



# **BLUE LAKE PLANNING COMMISSION SPECIAL MEETING AGENDA**

**Monday, June 22, 2020**

**7:00 P.M.**

**Community Center - 111 Greenwood Road  
(Skinner Store Building behind City Hall)**

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 June 22, 2020. Public Input will be facilitated at Skinner Store, utilizing Social Distancing Protocols or on Zoom.US Meeting ID: 811 1475 3485 Password: 826431

1. **Approval of Minutes: May 18, 2020**
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 Discussion: Amendment of the Municipal Code to incorporate City-wide noise regulations.**
5. **Miscellaneous Planner Items.**
6. **Upcoming Planning Commission Meetings for the next 3 months will be on July 20th, August 17th, and September 21st.**
7. **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  
Draft Planning Commission Minutes  
May 18, 2020**

**The Blue Lake Planning Commission Meeting was called to order at 7:00 p.m. at Skinner Store**

**Commissioners Present:** Earl Eddy, Cort Pryor, Matthew Schang, Richard Platz, and Robert Chapman

**Commissioners Absent:** None

**Staff Present:** City Manager Amanda Mager and City Planner Garrison Rees.

**Staff Absent:** Planning Commission Secretary Cheryl Gunderson

**Public Present:** Steven Wright.

**1. Approval of Minutes: February 24, 2020 Special Meeting**

- a. Motion (Chapman, Pryor) to approve minutes as written.
- b. Motion passed unanimously (5-0)

**Approval of Minutes: April 20, 2020**

- a. The Commissioners requested that the minutes be revised to state that the public present at the meeting also included Laura Chapman and Kate Martin.
- b. Motion (Chapman, Schang) to approve minutes as amended.
- c. Motion passed unanimously (5-0).

**2. Public Input on Non-Agenda Items**

- a. None

**3. Approval of the Agenda**

- a. Motion (Platz, Chapman) to approve agenda as written.
- b. Motion passed unanimously (5-0).

**Discussion/ Action:**

- 4. Planning Commission Action: #025-036-003, -006/2018 Subdivision Improvement Agreement for Steven M. Wright (on behalf of BLP, LLC) for offsite improvements for a Minor Subdivision of parcels 025-036-003 (840 Railroad Avenue) and 025-036-006 (830 Railroad Avenue) that will create two new lots. The Minor Subdivision was approved by the Planning Commission on April 15, 2019. The Subdivision Improvement Agreement must be reviewed and approved by the Planning Commission pursuant to Municipal Code Section 16.28.090(A).**

- a. Planner Rees provided the Planning Commission with a summary of the Subdivision Improvement Agreement. Planner Rees noted that the agreement must be approved by the Planning Commission and adopted by the City Council prior to the recording of the Parcel Map and the construction of the offsite improvements for the Minor Subdivision.
- b. Commissioner Platz recommended revision to the City's Subdivision Code to remove the requirement for the Planning Commission to approve Subdivision Improvement Agreements. He explained that staff has the primary role in working with the applicant to draft the agreement and it should only require approval by the City Council.
- c. The applicant (Steven Wright) expressed his eagerness to begin work on construction of the offsite improvements for the subdivision. Mr. Wright asked Planner Rees whether there is any sort of waiting period after adoption of the agreement by the City Council.
- d. Planner Rees responded that he was not aware of a waiting period but would look into the issue further.
- e. Motion (Schang, Eddy) to approve the Subdivision Improvement Agreement for Steven M Wright (on behalf of BLP, LLC) for offsite improvements for a Minor Subdivision of parcels 025-036-003 (840 Railroad Avenue) and 025-036-006 (830 Railroad Avenue).
- f. Motion passed unanimously (5-0).

**5. Planning Commission Discussion: Amendment of the Municipal Code to incorporate City-wide noise regulations.**

- a. Planner Rees provided the Planning Commission with a summary of the draft Noise Standards that would establish City-wide noise regulations. Planner Rees noted that the noise standards are proposed to be added as Section 17.24.280 to Title 17 (Zoning) of the City's Municipal Code.
- b. The Commissioners discussed the draft Noise Standards and asked Planner Rees several questions.
- c. Commissioner Schang inquired about how the decibel level standards would be enforced on public property such as Perigot Park or the public right-of-way.
- d. Planner Rees explained that if a complaint were received, the source of noise could be measured at the property line of a nearby sensitive receptor such as a residential use to determine whether it was compliant with the decibel level standards.
- e. Commissioner Pryor requested that a definition of "holiday" be included in the draft Noise Standards. Commissioner Pryor also requested that staff provide a map at the next meeting that identifies which zones in the City currently have noise standards.
- f. Commissioner Platz noted that the use of the term "reasonable person" in the draft Noise Standards could be subject to interpretation.
- g. Commissioner Chapman explained that he discussed the proposed Community Quiet Hours with various community members and several of them expressed concern that the hours were for a younger demographic.
- h. The Commissioners directed staff to make the requested revisions to the draft Noise Standards and provide a map at the next meeting showing the zones in the City that currently have noise standards.

- i. The Commissioners continued the discussion on this item to the next meeting.

**6. Miscellaneous Planner Items**

- a. Manager Mager provided the Commission with updates on several items including construction of the Annie & Mary Trail, the acquisition of property in the Downtown for a community plaza space, development of a snack bar and community kitchen at Perigot Park, and grants being pursued for the Powers Creek District.

**7. Upcoming Planning Commission Meetings for the next 3 months will be on June 15<sup>th</sup>, July 20<sup>th</sup>, and August 17<sup>th</sup>.**

**8. Adjournment by 9:00 pm unless extended by the Planning Commission.**

- a. Motion (Chapman, Schang) to adjourn.
- b. Motion passed unanimously (5-0).
- c. Meeting adjourned at 8:27 p.m.



# CITY OF BLUE LAKE

Post Office Box 458,  
Phone 707.668.5655

111 Greenwood Road,

Blue Lake, CA 95525  
Fax 707.668.5916

DATE: June 19, 2020

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

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

At the April 20, 2020 Planning Commission meeting, staff presented information about the City's existing noise policies and standards and provided information about other noise standards that could be included in City-wide noise regulations.

At the May 18, 2019 Planning Commission meeting, staff presented draft noise standards that are proposed to be added as Section 17.24.280 (Noise Standards) to Title 17 (Zoning) of the City's Municipal Code. The standards address the prohibition of unreasonable noise, community quiet hours, maximum allowable noise levels by receiving land use, standards for new sensitive receptors, and construction noise limitations.

At the May meeting, the Planning Commission provided direction to staff to make several revisions to the draft noise standards and provide a map at the next meeting showing the zones in the City that currently have noise standards. As the Commission directed, attached to this memo is a revised version of the draft noise standards and a map illustrating the zones in the City that currently have noise standards. The map is the City's Zoning Map, that has been modified to number the zones as 1-4 in the legend that currently have noise standards. Below are the zones and noise standards that correspond to the numbering in the Zoning Map legend:

1) Retail Commercial (RC)

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.

2) Mixed-Use (MU)

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.

3) Light Industrial (ML)

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.

4) Industrial (M)

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.

**RECOMMENDATION:**

Staff recommends that the Planning Commission:

- 1) Receive a staff report concerning the revised draft noise standards and map illustrating the zones in the City that currently have noise standards.
- 2) Open the item for public comment.
- 3) Close the item for public comment.
- 4) Provide direction to City Staff on the draft noise standards.
- 5) Continue the item to the July 20<sup>th</sup> Planning Commission meeting.

## 17.24.280 Noise Standards.

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The purpose of this section is to provide standards for noise that are intended to protect the community health, safety, and general welfare by limiting exposure to the unhealthful effects of noise.

- A. Applicability. No use, activity, or process shall exceed the maximum allowable noise levels established by this section except for the following noise sources:
1. Activity 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.
  2. 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.
  3. Solid waste collection: Noise generated by solid waste collection activities conducted by the City's contracted waste collection provider between the hours of 7 a.m. and 7 p.m.
  4. State or Federal preempted activities: Noise generated by activities regulated by State or Federal law.
  5. Authorized activities at parks: Noise generated by authorized recreational activities and programs conducted in parks owned and operated by a public entity.
  6. Outdoor events: Noise generated by outdoor gatherings, public dances, shows and sporting and entertainment events provided said events are conducted pursuant to a discretionary license or permit issued by the City.
  7. Generator use for medical equipment: Noise from generator use during a power outage for medical equipment or other similar life-sustaining devices.
  8. **Routine maintenance of property: Noise from routine maintenance of property (e.g., landscaping, repairs, etc.) conducted outside of community quiet hours.**
- B. Definitions.
1. "Ambient noise level" means the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

2. “Decibel” or “dB” means a standard unit of acoustic measurement **that** have a zero-reference of two ten-thousandths (0.0002) microbar.
3. **“Holiday” means and includes New Year's Day (January 1), Martin Luther King Jr. Day (the third Monday in January), Washington's Birthday (the third Monday in February), Cesar Chavez Day (March 31), Memorial Day (the last Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), California Admission Day (September 9), Native American Day (the fourth Friday in September), Indigenous People’s Day (the second Monday in October), Veteran's Day (November 11), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).**
4. "Impulsive noise" means a noise characterized by brief excursions of sound pressures whose peak levels are very much greater than the ambient noise level, such as might be produced by the impact of a pile driver, punch press or a drop hammer, typically with one second or less duration.
5. “Leq” means the equivalent continuous sound level in decibels, equivalent to the total sound energy measured over a stated period of time.
6. “Noise level” means the “A” weighted sound pressure level in decibels obtained by using a sound level meter at slow response with a reference pressure of twenty (20) micropascals. The unit of measurement shall be designated as dBA.
7. “Noise sensitive land uses” include uses such as dwellings, transient lodging, hospitals, extended care, meeting facilities, auditoriums, theaters, libraries, schools, and similar uses.
8. “Sound” means an oscillation in pressure, partial velocity or other physical parameter in a medium with internal forces that cause compression and rarefaction of the medium.
9. “Sound level meter” means an instrument that meets or exceeds American National Standard Institute’s Standard S1.4-1971 for Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
10. “Sound pressure level" means a sound pressure level of a sound, in decibels, as defined in ANSI Standards 51.2-1962 and 51.13-1921; that is, twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be 0.0002 dynes per square centimeter.



C. Noise Standards.

1. Unreasonable Noise Prohibited. No person shall allow or cause the generation of any noise of a type, volume, pitch, repetition, or duration that would be found to be a nuisance by a reasonable person beyond the boundaries of the property where the noise is generated.

The characteristics and conditions which should be considered in determining whether a violation of this section exists should include, but not be limited to the following:

- a. The level of the noise.
  - b. Whether the nature of the noise is usual or unusual.
  - c. Whether the origin of the noise is natural or unnatural.
  - d. The level of the ambient noise.
  - e. The proximity of the noise to sleeping facilities.
  - f. The nature and zoning of the area from which the noise emanates and the area where it is received.
  - g. The time of day or night the noise occurs.
  - h. The duration of the noise.
  - i. Whether the noise is recurrent, intermittent, or constant.
2. Community Quiet Hours. The following times shall be designated as community quiet hours:

Sunday evening – Friday morning: 11 p.m. to 8 a.m.

Friday and Saturday evening: Quiet hours begin at 12 a.m.

Saturday and Sunday morning: Quiet hours end at 9 a.m.

No loud, disturbing, or unreasonable noise shall be generated during the designated community quiet hours. The following acts, among others, are declared to be loud, disturbing, and unreasonable noises and noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

- a. Blowing horns or signaling devices. The sounding or blowing of any horn or signal device on any automobile, truck, bus, motorcycle or other vehicle while not in motion, except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion only as a danger

signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for any unnecessary and unreasonable period of time.

- b. Radios, sound systems, musical instruments, etc. The playing of any radio, sound system, or any other musical instrument in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of persons in the vicinity.
  - c. Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets or at any place so as to annoy or disturb the quiet, comfort or repose of persons in the vicinity.
  - d. Pets. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any reasonable person of normal sensitivities in the vicinity.
  - e. Use of vehicles. The use of any automobile, truck, bus, motorcycle or other vehicle so out of repair, so loaded, or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
  - f. Use of tools or equipment. The use of any tools or equipment for landscaping, maintenance, repairs, etc. in such a manner as to disturb the comfort or repose of any reasonable person of normal sensitivities in the vicinity.
  - g. Loading and unloading operations. The creations of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
3. Maximum Allowable Noise Level by Receiving Sensitive Land Use. No use, activity, or process within the City shall generate noise in excess of the levels identified in the following table at receiving sensitive land uses.

**Table 1 - Maximum Allowable Noise Level by Receiving Land Use**

Noise Level Descriptor	Maximum Exterior Noise Level			Maximum Interior Noise Level		
	7 am - 7 pm	7 - 10 pm	10 pm - 7 am	7 am - 7 pm	7 - 10 pm	7 - 10 pm
<b>Dwellings, Transient Lodging, Hospitals, Extended Care, and Similar Uses</b>						
Hourly Leq	55 dBA	50 dBA	45 dBA	45 dBA	40 dBA	35 dBA
<b>Meeting Facilities, Auditoriums, Theaters, Libraries, Schools, and Similar Uses</b>						
Hourly Leq	55 dBA	55 dBA	n/a	40 dBA	40 dBA	n/a

- a. These noise level standards apply city-wide and are in addition to the noise performance standards contained in the Industrial (M), Light Industry (ML), Mixed-Use (MU), and Retail Commercial (RC) zones. In any case where there is conflict between the noise level standards in this

section and the noise performance standards in the above zones, the most restrictive standards shall apply.

- b. Compliance with the exterior noise level standards shall be measured at the property line of a noise sensitive land use receiving the noise. Noise measurement shall be made with a sound level meter using the 'A' weighted scale at slow meter response. Fast meter response shall be used only for an impulsive noise.
  - c. If the measured ambient noise level exceeds the applicable noise level standard in any category shown in the tables, the applicable standards shall be adjusted to equal the ambient noise level.
  - d. If the noise source being evaluated is continuous and cannot reasonably be discontinued or stopped to allow measurement of the ambient noise level, the noise level measured while the source is in operation shall be compared directly to the applicable noise level standards identified in the tables.
4. Standards for New Sensitive Receptors. New noise sensitive land uses shall not be allowed where the noise levels will exceed the noise level standards in Table 1, unless effective noise mitigation measures are incorporated into the project design to maintain exterior and interior noise levels on the receptor site in compliance with Table 1.
5. Construction Noise Limitations. To ensure that nearby residents as well as nonresidential land uses are not disturbed by early morning or late-night construction activities, construction tool and equipment use shall be subject to the following requirements:
- a. 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.
  - b. No heavy equipment related construction activities (e.g., demolition, grading, pile-driving, paving, etc.) shall be allowed on Sundays or holidays.

# ZONING

**Legend**

- City Limit
- Zone Districts
- Parcels

Zone Categories	
AE	AGRICULTURE - EXCLUSIVE
X	OPEN SPACE / RECREATION
R1	RESIDENTIAL ONE-FAMILY
R2	RESIDENTIAL TWO-FAMILY
R3	RESIDENTIAL THREE-FAMILY
PDR	PLANNED DEVELOPMENT RESIDENTIAL
RC	RETAIL COMMERCIAL 1
SC	SERVICE COMMERCIAL
MU	MIXED USE 2
PF	PUBLIC FACILITY
ML	LIGHT INDUSTRIAL 3
M	INDUSTRIAL 4

Source: City of Blue Lake. Zoning classifications are subject to change.