE LAKE, CA 95525 707-499-2631
ARCHITECT:	K. BOODJEH ARCHITECT KASH BOODJEH A.I.A. P.O. BOX 59 BLUE LAKE, CA 95525 707-798-6107
ASSESSOR'S PARCEL #:	025-201-018
PROJECT ADDRESS:	131 MONDA WAY BLUE LAKE, CA 95525 CITY OF BLUE LAKE
JURISDICTION:	CITY OF BLUE LAKE
ZONING:	ML (LIGHT INDUSTRIA)
LOT SIZE:	± 32,170 S.F. ( ± 0.74 ACRES)
SETBACKS	50 FT HORIZ. C.L. POWERS CREEK
FRONT AT RIGHT OF WAY:	25 FT (REQUEST TO REDUCE TO 5FT.)
SIDE AT RIGHT OF WAY:	15 FT (REQUEST TO REDUCE TO 5FT.)
MAX. ALLOWABLE HEIGHT:	MAX 60 FT (THREE STORIES)
MAX. PROPOSED HEIGHT:	EXISTING @ ± 20 FT
BUILDING COVERAGE:	22,519 S.F. MAX. 70% OF LOT AREA S.F.
PROPOSED BUILDING COVERAGE:	3,072 S.F. ±
PARKING REQUIRED:	4 MFR. - 1 SPACE PER 800 S.F. (MIN) 1 PER 1.35 SHIFT EMPLOYEES
PARKING PROVIDED:	7 TOTAL (6 STANDARD 1 ADA)
BICYCLE PARKING PROVIDED:	2
LANDSCAPE PROVIDED:	PER SECTION 17.24.240
PERFORMANCE STANDARDS:	PER SECTION 17.16.071 - D

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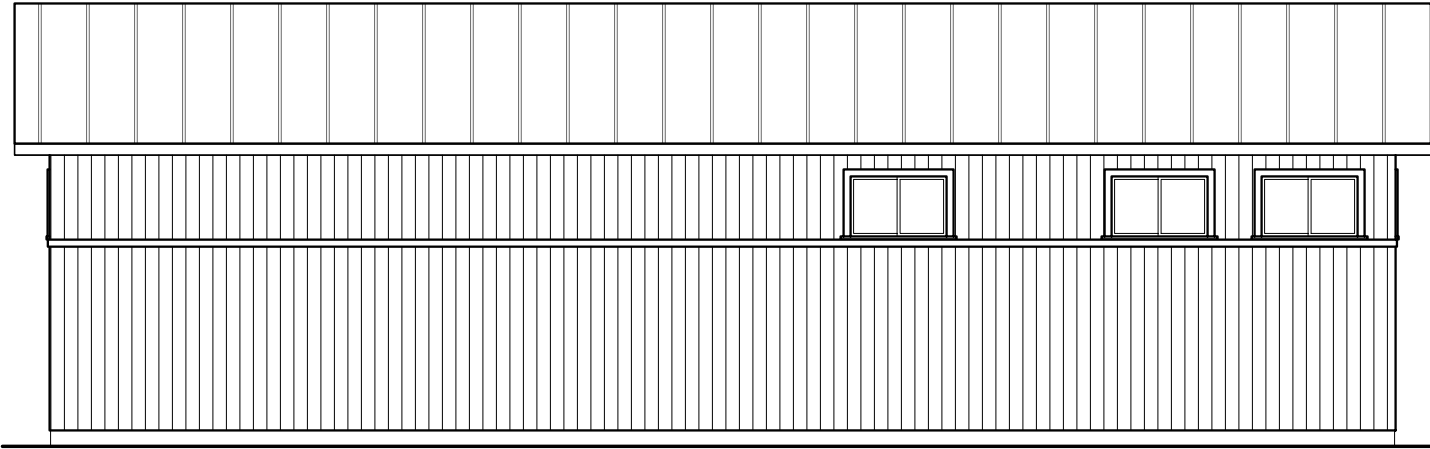
**PLOT PLAN AND NOTES**

**ROUSSEAU INVESTMENTS L.L.C.**  
131 MONDA WAY BLUE LAKE CA 95525  
A.P.N. 025-201-018

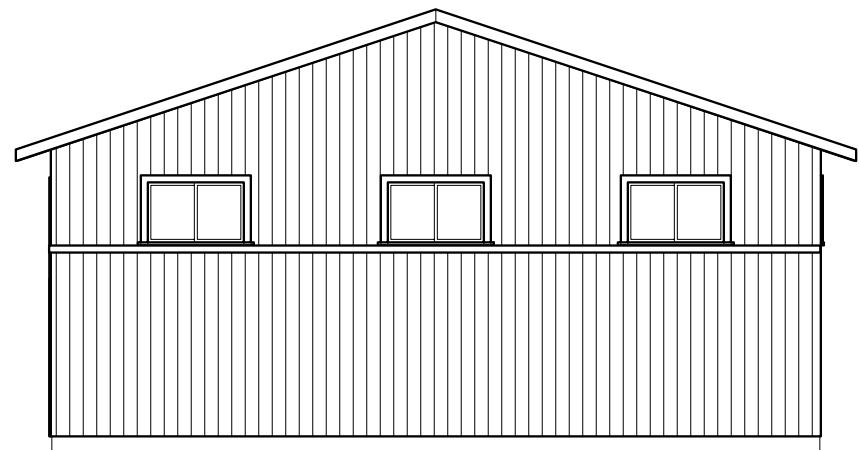
3 MARCH 2020

SHEET  
**A.0**

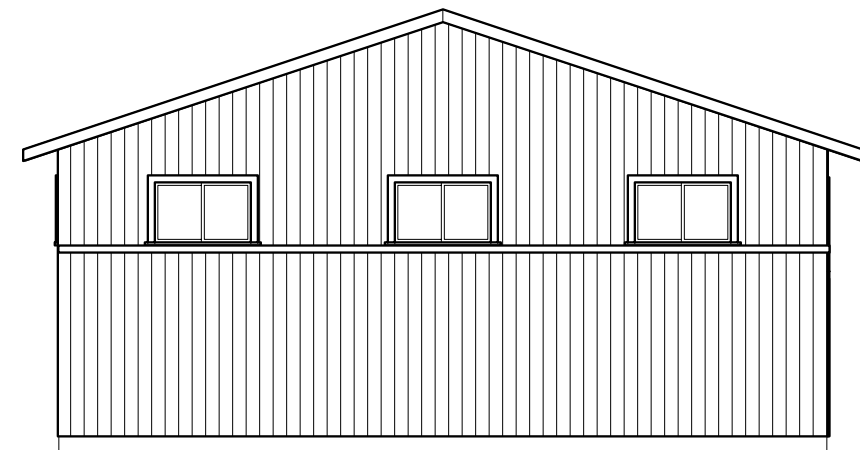
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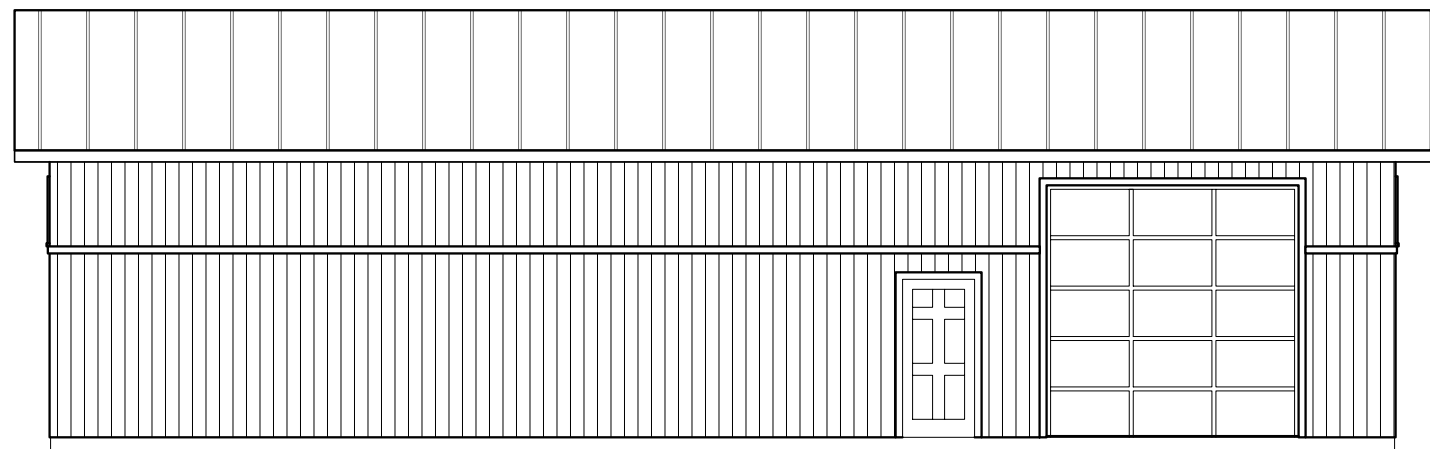
EXISTING EAST ELEVATION



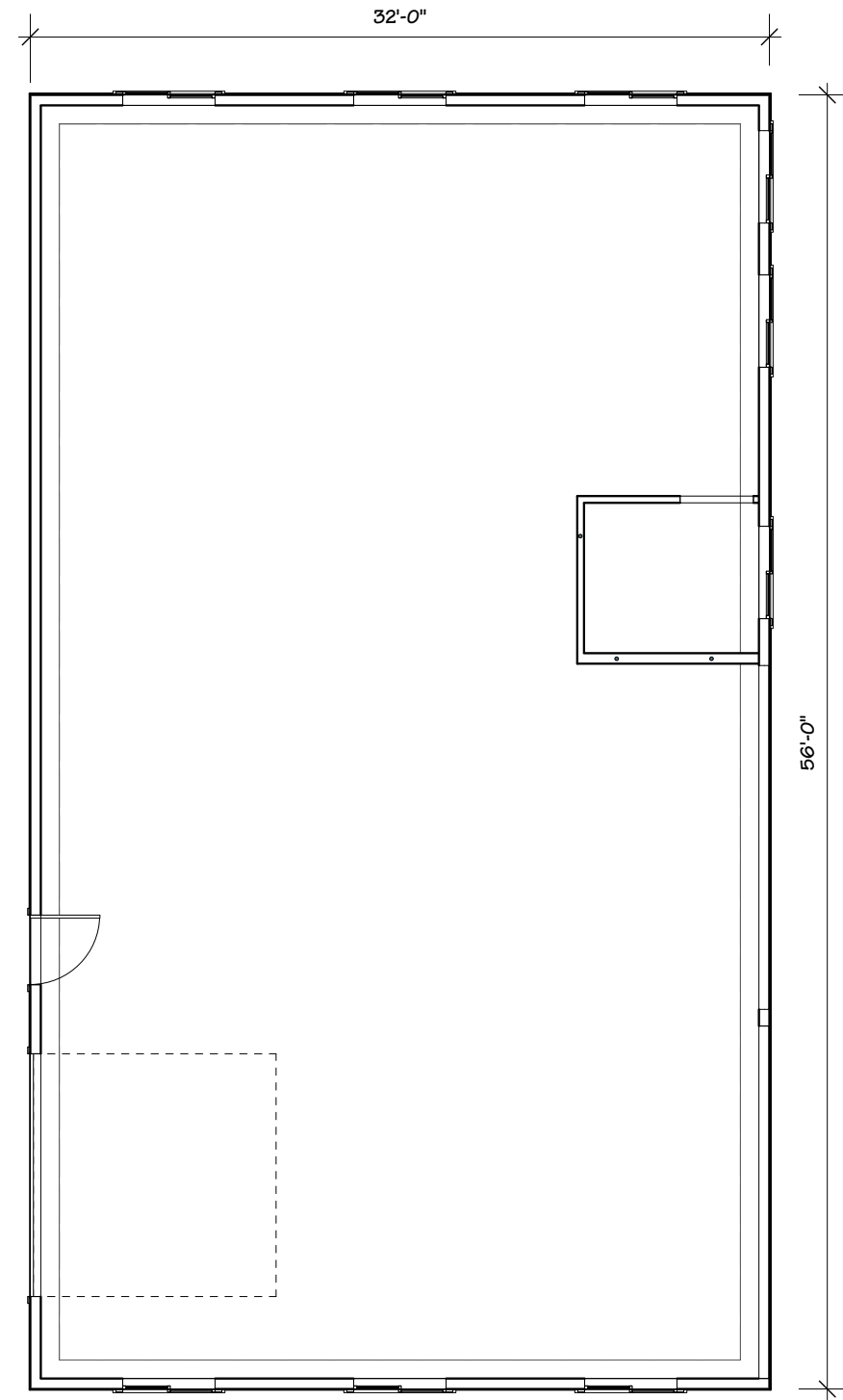
EXISTING SOUTH ELEVATION



EXISTING NORTH ELEVATION



EXISTING WEST ELEVATION



EXISTING FLOOR PLAN



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**EXISTING STRUCTURE**  
**ROUSSEAU INVESTMENTS L.L.C.**  
 131 MONDA WAY BLUE LAKE CA 95525  
 A.P.N. 025-201-018

3 MARCH 2020

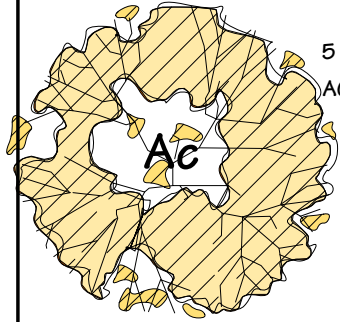
SHEET

**A.1**

PLANT LIST:



5 GALLON  
VACCINIUM OVATUM



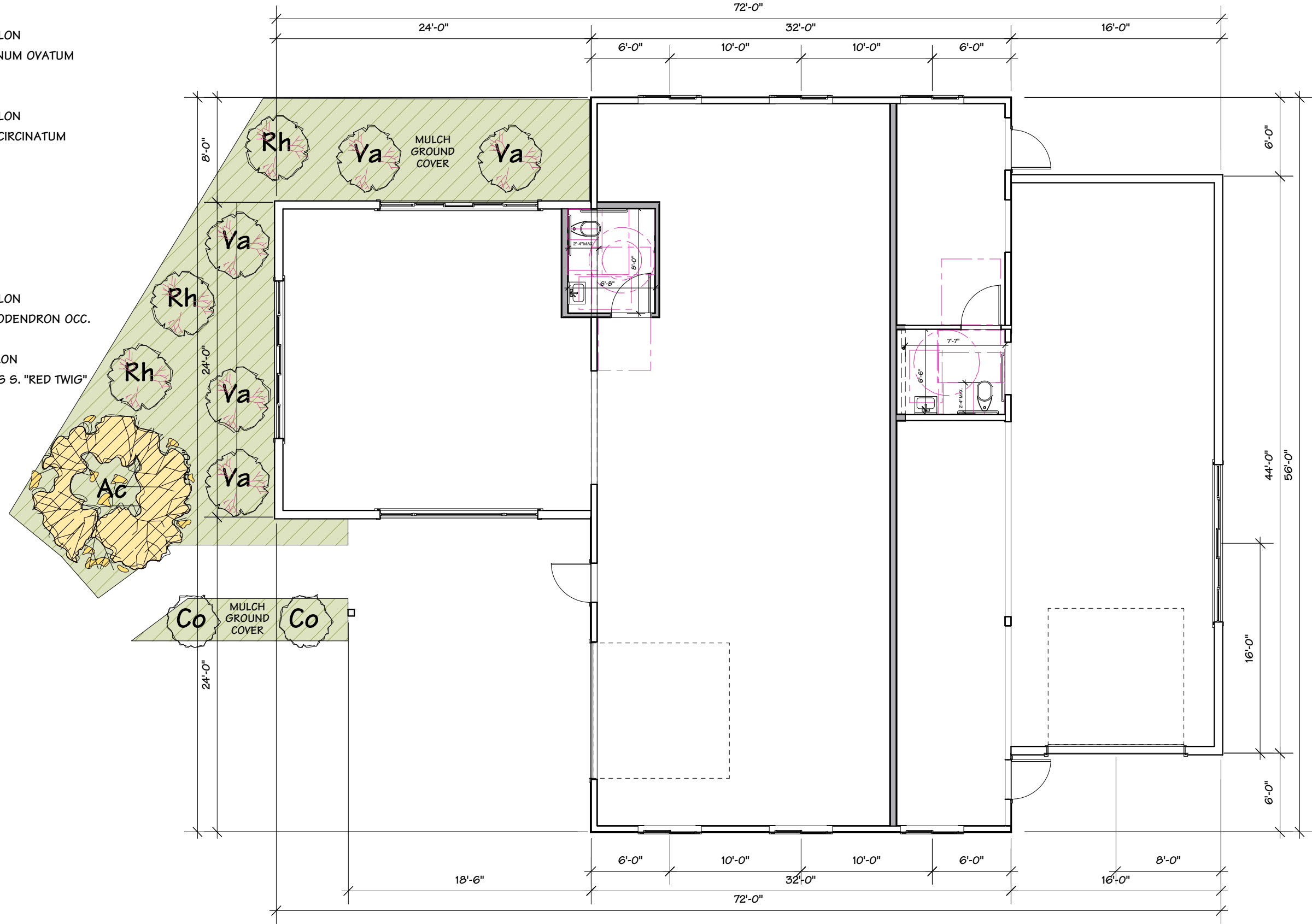
5 GALLON  
ACER CIRCINATUM



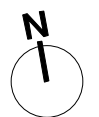
5 GALLON  
RHODODENDRON OCC.



1 GALLON  
COMUS S. "RED TWIG"



PROPOSED FLOOR PLAN



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**PROPOSED FLOOR PLAN**

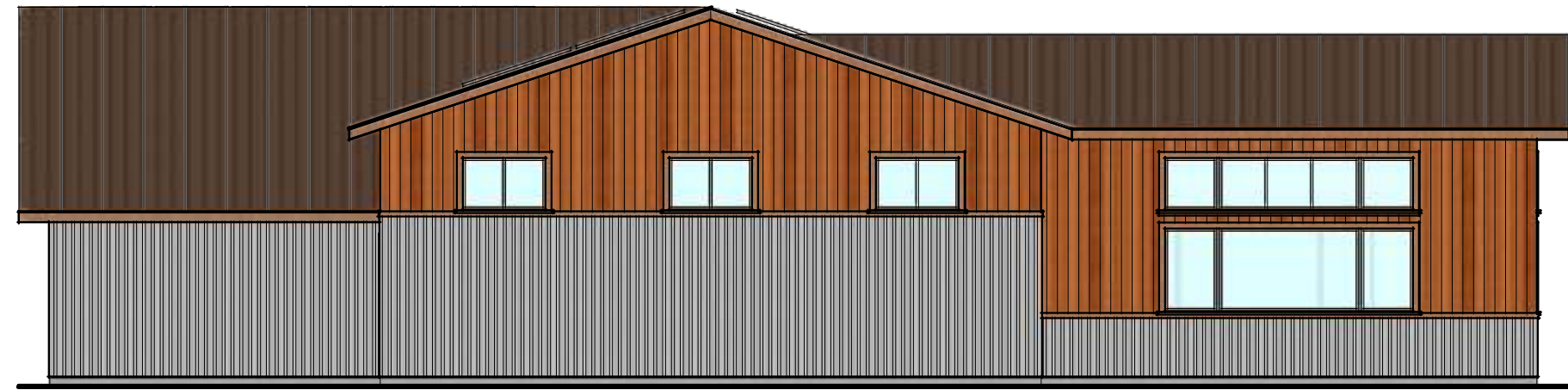
**ROUSSEAU INVESTMENTS L.L.C.**

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A.P.N. 025-201-018

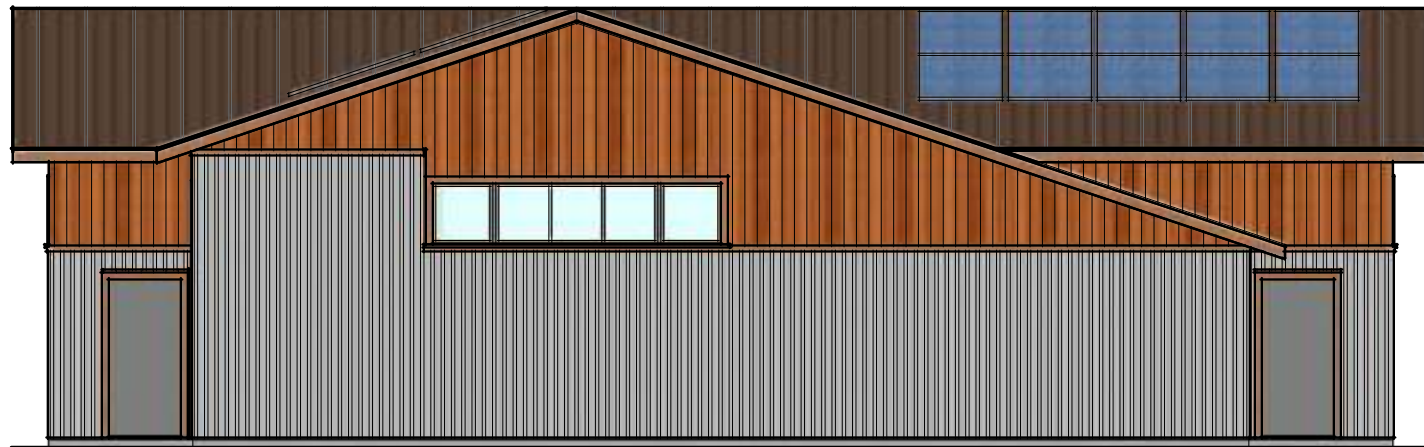
3 MARCH 2020

SHEET

**A.2**



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

EXISTING METAL ROOF

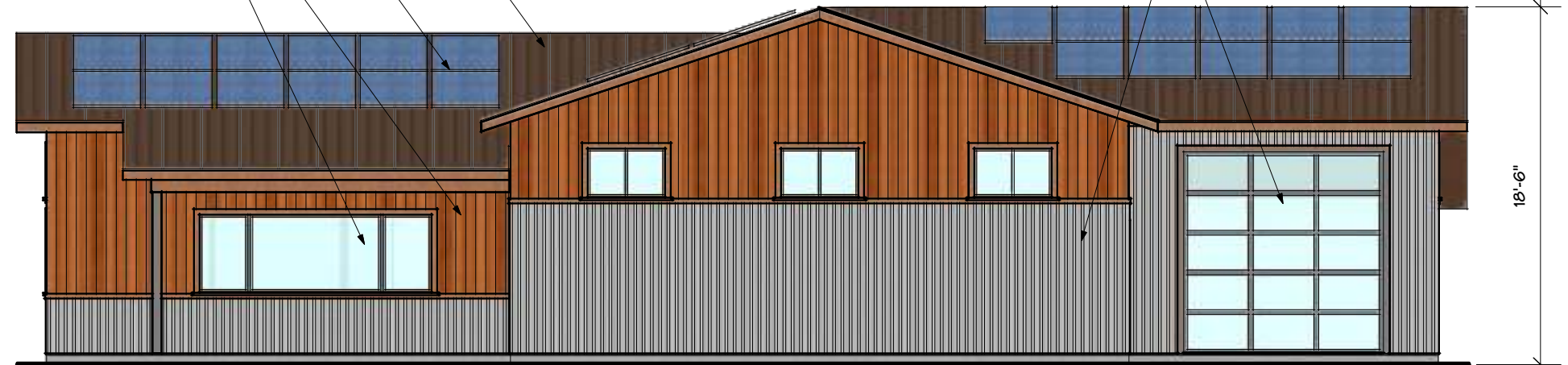
PROPOSED PHOTOVOLTAIC PANELS

VERTICAL WOOD OR PAINTED  
VERTICAL HARDI-PANEL  
8" EXPOSED, SMOOTH

VINYL WINDOWS VERIFY  
W/ARCHITECT FOR EQUAL

VERTICAL METAL CORRUGATED  
SIDING - 7/8" BY METAL SALES  
w/KYNAR 500 FINISH

OVERHEAD DOOR  
ALUMINUM OR EQUAL



SOUTH ELEVATION

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ARCHITECTURE AND PLANNING

PROPOSED ELEVATIONS

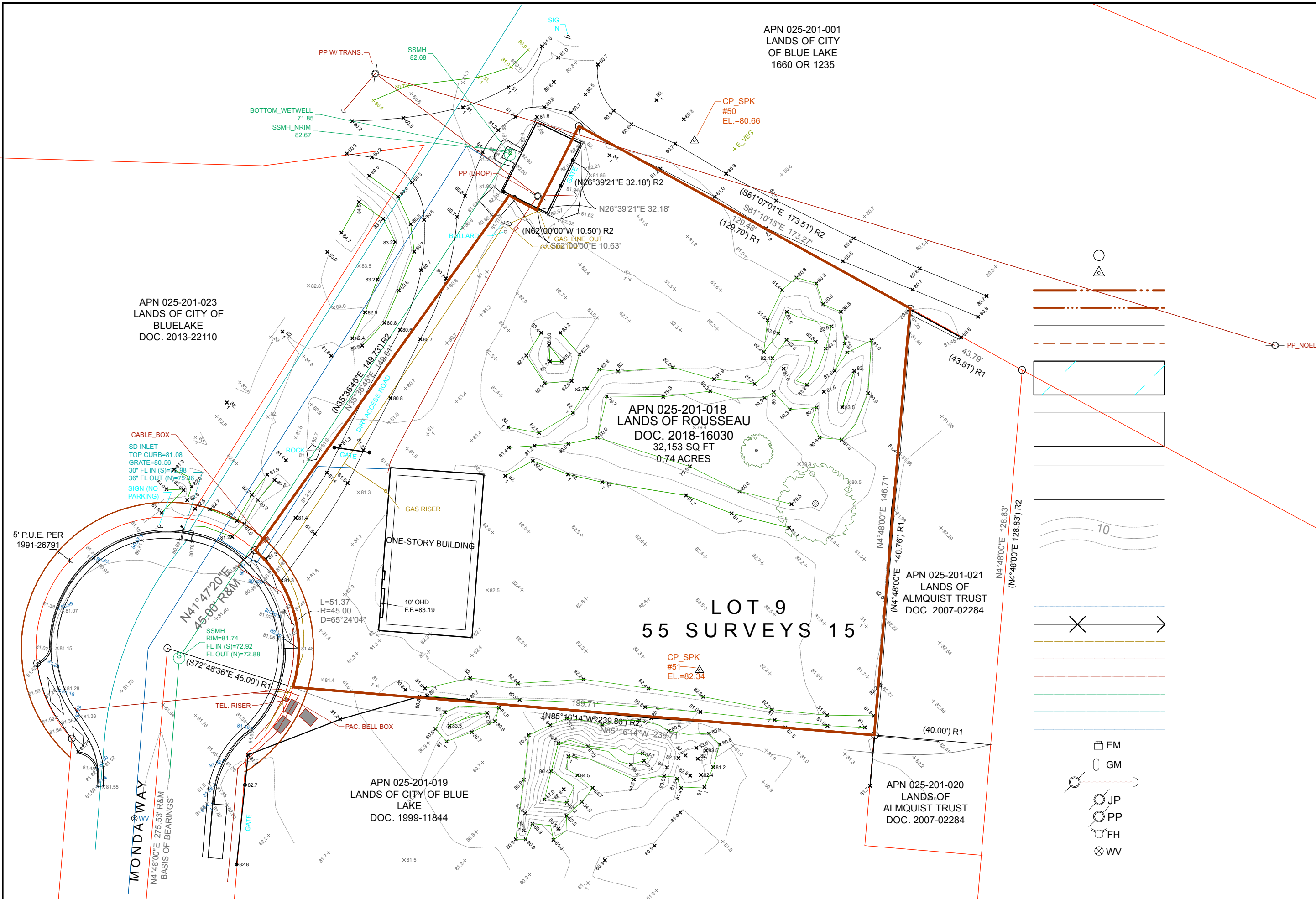
ROUSSEAU INVESTMENTS L.L.C.

131 MONDA WAY BLUE LAKE CA 95525  
A.P.N. 025-201-018

3 MARCH 2020

SHEET

A.3



APN 025-201-023  
LANDS OF CITY OF  
BLUELAKE  
DOC. 2013-22110

APN 025-201-001  
LANDS OF CITY  
OF BLUE LAKE  
1660 OR 1235

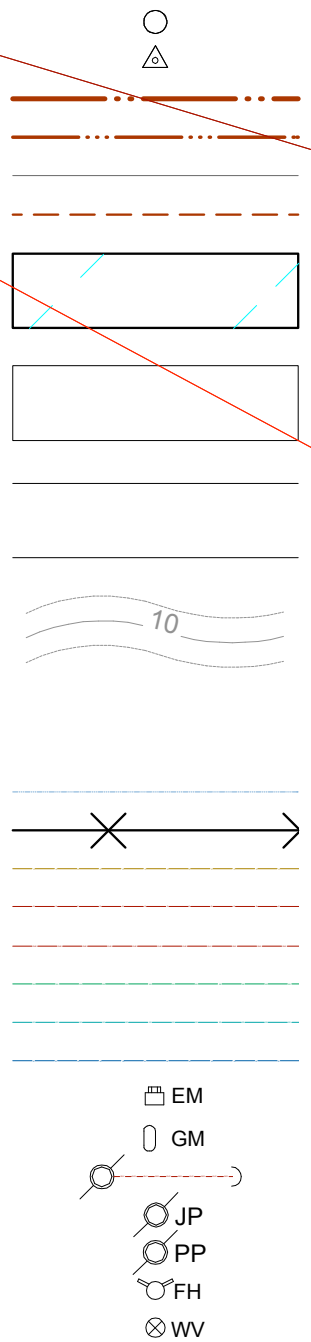
APN 025-201-018  
LANDS OF ROUSSEAU  
DOC. 2018-16030  
32,153 SQ FT  
0.74 ACRES

APN 025-201-021  
LANDS OF  
ALMQUIST TRUST  
DOC. 2007-02284

APN 025-201-019  
LANDS OF CITY OF BLUE  
LAKE  
DOC. 1999-11844

APN 025-201-020  
LANDS OF  
ALMQUIST TRUST  
DOC. 2007-02284

LOT 9  
55 SURVEYS 15



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**EXITING SITE TOPO-SURVEY**  
**ROUSSEAU INVESTMENTS L.L.C.**  
131 MONDA WAY BLUE LAKE CA 95525  
A.P.N. 025-201-018

3 MARCH 2020

SHEET

**C.O**



# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

DATE: April 17, 2020

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

## **RE: Amendment of the Municipal Code to include City-wide Noise Regulations**

The City Council has provided direction to City staff to work with the Planning Commission on development of City-wide noise regulations. The Council direction was motivated by recent public comments received about early morning and late-night noise from lawnmowers, animals, etc (see attached public comment). Below is a description of existing City policy and regulations related to noise and a discussion of other noise regulations for the Planning Commission to consider as part of recommended amendments to the Municipal Code.

### **Existing City Noise Policies & Regulations**

Current City policy and regulations related to noise are included in the General Plan Noise Element and specific zones in the Municipal Code. The General Plan Noise Element was adopted in 1975 and contains several recommendations related to vehicular noise on Highway 299, railroad noise, non-vehicular noise, use of landscaping for noise buffering, and educational programs concerning noise impacts. Appendix D (Technical Consideration in the Noise Element) of the 1975 General Plan also contains a discussion of technical considerations related to the characteristics of noise, subjective nature of noise impacts, measuring noise levels, State and Federal noise standards, and methods of controlling community noise and attenuating noise impacts (see attached).

Recommendation #2 in the Noise Element states that if non-vehicular noise becomes a problem, that the City should consider adopting a noise ordinance. This recommendation has been partly implemented by the City through the incorporation of noise standards in several zones in the Municipal Code including the Industrial (M), Light Industry (ML), Mixed-Use (MU), and Retail Commercial (RC) zones. Noise standards were specifically included in these zones because they allow land uses that have a greater potential for causing noise impacts to sensitive land uses such as residential uses in the City. The noise standards in these zones state the following:

#### M and ML Zones:

Noise. Any use that produces a sound level of 55 dBA-Ldn or more at the property line of any residential dwelling is required to mitigate the sound to a level of less than 55 dBA-Ldn at the property line of that residential dwelling. No sound level greater than 70 dBA is allowed beyond the property boundary of a business, except that no noise over 55 dBA is allowed between the hours of 10:00 p.m. and 7:00 a.m.

### MU Zone:

Noise. Levels of noise generated on site shall be kept below the following levels, as measured at the property lines of the activity:

7:00 a.m.—10:00 p.m.: 65 dBA.

10:00 p.m.—7:00 a.m.: 55 dBA.

### RC Zone:

Noise. Levels of noise generated on site shall be kept below the following levels, as measured at the property lines of the activity. An exception is allowed to uses allowed with application under a special event permit.

7:00 a.m.—10:00 p.m.: 65 dBA and 55 dBA Ldn.

10:00 p.m.—7:00 a.m.: 55 dBA and 55 dBA Ldn.

### **Other Noise Regulations for Consideration**

In many other cities in the State, noise regulations have been adopted that apply City-wide to provide standards for quiet hours, acceptable noise levels for sensitive land uses, and construction activity. It is recommended by City staff that similar standards be developed for the City of Blue Lake that will apply City-wide and not just in specific zones. Examples of noise standards for quiet hours, acceptable noise levels for sensitive land uses, and construction activity are provided below:

### Quiet Hours:

Many jurisdictions in the State have adopted regulations for quiet hours, which typically prohibit loud noises between 11 p.m. and 8 a.m. Some jurisdictions also allow loud noise to go till midnight on Fridays and Saturdays or extend the prohibition for loud noise to 10 a.m. on Sundays and holidays.

### Acceptable Noise Levels for Sensitive Land Uses:

The City's General Plan Noise Element discusses various noise standards used by State and Federal agencies related to vehicular and non-vehicular noise sources and sensitive land uses. Typically, noise standards are intended to ensure acceptable noise levels at sensitive land uses including, but not limited to, residences, transient lodging, hospitals, nursing homes, libraries, schools, and churches. Noise standards often identify acceptable noise levels for the exterior and interior of sensitive land uses. Exterior noise levels are often measured at the exterior building wall or property line of the sensitive land use. Interior noise levels are measured within a building. Many noise standards also require noise to be averaged over a certain period of time (e.g., 1-hour, 24-hours, etc.) and identify an acceptable maximum, instantaneous noise level.

As noted above, the City currently has noise standards in specific industrial, commercial, and mixed-use zones in the Municipal Code. Compared to other jurisdictions in the State, the City's noise standards are relatively strict. These standards provide different acceptable noise levels for daytime (7 a.m. to 10 p.m.) and nighttime (10 p.m. to 7 a.m.) activities, with louder noise levels allowed during the daytime. Several of the zones also require averaging sound over a specific time period and provide a standard for maximum, instantaneous noise levels. For example, the M, ML, and RC zones require a noise level of 55 dBA Ldn to be met, which requires measuring a source of noise over a 24-hour period. The standards for maximum, instantaneous noise levels in these zones range from 55 to 70 decibels. These standards allow slightly higher noise levels in the M and ML



zones and slightly lower levels in the RC and MU zones where there is the potential for more residential uses to occur. In the RC and MU zones, sound is measured at the property line of the noise generating activity. In the M and ML zones, sound is measured at the property line of any residential dwelling and the property boundary of the business, depending on the specific noise standard that must be met. It is recommended that these existing City standards be used as the basis for developing City-wide noise standards that would apply to all zones in the City.

#### Construction Noise:

Many jurisdictions in the State have adopted restrictions on the days/hours of construction activity to limit impacts to the community. An example of these restrictions includes the following:

- Construction activity shall be limited to the hours of 8 a.m. and 6 p.m., Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays.
- No heavy equipment related construction activities (e.g., demolition, grading, pile-driving, paving, etc.) shall be allowed on Sundays or holidays.

#### Exempt Activities:

It is also common for jurisdictions to include exceptions from noise regulations for certain activities, which include, but are not limited to:

- Activities conducted for public health and safety purposes: This could include noise generated by construction, maintenance, and/or repair activities by public agencies and/or utility companies that serve the public interest and/or protect the public health, safety, and welfare.
- Emergency operations: This could include noise generated by public safety warning devices (e.g., police, fire, and ambulance sirens), sound for alerting the public to the existence of an emergency (e.g., fire, flood, dam failure, etc.), and authorized emergency work needed to protect public health and safety.
- Solid waste collection: Noise generated by solid waste collection activities conducted by the City's contracted waste collection provider.
- State or Federal Preempted Activities: Noise generated by activities regulated by State or Federal law.
- Authorized Activities at Parks: Noise generated by authorized recreational activities and programs conducted in public parks.

#### **Direction from Planning Commission**

As indicated above, the City Council has directed City staff to work with the Planning Commission on development of City-wide noise regulations. Specifically, City staff needs direction from the Commission on what type of noise regulations should be developed and what those regulations should be. Commissioners are encouraged to review Appendix D (Technical Consideration in the Noise Element) of the 1975 General Plan in detail, which contains useful information about developing community noise regulations (see attached).

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission:

- 1) Receive a Staff Report concerning amendment of the Municipal Code to include City-wide noise regulations.

- 2) Open the item for public comment.
- 3) Close the item for public comment.
- 4) Provide direction to City Staff for amendments to the Municipal Code to incorporate noise regulations.
- 5) Continue the item to the May 18<sup>th</sup> Planning Commission meeting.

AGENDA ITEM FOR BLUE LAKE PLANNING COMMISSION MEETING OF  
MARCH 16, 2020

Discussion, recommendation to the City Council to adopt a Quiet Time/Noise Ordinance

Dear Blue Lake Planning Commissioners,

It has come to my attention that the City of Blue Lake does not have an ordinance regulating the times when the residences should reasonably expect certain times of the day to be designated as quiet times in the city. I realize this is difficult to legislate as one person's noise may be another's comfort level.

Most of the issues about noise have been complaint driven. This ordinance would take into account the fact that certain times of the day, particularly at night and the early mornings, should be considered quiet times within the city limits. Unlike the Powers Creek District, where we based the noise levels on a decibel level no more than 65 from the nearest residence, this ordinance would have to be written to state that residents have the expectations that their city remain quiet during certain specific times.

In bringing this up at a City Council meeting, staff agreed this would be helpful for them to respond to individual complaints as they have come to the attention of staff. The noise issues have been from early morning dog barking and lawn mowing to late night parties and summer out door concerts. Therefore, I am recommending the following Quiet Times to be:

10:00 PM to 8:00 AM Sunday through Thursday

11:00 PM to 8:00 AM Friday and Saturday

Thank you for considering this ordinance and for all of the hard work you do as commissioners.



Sincerely,  
Adelene Jones, 42 year resident of Blue Lake  
320 B St.  
Blue Lake, CA

**Public Safety Element  
Noise Element  
Scenic Highway Element**

**CITY OF BLUE LAKE  
GENERAL PLAN**

**July, 1975**

**OSCAR LARSON AND ASSOCIATES  
and ENVIRONMENTAL RESEARCH CONSULTANTS**

Preparation of this report was funded in part by a 701  
Comprehensive Planning Grant from the U.S. Department of  
Housing and Urban Development, administered by the State of  
California, Office of Planning and Research, Project No. CPA 1001.14



OSCAR  
LARSON  
& ASSOCIATES

CONSULTING ENGINEERS AND LAND SURVEYORS

1809 Albee Street, P.O. Box 3806, Eureka, California 95501, Phone (707) 443-8381

August 15, 1975

City Council  
City of Blue Lake  
P. O. Box 458  
Blue Lake, California 95525

Gentlemen:

The following report is the Public Safety, Noise and Scenic Highway Elements of the Blue Lake General Plan. It incorporates the changes generated from review by the public and the City staff.

We are confident that the implementation of the recommendations in the Public Safety Element will make Blue Lake a safer community. The Noise Element alerts the community to the potential for increased noise levels and indicates what can be done if noise becomes a problem. The Scenic Highway Element considers the options open to the community for protecting and enhancing the scenic attractions in the Blue Lake area.

Oscar Larson & Associates, Environmental Research Consultants and Resource Planning Associates wish to thank you for the opportunity to assist the City of Blue Lake in the preparation of these General Plan Elements. We very much appreciate the assistance given by the City staff and the input provided by citizens who took an interest in this planning project.

Very truly yours,

OSCAR LARSON & ASSOCIATES

Russell Nebon  
Planning Consultant

Kenneth G. Davlin

RN/meb

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## PUBLIC SAFETY, NOISE AND SCENIC HIGHWAY ELEMENTS INTRODUCTION

Planning Requirement and Guidelines. State Law (Section 65302.2) provides that every city and county in the state prepare and adopt a seismic safety element, a noise element, a safety element and a scenic highway element as part of the General Plan for the jurisdiction. The state law also provides that the Council on Intergovernmental Relations develop guidelines for each of these elements. These guidelines are advisory in nature and are intended to be flexible to meet the varying needs and characteristics of the different cities and counties in the State. This report is intended to satisfy the requirements of the state law and the intent of the CIR guidelines.

Combined Elements. The CIR guidelines suggest that if the subject matter of general plan elements are similar or closely related, combining them may be appropriate. Because of the interrelationship between the Seismic Safety Element and the Safety Elements they are combined under the heading of the Public Safety Element. While this expands the subject range somewhat, it ties together most of the factors that cause or are related to major emergencies or risks to public safety. The subjects considered are the common concern of public safety agencies such as the police department, fire district, and public works department.

The Planning Area. The boundary of the Blue Lake Planning Area is extended beyond the city limits to encompass most of the existing or potential development that is or will be closely related to the city. One criteria was the service area limits described in the adopted sewer plan.<sup>1</sup> Development in outlying areas will eventually require sewers, and in order to connect to the system, property must be within the city limits. The potential sewer service area is included so that Blue Lake's planning and development policies will not need to be revised to consider the needs and problems associated with areas likely to annex in the future.

Another criteria was the area considered in the existing land use and circulation elements of the Blue Lake General Plan. Essentially the area covered by the Public Safety, Noise and Scenic Highway elements includes the area covered by the previous elements and adds additional area to the north.

Affected Agencies. As the primary unit of general local government serving the largest portion of the population in the planning area and the most intensely developed area, the City of Blue Lake is responsible for adopting and implementing these General Plan elements. The County of Humboldt is the responsible unit of general government providing police protection, building construction regulation, road improvements and other governmental services

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<sup>1</sup>Wastewater Collection, Treatment and Disposal, for Mid-Humboldt County Urban Planning Program, Baruth and Yoder, July 1971.

in the unincorporated areas. It is anticipated that the county will carefully consider the criteria and the standards contained in these elements and cooperate with the City of Blue Lake in their application to the County's portion of the Blue Lake planning area. The County of Humboldt is providing law enforcement and building inspection services inside of the city limits under contracts with the city.

The Blue Lake Fire Protection District and the Blue Lake Elementary School District are special districts serving the planning area. They will be involved in implementation of some of the recommendations contained in the Public Safety and Noise Elements. A few agencies at the state, federal, and local level are affected indirectly or play a secondary role in implementing the recommendations. These agencies are noted where they are affected.

Relation to Existing General Plan Elements. The recommendations in a Public Safety, Noise or Scenic Highway study should, under ideal circumstances be part of the basic information used to develop the Land Use, Circulation and other consolidating elements of a General Plan. However, the consolidating elements were prepared several years ago. Preparation of the Public Safety, Noise, and Scenic Highway Elements at a later date raises the possibility that the data and proposals could uncover problems in the existing plans or conflict with existing policies. Where conclusions in the Public Safety, Noise or Scenic Highway Elements raise questions about land use designations or other aspects of existing general plan elements, these questions are noted and the Planning Commission is asked to consider resolving the issue either as part of a general updating of the existing elements or as specific amendments. In most cases the elements herein amplify and support the existing elements and should be helpful to the Planning Commission and the building inspectors in their permit issuing functions. Important considerations in public improvement and maintenance programs are also noted.

Citizens Input. Citizen input has played an important part in the assessment of problems and development of mitigating measures. Interviews with a select group of local residents and a meeting to discuss the preliminary findings with them have provided valuable background information. Their assessment of the important problems in the community, and their reactions to the issues covered in the three elements provided the perspective needed to determine which problems should be given emphasis and which solutions were the most likely to be effective under local conditions.

Where there was general consensus among the citizens' committee members their preference has been given considerable weight. Many of the choices were between continuing with the "no action" policy or recommending a specific "action" policy. There were few instances where multiple action proposals were considered feasible. The citizens tended to refrain from recommending action policies which involved expanding governmental bureaucracy, property tax increases, or placing responsibilities, which could be considered onerous, on private parties. This generally conservative approach often contrasted with the consultant's efforts to uncover every

possible problem and identify an acceptable solution. The outcome is an attempt at a balanced outlook, not so conservative that legitimate public concerns go unsatisfied, and not so optimistic as to presume that every possibility, however minor, should be considered and resolved.

Report Format. Rather than follow a formal outline that covers each item mentioned in the CIR guidelines, the focus has been shifted to problem identification and the development of feasible solutions. The text of each element is confined to brief elaboration of problems that have been identified and a series of recommendations aimed at correcting significant problems. Most of the relevant technical information is located in the appendices at the end of the element.

Environmental Impacts. The Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended through February 18, 1975, include the adoption of elements of a General Plan as projects subject to the Act and thus to the Guidelines (Section 15037 a 1, Section 15060). Beyond this, the Guidelines are open to interpretation as to whether individual elements of the General Plan must have an Environmental Impact Report or whether a Negative Declaration can be used, especially in this instance, when the elements consist of environmental information and adjustments in administrative policy which taken as a whole will have very little, if any, significant impact on the environment.

The general plan guidelines adopted by the Council on Intergovernmental Relations seem to suggest that an Environmental Impact Report is required, but go on to qualify the application of the CEQA guidelines with the statement, "Given the nature of the document as a long range set of policies and principles, it is not always practical to apply each of the seven points noted in the CEQA with the same degree of specificity that is applied to a specific project. The general plan environmental analysis should take a broader scope than the analysis which is done on a specific project which has specific, well defined limits."

The environmental review procedures adopted by the City of Blue Lake under CEQA provides that the City determine whether or not the project "may involve significant environmental impacts". To provide the City with the necessary data for its initial determination, an environmental assessment has been incorporated into the text of the elements. Important environmental information provided in Appendix A and D regards geologic and noise considerations respectively. Further, the impacts associated with the recommendations are also addressed (please refer to the italicized text). When the assessment covers general impacts relating to more than one recommendation the discussion is located in the introductory section. Specific impact assessments are provided following those recommendations which interject unique considerations not covered by the general introductory assessment, or the appendices.

NOISE

ELEMENT

OF THE

BLUE LAKE

GENERAL

PLAN

## NOISE ELEMENT

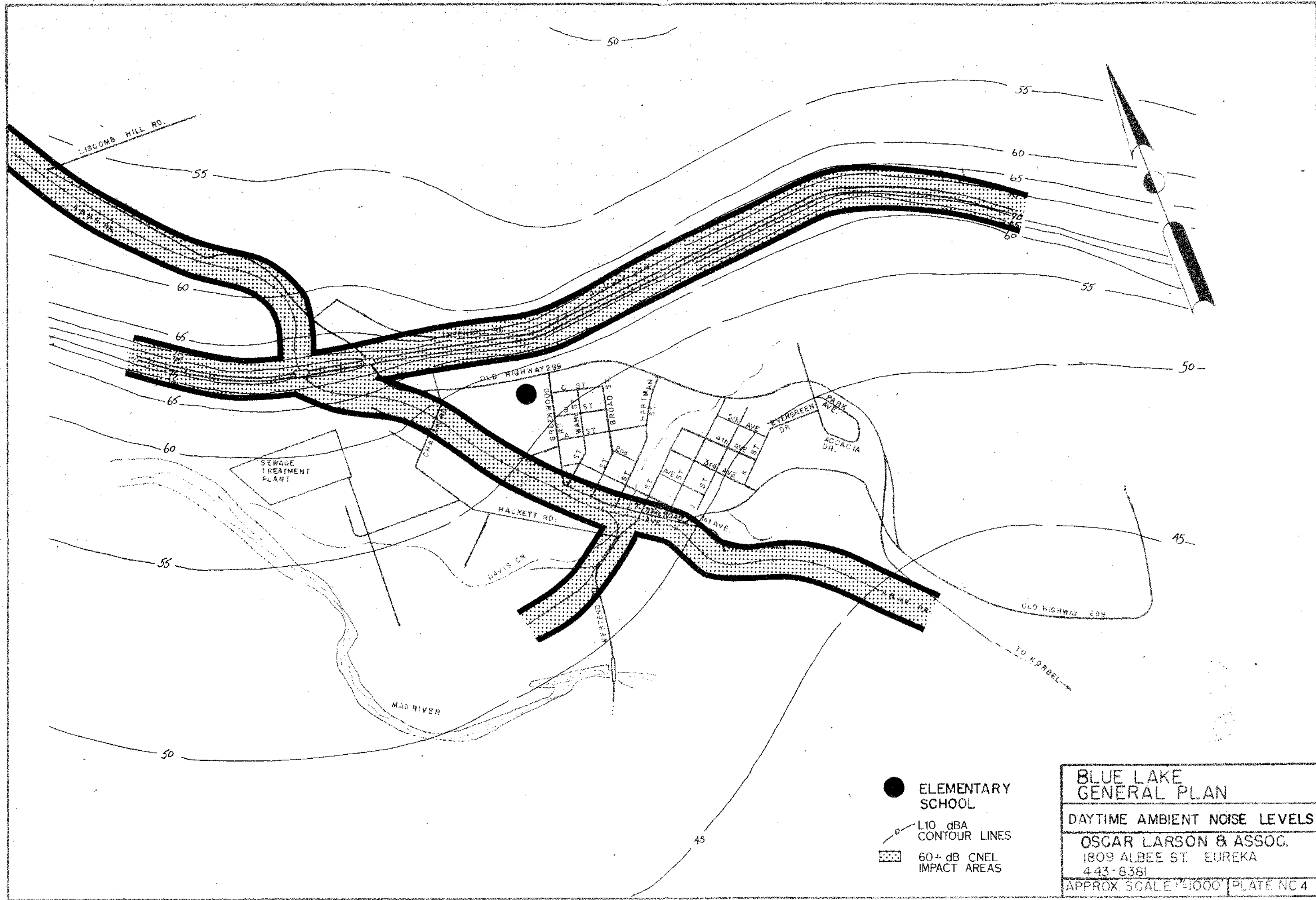
As described in the Government Code the Noise Element of a General Plan should include noise contours of present and projected noise levels associated with all existing and proposed major transportation elements which include but are not limited to highways and freeways, ground rapid transit systems, and ground facilities associated with airports. Appendix D includes a discussion of what noise is, how it can damage the ear and cause other ailments, describes ambient noise and single event noises, discusses how noise is being controlled by various agencies and what the local government role can be, and explains why projection of noise levels for the future is impractical.

Ambient Noise Levels. Highways, freeways, and railroads are the only transportation elements found in the Blue Lake planning area. Using the methodology described in the appendix, and the noise contour data supplied by the State Department of Transportation for Highway 299, a daytime ambience contour map has been prepared for the planning area (see Plate 4). Nighttime ambience levels are estimated to be about 10 dB(A) lower than indicated on the map. For persons inside a residence these noise levels would be perceived at about 20 decibels less with the windows closed and 10 decibels less with the windows open.

Ambient noise levels in commercial and residential areas are well within the ranges suggested by the standards in Appendix D. Highway 299 above Blue Lake does not cause high ambient noise levels because it is above the town and the sound is either prevented from projecting by roadside banks or it projects out over the town and diminishes rapidly along the ground. The effective sound level due to passing trucks is below 60 dB(A). The traffic volume is low enough on other city streets that traffic represents single noise events rather than an increased ambience.

Noise Problems. Logging and diesel delivery trucks and trains generate the most common noises in the planning area. At 50 feet a truck generates a peak noise level of 88 decibels and at 100 feet the level is 82 decibels. Several residents commented on the noise of logging trucks travelling through the area, but did not find the noise disturbing.

The Arcata and Mad River Railroad track passes through Blue Lake within a short distance of Railroad Avenue. Along the north side of Railroad Avenue there are several residences and it is estimated that the noise level on the front porches is around 82 dba and probably higher when the train horn is sounded. The law requires that the horn be sounded at each intersection and there does not appear to be any way to reduce the number of intersections. Fortunately the train passes through only a few times each day. While local citizens were aware of the train noise and found the general noise distracting only the horn is considered disturbing. When logging operations increase in the summertime the trains run earlier in the morning and this will disturb some sleepers.



- ELEMENTARY SCHOOL
- L10 dBA CONTOUR LINES
- ▨ 60+ dB CNEL IMPACT AREAS

BLUE LAKE GENERAL PLAN	
DAYTIME AMBIENT NOISE LEVELS	
OSCAR LARSON & ASSOC. 1809 ALBEE ST. EUREKA 443-8381	
APPROX. SCALE 1"=1000'	PLATE NC 4

Another noise which some of the citizens consider objectionable is the amplified music emanating from local entertainment centers. There are residents in the vicinity that can hear the music until well after midnight. More than 150 feet away from one such establishment the sound level is 52 dB(A) and at the open front door, partially blocked by spectators, the level is 88 dB(A).

Obviously the level inside the building is even higher, and undoubtedly those who listen to the music for any time suffer permanent hearing impairment. Closing the front door would reduce the noise level in the general neighborhood some.

The warming up of logging truck engines in the early morning hours is another noted problem. These vehicles are parked in residential areas and often awaken nearby residents. The problem of dogs barking excessively during the night was also noted.

Sounds in the 75 to 85 decibel range are distracting to most people and peak sounds over 85 decibels are often disturbing and can cause hearing loss if exposure is frequent. Single event impacts from other sources which generate noises of above 75 decibels, such as chain saws and lawn mowers, occur unpredictably and at scattered locations. Undoubtedly these noises are sometimes considered a problem by local residents.

The impact of transportation systems on nearby land uses is recognized in Title 25, Article 4 of the California Administrative Code. Essentially it provides that when hotels, motels, apartments and duplexes are constructed near highways, railroads, airports and industrial areas, that special studies must be performed to ensure that noise levels inside the buildings will be at acceptable levels. Meeting these levels may well entail use of sound insulation in the exterior walls of the structure or use of other sound reduction techniques. The area affected by this provision lies within the 60 dB(A) Community Noise Equivalent Level contour which is identified on Plate 4 (see Appendix D for more details).<sup>1</sup>

Although this Code does not apply to single family residences, the effects of noise on the residents will be the same. The noise impact can be reduced through careful orientation of the structure, the use of baffle fences or local requirements that sound insulation be provided if other means of sound reduction are not sufficient. Another alternative is adjustment of the land use plan and zoning ordinance to provide for other types of land uses within the affected area.

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<sup>1</sup> Sites near the railroad in Blue Lake would be exempt from the requirements if there were four or less trains and they all ran after 7 a.m. Because one train runs before 7 a.m. for at least part of the year it appears that the regulations must be considered.

Environmental Assessment. The impacts of implementing the following recommendations are generally indirect and restricted to the social and economic categories of the environmental impact assessment process. In general, the impacts are considered long term and beneficial. There is a possibility that improving the quality of life through noise abatement and related planning effects will increase the attractiveness of the community as a residential area for commuters, for retired persons, or for some other segment of society and thus have a growth inducing aspect. Implementation of the recommendations will have no unavoidable, direct, adverse impacts nor call for any irretrievable commitment of resources or expenditure of energy. Appendix D includes a discussion of the social, economic, and environmental impacts of noise in general.

Recommendation #1. The State Vehicle Code establishes maximum decibel levels for trucks, automobiles and motorcycles. If vehicle noise becomes a problem the city should consult with Highway Patrol staff to develop a vehicle noise monitoring program that will effectively cite violators and reduce noise from vehicles travelling within the planning area. Acquisition of a decibel meter should be considered. Enforcement of speed limits also has a beneficial noise reduction impact.

Recommendation #2. If non-vehicular noises become a problem, the city should consider adopting a noise ordinance. The model noise ordinance developed by the League of California Cities can be used as a starting point (See Appendix D for a discussion of what it covers and the advantages and disadvantages of a noise ordinance).

Environmental Assessment. The above recommendations will not have any direct impact upon community resources but will give the authorities a mechanism to consider for quickly and effectively mitigating the impacts of an unwanted noise. If these programs are established, a commitment of man-power, energy and equipment will be necessary. Offenders will react unfavorably to a supposed infringement of their personal license to do as they please. Some social friction can be expected.

Recommendation #3. The city should discuss the implications of the State Noise Code with the railroad to determine if the train schedules can be adjusted so that no trains run through the area before 7 a.m.

Environmental Assessment. Implementation of this recommendation may have an impact upon some segments of the business and industrial community. Rescheduling of rail deliveries may cause short term economic impacts until accomodation to the new schedules is accomplished.



Recommendation #4. The Blue Lake Planning Commission should review the implications of the State Noise Code on the existing Land Use Plan and current zoning classifications within the 60 CNEL contour line. Uses that can economically incorporate sound proofing and other noise reduction techniques should be given preference. Where single family dwellings or recreational vehicle parks are permitted within this noise impact area the Planning Commission should encourage the developer to use all practical means to ensure that the noise level in sleeping areas will be within acceptable limits.

Recommendation #5. Although landscaping must be quite dense to diminish sound to any extent it does have the psychological effect of making noise less noticeable, therefore, the city should consider landscaping both sides of the railroad track from West End Road to beyond the City Hall in an attempt to soften the impact of the train horn somewhat.

Recommendation #6. The Blue Lake School District should be encouraged to develop an educational unit on noise and include it in the teaching program at the appropriate age level. Educating the next generation to the hazards of excessive noise is one of the most important weapons in the fight against deafness and increased noise pollution.

## APPENDIX D

### TECHNICAL CONSIDERATIONS IN THE NOISE ELEMENT

When energy is expended it causes vibrations in the air, water, land or man-made objects. These vibrations are transmitted through the air and are perceived by the ear as sound. The frequency of the vibrations can vary considerably - short frequencies produce high pitched sounds and long frequencies generate low pitched sounds. The undamaged human ear is capable of detecting many but not all tones. Certain animals are noted for being able to hear higher pitched sounds than humans.

The human ear does not respond equally to sounds of different pitches. Moderately high sounds, such as those produced in the uppermost register of a piano are heard better than either very high or very low pitches. If the ear were as sensitive to the lower end of the register as it is at the higher end, sounds like the roaring of the wind, or the beating of the heart would be unbearably loud. High pitched sounds such as the scratching of a fingernail on a blackboard are the most disturbing.

The intensity or loudness of sound is related to the amount of energy utilized in generating the vibrations. The more energy expended the louder the sound seems, and bombarding the ear with very loud sounds for extended periods can cause physical deterioration of the delicate parts of the ear mechanism. The combination of high pitch and extreme loudness is the most damaging.

The effects of noise are insidious because they are undetectable by the victim until after irreversible damage has occurred. It is possible to sustain noise levels sufficient to produce permanent hearing impairment without any accompanying sensation of pain. The only symptom of the damage is a need on the part of the victim for a progressively higher noise level to produce the original stimulus to the brain. Thus noise confers a "tolerance", like a narcotic, but in the form of progressive deafness.

The ear is able to adjust somewhat to loud noises, but not sufficiently to cope with the constancy and loudness experienced in industrialized societies. Two limitations of the ear are its delayed adjustment to sharp sounds and its inability to withstand continued loud noise for extended periods of time. When the ear first perceives a loud sound it takes about .2 seconds for it to adjust and turn down the volume. During this moment when the sound is not dampened serious damage can occur. Someone who had a firecracker explode 15 inches from his ear showed permanent hearing loss. During extended periods of loud noise the ear, like an automobile in an endurance race, begins to disintegrate due to the constant vibration.

The results of two studies substantiate the impact of noise in our society. Recently a study of more than 4,000 Tennessee college students showed that 33% failed the screening test on higher frequency tones. The following year the number failing rose to 61%. This loss was attributed to high-intensity recreational noise, such as live amplified music, sport shooting, motorcycling, etc. A study in 1962 of the Mabaan tribe in the Sudan showed that older

members of the tribe have hearing acuity comparable with that of young children in America.

Besides physical damage to the ear, noise produces stress on other parts of the body. To quote the Environmental Protection Agency Publication EPA-335: "Even a sound of moderate volume and short duration such as a heavy truck passing on the other side of the street (rated about 80 decibels), produces a remarkable number of physical changes. Blood vessels in the brain dilate while blood vessels in other parts of the body constrict. Blood pressure rises, and the heart rhythm changes. The pupils of the eyes dilate. The blood cholesterol level rises. Various endocrine glands pour additional hormones into the blood. Even the stomach changes its rate of acid secretion. While most of these reactions are only temporary, the modern environment presents such ever-changing noise levels that some of the 'temporary' effects become chronic".

In addition to the physiological impacts on the ear and the body there are the psychological reactions: frustration when noise interrupts conversation, or hampers concentration on work, or makes it difficult to relax and obtain needed rest. Although suffering from noise cannot be weighed only in economic terms, the cost of accidents occurring because the victim failed to hear the approaching danger, or arising from work inefficiency due to noise, or from treatment of related physical maladies must be staggering. If, as some experts claim, urban noise levels have been increasing by an average of 1 decibel per year for the past 30 years it becomes obvious that noise must be controlled and reduced wherever possible.

Defining Noise. Noise has been defined as unwanted sound. However, this definition does not give proper consideration to the tolerance of noise resulting from ear damage or the many imperceptible but undesirable effects of noise. Therefore it may be better to define noise as excessive sound.

In order to determine which sounds are excessive some means of measuring it are necessary. The unit of measurement most commonly used is called the decibel (dB) and is very near the "just perceptible difference" in loudness in the human ear. Since it takes a tremendous increase in energy to increase the loudness of sound the decibel scale is logarithmic - a sound measured at 40 decibels requires ten times as much energy as a sound at 30 decibels. The scale most commonly used is the A-weighted decibel scale which suppresses the bass response to better correspond to the response curve of the human ear. Figure 1 gives some typical examples of various decibel levels generated by familiar noise sources.

Ambience and Single Events. When measuring sound, it is possible to differentiate between what is termed the ambient sound level and louder peak noise levels generated by single events such as a passing truck. Essentially ambience is the undifferentiated background noise which is the resultant of thousands of events, either small or distant, which in combination constitute a steady accompaniment to the sound being measured. Ambiences of above 60 dB(A) are almost exclusively generated by heavily traveled streets and highways with an average daily traffic count of more than 2,000 vehicles.

FIGURE I

COMMON INDOOR AND OUTDOOR NOISE LEVELS

<u>COMMON OUTDOOR NOISE LEVELS</u>	<u>NOISE LEVEL dB (A)</u>	<u>COMMON INDOOR NOISE LEVELS</u>
	-110	----- Rock Band
	-	
Jet Flyover at 1,000 feet -----	-	
	-	
	-100	
	-	----- Inside Subway Train (New York)
Gas Lawn Mower at 3 feet -----	-	
	-	
	-90	
Diesel Truck at 50 feet -----	-	----- Food Blender at 3 feet
	-	
	-	
Noisy Urban Daytime -----	-80	----- Garbage Disposal at 3 feet Shouting at 3 feet
	-	
	-	
Gas Lawn Mower at 100 feet -----	-70	----- Vacuum Cleaner at 10 feet
	-	
	-	
Commercial Area -----	-	----- Normal Speech at 3 feet
	-60	
	-	----- Large Business Office
	-	
Quiet Urban Daytime -----	-50	----- Dishwasher Next Room
	-	
	-	
	-40	----- Small Theatre, Large Conference Room (background)
Quiet Urban Nighttime -----	-	
	-	
Quiet Suburban Nighttime -----	-	----- Library
	-30	
	-	----- Bedroom at Night
	-	
Quiet Rural Nighttime -----	-	----- Concert Hall (background)
	-20	
	-	
	-	----- Broadcasting and Recording Studio
	-10	
	-	
	-	----- Threshold of Hearing
	-	
	-0	

Source: "Guide on Evaluation and Attenuation of Traffic Noise", American Association of State Highway and Transportation Officials.

NOTE: A ten (10) decibel increase in sound level on dB(A) scale doubles the apparent loudness or annoyance of the sound.

An airplane landing at an airport, a truck traveling along a low traffic volume street, a motorcycle climbing a nearby hill are examples of single event noises. Such loud events stand out above the general ambience level and can be disturbing, startling, distracting, and even damaging to the ear if experienced repeatedly at close range. At 50 feet a diesel truck generates single event maximum of approximately 85 decibels, a diesel train - 88 decibels, a power lawn mower between 59 and 85 decibels depending on make, and a chain saw - 64 to 86 decibels. The operators of lawn mowers and chain saws are exposed to noise levels of 80-95 decibels and 103-115 decibels respectively ("Effects of Noise on People", Environmental Protection Agency).

Inventory Methodology. The estimates of ambience in the vicinity of major highways were developed by the California Department of Transportation utilizing a concept called L10, which can be defined as that noise level which will not be exceeded more than 10 percent of the time during the peak hour of traffic. Where traffic counts on county roads exceed 2,000 vehicles L10 data have been developed to supplement the State Highway information. The contours from 60 to 45 dB(A) were extrapolated from the highway data and checked by random field measurements.

These data do not consider variations due to buildings, barriers, or vegetation. Some adjustment has been made where major topographical features affect sound dispersion over significant stretches of highway; otherwise, terrain variations have not been considered. Contours are subject to an error range of plus or minus 3 dB(A). All field measurements were taken on a General Radio Sound Level Meter, type 1551B.

In addition to the L10 contours the 60 decibel Community Noise Equivalent Level (CNEL) contour has been supplied on the ambience map (Plate 4). This is a noise measurement which gives added weight to the noises occurring during the evening (3x) and nighttime (10x). This weighting reflects the relative increase in levels of annoyance. Although this methodology (developed by Wiley Laboratories) has been widely used near airports, it has only recently been employed to report noise levels near highways and railroads. In order to determine the 60 CNEL contours, nomographs developed only recently were used. Required data were not available in a few instances and best estimates had to be employed. When better data and more experience with this methodology has been obtained, it should be possible to develop a complete set of CNEL ambience contours for the planning area. For the purpose of implementing the State Administrative Code requirements, the CNEL 60 line shown on Plate 4 is adequate (see discussion below).

Noise Control. There are several ways in which noise can be controlled. Redesign of equipment and use of sound absorbing materials has been effective. Where dampening the sound at the source is impractical or technologically infeasible

protective devices for the car have proven effective if the number of people exposed to the noise is limited. New techniques are being used to reduce sound transmission through the walls of residences. And, in some cases sound barriers or just increased distance between the source and observer have been used. Any of these can be encouraged or required by federal, state, or local governments through the adoption of standards, guidelines, and ordinances.

The Department of Transportation has adopted federal standards which are generally applicable to highway design in the state of California. These standards relate the L10 noise levels to four general land use categories and represent the highest desirable noise level conditions.

#### FEDERAL HIGHWAY DESIGN STANDARDS

Land Use Category	Design Noise Level (L10)
A. Unique and unusual tracts of land in which serenity and quiet are of extraordinary significance and preservation of those qualities is essential if the area is to continue to serve its intended purpose.	60 dB(A) (Exterior)
B. Residential areas, schools, churches, libraries, hospitals, and so forth.	70 dB(A) (Exterior)
C. Other developed land not included in (A) and (B) and generally constituted by urbanized business or industrialized areas.	75 dB(A) (Exterior)
D. Special condition site, areas, or activities. The design noise level should be established, based on the merit of the specific case and an analysis of the acceptable level.	(Exterior or Interior)

These same standards also identify the impact of noise on various types of buildings and window openings. The factors indicated in the table below are used in highway design to ensure that the noise level inside adjacent buildings does not exceed 55 dB(A).

<u>Building Type</u>	<u>Window Condition</u>	<u>Noise Reduction Due to Exterior of the Structure</u>
All	Open	10 dB(A)
Light frame	Ordinary Sash	20 dB(A)
	(closed with storm windows)	25 dB(A)
Masonry	Single Glazed	25 dB(A)
Masonry	Double Glazed	35 dB(A)

The Department of Housing and Urban Development has also established noise level standards which are utilized by HUD and FHA in approving financing of residential housing. They are:

General External Exposures dB(A)

1. Unacceptable:
  - a. Exceeds 80 dB(A), 60 minutes per 24 hours
  - b. Exceeds 75 dB(A), 8 hours per 24 hours
2. Discretionary, Normally Unacceptable:
  - a. Exceeds 65 dB(A), 8 hours per 24 hours
  - b. Loud repetitive sounds on site
3. Discretionary, Normally Acceptable: Does not exceed 65 dB(A) more than 8 hours per 24 hours
4. Acceptable: Does not exceed 45 dB(A) more than 30 minutes per 24 hours.

The U. S. Government also has jurisdiction over all noises occurring under conditions of employment, even if interstate commerce is not involved. The maximum level for an eight hour day is presently 90 dB(A) but consideration is being given to reducing this level. While most people agree that this level is too high the cost to employers of reducing the level to 85 decibels is considerable. These regulations are administered by the Occupational Safety and Health Administration. Another program is the efforts of the Environmental Protection Agency. It works with manufacturers of equipment and appliances to develop designs that generate less noise. Noise level standards have been adopted in several categories to encourage progress in noise reduction.

The State of California Vehicle Code establishes maximum decibel levels for all vehicles based on the year of their manufacture. These requirements are projected into the future and gradually reduce the permissible noise level as illustrated below:

<u>Year of Manufacture</u>	<u>Maximum Noise Level in Decibels (dBA)</u>	
	<u>Automobiles</u>	<u>Vehicles Over 6,000 Pounds</u>
1968 - 72	86	88
1973 - 74	84	86
1975 - 77	80	83
1978 - 87	75	80
after 1987	70	70

The Vehicle Code (Section 27151) makes it unlawful to operate a vehicle which is emitting noise levels above those applicable when it was first sold. Off-road vehicles are subject to established dB(A) levels also, but they are exempt if used only on the owner's property. Enforcement of off-road noise violations is hampered because Highway Patrol vehicles are not equipped to engage in off-road pursuit.

The state has also adopted "Noise Insulation Standards" (see Chapter 1, Article 4 of Title 25 of the California Administrative Code). Their purpose is to "establish uniform minimum noise insulation performance standards to protect persons within new hotels, motels, apartment houses, and dwellings other than detached single family dwellings from the effects of excessive noise...".

Requirements for interior airborne sound insulation and impact sound insulation are established for wall and floor-ceiling assemblies utilizing the sound insulation ratings incorporated in the Uniform Building Code.

For exterior noises the requirement specifies that with windows closed, the community noise equivalent level (CNEL) attributable to exterior sources shall not exceed an annual CNEL of 45 dB in any habitable room. An acoustical analysis of the proposed design is required when the proposed structure will be located within the 60 dB CNEL contour line around any airport, the select system of county roads and city streets, freeways, state highways, railroads, rapid-transit lines and industrial areas. Suggested means of noise reduction include orientation of the structure, set-backs, shielding, and sound insulation of the building.

Noise also can be subject to the nuisance laws of the state (state penal code) or a city. These codes require that the plaintiff demonstrate that the offending noise constitutes a nuisance. Because the burden of proof lies on the plaintiff and involves the time and expense of a jury trial, this method of control is seldom used. To facilitate legal recourse for private parties many cities have adopted noise ordinances which establish criteria for determining when a noise constitutes a violation. When a violation is recorded, usually in response to a complaint to the local police department, the violator can be cited and the police department handles the prosecution.

The League of California Cities model noise ordinance is a typical example. It regulates: (1) noises generated by radios, television, amplifiers and similar audio transmitters between the hours of 10 p.m. and 7 a.m., (2) equipment such as air conditioners and fans, (3) restricts construction activity within 500 feet of a residential zone; and, (4) makes it unlawful to generate disturbing noise near posted institutions such as schools, hospitals and churches.

Two basic problems have evolved in the administration of noise ordinances. First, although attempts have been made it has proved difficult to develop ordinance provisions for some types of noise, such as noise created by animals, special events, etc. In many cases only a small percentage of the potential noise sources are actually covered and this limits the effectiveness of the ordinance in controlling overall noise levels. Further, it means that some types of noise are treated more strictly than others because of administrative problems.

Secondly, measurement of noise levels is a technical task requiring fairly sophisticated equipment and technique. If the enforcement officers are not well trained the courts may dismiss the evidence as inadequate to support the charges. Another related difficulty is insuring that the noise level recording is an accurate representation of the offending noise. In fact,



the presence of other noise in the area can distort the recorder reading and in effect suggest a noise level higher than actually attributable to the specific noise source. Blowing of the wind, falling rain, or a barking dog - almost any noticeable noise will affect the readings and the operator must be aware of this and be able to compensate - or the evidence will be inaccurate. In spite of these limitations noise ordinances are still the best local means of attempting to control noise on a community-wide basis.

Land Use Classification Standards. Noise ordinances are based on ambient standards for general land use categories. The model noise ordinance includes standards recommended by the League of California Cities and another set (about 5 decibels higher) recommended by the Pacific Gas and Electric Company. The standards listed below were developed from the HUD standards reported above. Essentially they are slightly higher than the PG&E recommendations. These standards were used in evaluating ambient noise problems in the community and are recommended for adoption as the official standard. They can be incorporated in any noise ordinance that might be considered and used in reviewing zoning issues and environmental impact reports.

<u>Land Use Classification</u>	<u>Desired Ambient Level, dB(A)</u>	
Residential, rural-suburban	night	less than 40 - 45
	day	less than 45 - 50
Residential, suburban	night	less than 45 - 50
	day	less than 50 - 55
Residential, low-density urban	night	less than 50 - 55
	day	less than 55 - 60
Residential, medium/high density	night	less than 55 - 60
	day	less than 60 - 65
Commercial zones, districts	night	less than - 65
	day	less than - 70
Industrial zones, districts		less than - 75

It is evident that most of the noise control effort is being exerted at the state and federal levels where it undoubtedly has the widest impact. Control of noise related to motor vehicles, aircraft and railroad equipment is pre-empted by federal and state agencies. However, efforts to improve enforcement at the local level may be necessary. Otherwise there is little that can be done about such noise problems by local government.

At the local level noise reduction can be achieved in the design and location of local roads, the routing of local bus systems, the designation of truck routes, the separation of noisy commercial and industrial activities, outdoor assembly areas, and airports from residential areas, the provision of increased setbacks for dwellings along busy streets and through careful orientation and construction of dwellings.

Many of these situations are controllable through the zoning and subdivision ordinances. Others are public projects where consideration of noise impacts would be included as part of the environmental impact report. Noise impacts

must also be covered in environmental impact reports for large private developments and this enables the city and other affected agencies to consider ways to reduce noise impacts at the design stage. The standards included in the Noise Element of the General Plan provide a valuable yardstick in reviewing development proposals. A noise ordinance such as the model discussed above is another local option aimed at reducing noise levels.

Future Noise. Our society has become very tolerant of excessive sound and only in the last 10 years have serious efforts been undertaken to reduce noise pollution. The efforts by agencies at the federal, state, and local levels summarized above are having an effect. Public concern over preserving the "quality of life" is growing and this should sustain the momentum achieved unless the cost to the social and economic sectors of our society becomes unacceptable. The trend is toward quieter equipment and appliances. Limitations on fuel supplies will dampen the projected increase in usage of the automobile. And, young people may become aware of the ear damage potential in loud music and turn the volume down. On the other hand noise reduction efforts may be counteracted by an increase in the number of noise generating devices.

The impact of educational programs, noise reduction programs, and the social and economic condition of our society will all have a bearing on how much noise reduction will be accomplished. Because it is difficult to predict the outcome in any of these areas it is almost impossible to adequately support any projection of future noise levels. Therefore, no specific projection of ambient noise levels has been attempted. It is likely that the rate of increase in noise levels will be reduced, but noise levels will probably continue to increase in the future.

The State Department of Transportation has prepared L10 noise contours for state highways in the planning area for 1995. These contours are available at the local public works department. These projections were based on traffic flow estimates derived in 1973 - before shortages in fuel supplies and higher costs began having an impact on driving habits. Once these projections have been adjusted based on more recent experience more realistic long range noise projections will be possible, although their accuracy and consequent value as a planning tool will still be in question for the reasons cited above.