

**HUMBOLDT COUNTY PLANNING COMMISSION
GENERAL PLAN UPDATE**

MEETING OF DECEMBER 15, 2011

Recommended Commission Agenda

At the November 10th meeting, the Commission completed their review of Chapter 14, the Safety Element. During the November 17th meeting, the Commission began deliberation on Chapters 1, 2 and 3 Governance. For tonight's meeting staff recommends that the Commission:

1. Review the outstanding policy decisions for Chapter 13, Noise and Chapter 14, the Safety Element.
2. Allow time for public comments.
3. At 6:00 pm, (or as close as possible), close the public hearing and suspend Robert's Rule of Order to allow a public workshop on the Governance Sections.
4. Re-open the public hearing to allow Commission deliberation on the Governance Sections.
5. Continue the hearing to January 19th, or other suitable date.

Outstanding Issues for Chapter 13, Noise Element

The Commission asked that the following items of the Noise Element be brought back with revisions:

N-S7, N-S8, N-S10, N-S11 (with N-IM5), and N-IM7.

N-S7. Noise Reduction Requirements for Exterior Areas in Residential Zones.

N-S7. Noise Reduction Requirements for Exterior Areas in Residential Zones. On new single family residential lots of 5,000 square feet or more, a usable outdoor living area at least 200 square feet in size per dwelling unit that meets the 60 CNEL (Community Noise Equivalent Level) standard shall be maintained somewhere on the property.

The Commission had concerns about the above standard, questioning its specificity and how an area might be "maintained". Staff can suggest a wording change to clarify that this is a subdivision design policy. Standard N-S10 (discussed below) would allow for variance of the standard, should the Commission choose to include N-S10.

Staff recommended revision:

N-S7. Noise Reduction Requirements for Exterior Areas in Residential Zones. ~~On~~ New single family residential lots of 5,000 square feet or more, shall contain a usable outdoor living area at least 200 square feet in size per dwelling unit that meets the 60 CNEL (Community Noise Equivalent Level) standard ~~shall be maintained somewhere on the property.~~

N-S8. Short-term Noise Performance Standards (Lmax).

N-S8. Short-term Noise Performance Standards (Lmax). The following noise standards, unless otherwise specifically indicated, shall apply to all property within their assigned noise zones and such standards shall constitute the maximum permissible noise level within the respective zones.

SHORT-TERM NOISE STANDARDS (Lmax)

<u>Zoning Designation</u>	Day (maximum)	Night (maximum)
	6:00 a.m. to 10:00 p.m. <u>dBA</u>	10:00 p.m. to 6:00 a.m. <u>dBA</u>
CG, MG, MC, AE, TPZ, TC	85	75
CN, MB, ML	80	70
RM	70	60
RS, <u>R1</u> , R2, RA	65	60

Decibel measurement made shall be based on a reference sound pressure of 0.0002 microbars as measured with a sound level meter using the "A" weighted network. Ambient noise without the noise source in operation shall be observed at 15 second intervals for a period of 15 minutes. The lowest reading is interpreted as the ambient noise level of that sampling point. If this reading is above the standard set for the noise zone, steps must be taken to determine the source or sources of the intruding high-level noise followed by appropriate control action before continuing the survey. If the reading is equal to or below the standard, the survey can proceed. With the noise source in operation, record the instantaneous response at 15 second intervals for a 15 minute period. Or, for a noise source of less than 15 minutes, record the instantaneous response at 15 second intervals for the time the noise source is in operation. The lowest response level recorded while the noise source is in operation is interpreted as the intruding noise level. Compare the intruding noise levels with the standard. If the noise level generated from the noise source exceeds the standard, the noise source is generating noise levels in excess of the allowable standards set for the noise zone.

The Commission discussed at length the above version of N-S8 (Alternative B version is shown. Staff explained that the differences between the Alternative "A" and "B" version were the exceedences levels in the charts. Commissioners Masten and Faust supported the "A" version, with Disiere and Nelson favoring "B", provided there could be exception, perhaps through the use of the waiver provision contained in N-S10. Commissioners Gearheart and Masten were concerned with the specificity, and thought it might be more appropriate as an ordinance. Staff was asked to review the sound level triggers for the zones, and return with the some options for Commission consideration.

The revised version below modifies some of the zone district trigger levels, adding some missing zones and moving the RRA (Rural Residential Agriculture (sometimes abbreviated RA)) to higher thresholds for compatibility with resource production activities. The protocol for measuring exceedences is broken down into steps for easier understanding.

In addition, staff recommends an additional policy that provides general guidance for the standard. As an alternative to including N-S8, a modified implementation measure (N-IM7x) is provided below that would replace N-IM6 and N-IM7. Sonoma County's Noise Element is provided in Attachment B to show another county's approach to this subject.

N-P4.(new) Protection from Excessive Noise. Protect persons from existing or future excessive levels of noise which interfere with sleep, communication, relaxation, health or legally permitted use of property.

N-S8. Short-term Noise Performance Standards (Lmax). The following noise standards, unless otherwise specifically indicated, shall apply to all property within their assigned noise zones and such standards shall constitute the maximum permissible noise level within the respective zones.

SHORT-TERM NOISE STANDARDS (Lmax)

<u>Zoning Designation</u>	Day (maximum) 6:00 a.m. to 10:00 p.m.	Night (maximum) 10:00 p.m. to 6:00 a.m.
	<u>dB</u> A	<u>dB</u> A
CG , MG, MC, AE, TPZ, TC, CS, AG	85	75
CN, MB, ML, RRA, CG, CR	80	70
RM	70	60
RS, R1, R2, RA	65	60

Protocol for measuring exceedences:

1. Calibrate and establish reference for sound meter:

Decibel measurement made shall be based on a reference sound pressure of 0.0002 microbars as measured with a sound level meter using the "A" weighted network.

2. Determine ambient background noise levels:

Ambient noise without the noise source in operation shall be observed at 15 second intervals for a period of 15 minutes. The lowest reading is interpreted as the ambient noise level of that sampling point. If this reading is above the standard set for the noise zone, steps must be taken to determine the source or sources of the intruding high-level noise followed by appropriate control action before continuing the survey. If the reading is equal to or below the standard, the survey can proceed.

3. Measure for exceedences:

With the noise source in operation, record the instantaneous response at 15 second intervals for a 15 minute period. Or, for a noise source of less than 15 minutes, record the instantaneous response at 15 second intervals for the time the noise source is in operation. The lowest response level recorded while the noise source is in operation is interpreted as the intruding noise level. Compare the intruding noise levels with the standard. If the noise level generated from the noise source exceeds the standard, the noise source is generating noise levels in excess of the allowable standards set for the noise zone.

As an alternative to including N-S8 (or possibly in addition to), the Commission could consider a modified implementation measure (N-IM7x) as shown below that would replace N-IM6 and N-IM7:

N-IM7x. Noise Control Ordinance. Prepare and consider a noise control ordinance to regulate noise sources in order to protect persons from existing or future excessive levels of noise which interfere with sleep, communication, relaxation, health or legally permitted use of property.

The ordinance shall define excessive levels of noise and may exempt or modify noise requirements for agricultural uses, construction activities, school functions, property maintenance, waste collection and other sources. The ordinance shall include responsibilities and procedures for enforcement, abatement and variances.

N- S10. Modification or Waiver of Noise Standards.

N- S10. Modification or Waiver of Noise ~~Insulation Requirements~~ Standards. Where full mitigation in accordance with the policies and standards of this Noise Element is not feasible, the Planning Commission may modify or waive such policies or standards to enable reasonable use of the property, provided that noise levels are mitigated to the maximum extent feasible.

The Commission reviewed the above standard which only appears in Alternative C, and requested it be returned with revisions because it appeared to only address discretionary permits

and didn't address complaint-driven situations. If the Commission has voted to include N-IM7x above, the complaint-driven situation would be addressed by ordinance.

N-S11. Industrial Performance Standards.

The Commission reviewed the following standard and requested it be returned with an explanation of what the current industrial performance standards were. Attachment A includes the Industrial Performance Standards in the current coastal zoning regulations.

N-S11. Industrial Performance Standards. Add the Industrial Performance Standards currently contained in the County Coastal Zoning Code to the Inland Zoning Code as well.

N-IM5 Adoption of Performance Standards. Adopt Industrial Performance Standards Countywide.

Staff continues to recommend N-S11 and N-IM5 as written.

Outstanding Issues for Chapter 15, Safety Element

The Commission asked that the following items of the Safety Element be brought back with revisions: S-G6 S-PX1 S-PX2. S-PX3 S-P22 S-S7 (with S-IMX1) S-IM3 and S-IM8. In addition, Public Works has suggested edits to the narrative for airports, and there is an additional issue regarding consideration of military training areas.

S-G6. Industrial Safety.

S-G6. Industrial Safety. Well managed industrial development regulated by performance standards and supported by land use plans that minimizes risk and exposure of the population to industrial hazards.

The Commission questioned the need for the inclusion of the phrase "well managed" in the goal, and again asked what the performance standards were. See Attachment A for the performance standards. Staff continues to support the above wording for this goal.

S-PX1. Site Suitability.

S-PX1. Site Suitability. New development may be approved only if it can be demonstrated that the proposed development will neither create nor significantly contribute to or be impacted by geologic instability or geologic hazards.

The Commission discussed the phrasing of Standard S-PX1 and Commissioner Faust suggested adding the above highlighted phrase. After review of current inland and coastal provisions, staff supports the revision as suggested.

S-PX2. Prohibition of Residential Subdivisions within Floodplain.

S-PX2. Prohibition of Residential Subdivisions within Floodplain. The creation of new parcels that increase residential density wholly within the floodplain as identified in the most recent FEMA flood

insurance rate maps or dam failure inundation areas as delineated in dam failure emergency response plans shall be prohibited.

The Commission discussed various aspects of S-PX2, an Alternative A policy, and expressed some confusion regarding its wording. The term “floodplain” could be clarified as the “100-year floodplain”. Other clarifying edits are less evident. The 100-year floodplain covers almost all of the Eel River delta area and much of the Arcata Bottoms area. The dam inundation areas are mostly within the 100-year floodplain areas except near Blue Lake where half the town and a substantial number of lots on the other side of the river are in the inundation area. Staff continues to recommend Alternative B, which does not include this policy.

S-PX3. Construction Within Special Flood Hazard Areas.

S-PX3. Construction Within Special Flood Hazard Areas. Construction within a floodplain identified as the 100-Year Flood Boundary on FEMA's Flood Insurance Rate Map:

- A. Require elevation of the habitable portions of residential structures to be 1-foot above the Base Flood Elevation, (100-year flood level) where constructed within a floodplain.
- B. Require flood-proofing or elevation of non-residential structures constructed within the 100-year floodplain to 1-foot above the Base Flood Elevation.
- C. Require that new foundations constructed within the 100-year floodplain not cause floodwater displacement except where necessary for flood-proofing.
- D. Substantial alteration and repair of buildings located in the 100-year floodplain shall require mitigation measures, including but not limited to raising lowest floor elevations to one-foot above the 100-year flood level, to reduce flood impacts on the development to a less-than-significant level.
- E. Septic systems shall be designed in a manner as to prevent instability and dislodgement during flood events.
- F. Fill shall only be allowed if it can be demonstrated that the fill will not have cumulative adverse impacts on or off site. A net increase of fill shall not be allowed in the floodway.

The Commission discussed the provisions of S-PX3, in particular edits suggested by the Resource Lands Working Group and Humboldt Bay Keeper to items “E” and “F”.

Humboldt Bay Keeper suggested the following edit to item “E”:

- E. Septic systems shall be designed in a manner as to prevent instability, contamination of flood waters, and dislodgement during flood events.

The Resource Lands Working Group suggested the following edit to item “F”:

- F. Fill shall only be allowed if it can be demonstrated that the fill will not have cumulative adverse impacts on or off site and such fill shall not be placed on prime farm land. A net increase of fill shall not be allowed in the floodway.

Staff noted that the Salt River project is proposing to place fill on prime farm land, so the proposed RLWG wording was a concern. After further discussion staff was directed to return with revised wording for “F”. Staff recommends the following revision to “F”:

- F. Fill shall only be allowed if it can be demonstrated that the fill will not have cumulative adverse impacts on or off site and such fill will not be detrimental to productive farm land. A net increase of fill shall not be allowed in the floodway.

S-S7. Tsunamis.

S-S7. Tsunamis. New development below the level of the 100-year tsunami run-up elevation shall be limited to public access, boating, public recreation facilities, agriculture, wildlife management, habitat restoration, and ocean intakes, outfalls, pipelines, and dredge spoils disposal.

The Commission discussed the provisions of S-S7 and had various concerns. Staff was asked to check whether the policy would prohibit the replacement of homes. Staff reviewed the non-conforming provisions and a structure destroyed by casualty in the coastal zone may be approved by special permit if all necessary findings can be made, which include that it will not be detrimental to the public health and safety. Therefore, it would be discretionary. Because of pending amendments to the County's LCP, staff recommends this policy be deleted. See S-IM8 discussion below.

S-IM3. Drainage Ordinance.

S-IM3. Drainage Ordinance. The County shall implement drainage course flood mitigation policies through the adoption of a drainage ordinance.

Based on the Commission's question about whether or not this would fit into the grading ordinance, staff checked the provisions. While this topic may well fit into the grading ordinance, the Commission has already approved an implementation measure in the Water Resources Element calling for a new drainage ordinance (WR-IM25). In light of this, staff continues to recommend S-IM3 as written.

Flood Elevation Markers.

S-IM8. Local Hazard Mitigation Plan. Participate in FEMA's pre-disaster mitigation program by developing, maintaining, and implementing a Local Hazard Mitigation Plan.

The Northcoast Growers Assn. suggested a revision to S-IM8 to add a program to place new flood elevation markers in communities to increase public awareness of flood levels. Staff felt this should be a stand-alone measure, and recommend the following new implementation measure:

S-IM8X. Flood Elevation Markers. To increase public awareness of flood hazard levels, seek funding to place flood elevation markers along roadways in flood-prone communities.

S-IMX1. Probabilistic Tsunami Inundation Mapping.

S-IMX1. Probabilistic Tsunami Inundation Mapping. The County shall seek funding to conduct studies and prepare probabilistic tsunami hazard mapping for the unincorporated areas and prepare and publish a 100-year tsunami run-up map for use in ministerial and discretionary project review.

The Commission discussed the "100-year" reference and questioned whether that might be too specific. Staff agrees, and recommends the following revised measure:

S-IMX1. Probabilistic Tsunami Inundation Mapping. The County shall seek funding to conduct studies and prepare probabilistic tsunami hazard mapping for the unincorporated areas and prepare and publish a 100-year **probabilistic** tsunami run-up maps for use in ministerial and discretionary project review.

Healthy Humboldt suggested IM's:

In comments dated October 6, 2011, Healthy Humboldt suggested the following two additional implementation measures:

S-IM?. Impervious Cover Limits. Develop Impervious Cover Limits in flood-prone watersheds. Impervious cover includes buildings, roads and other surfaces which do not absorb storm water.

S-IM?. Zero Net Fill. Develop a "zero net fill" ordinance to address areas of the unincorporated County that are located within the 100-year FEMA flood hazard zones.

The Commission directed staff to review these suggestions and return with a recommendation. Regarding the impervious cover limits, the Water Resources Element already contains similar implementation measures:

WR-IM25. Drainage Ordinance. The County shall develop and maintain an ordinance that regulates stormwater drainage consistent with the policies and standards of the Element.

WR-IM26. Low Impact Development Methods. Require projects to utilize best management practices for Low Impact Development to meet surface water run-off standards. ~~in watersheds with known significant cumulative impacts from stormwater runoff.~~

With respect to the zero net fill measure, the County's flood regulations essentially call for a zero or non-significant effect. Both proposed measures would be stricter and more prescriptive, and the Commission may select them as an "A" Alternative. Staff believes these issues are adequately addressed by existing proposed measures, and recommends they not be included.

Military Training Areas

At the November 10th meeting, the Commission received correspondence from the Department of the Navy regarding California Government Code provisions that require the County to consider military operations in the amendment of the general plan and to provide notice and project information for discretionary development near training areas and facilities. In addition, Public Works submitted an edit to the airports narrative.

Attachment B contains a markup of the Safety Element narrative for these issues, as recommended by staff. The ~~strikeout~~ wording is wording suggested by the Navy that staff is not recommending be included because it is policy, not background.

With respect to policy revisions, staff recommends revising S-P1 and adding a new standard S-Sx9, as shown below.

S-P1. Reduce the Potential for Loss. Plan land uses and regulate new development to reduce the potential for loss of life, injury, property damage, and economic and social dislocations resulting from natural and manmade hazards, including but not limited to, steep slopes, unstable soils

areas, active earthquake faults, wildland fire risk areas, airport influence areas, military operating areas, flood plains, and tsunami run-up areas.

New Standard:

S-Sx9. Military Operating Areas. Provide notification and project information to the military for discretionary development projects within military operating areas as may be required by the California Government Code.

Chapter 1 (Introduction) Chapter 2 (Public Guide) and 3 (Governance)

Staff updated the narrative version of Chapter 1 (Introduction) with the new population data from the 2010 Census and added two new Guiding Principles that address public participation. These changes were distributed to the Commission for discussion at the November 17th Planning Commission meeting and posted on the web. There are no goals, policies, standards or implementation measures in Chapters 1 and 2.

Staff also made revisions the policy charts for Chapter 3 to better incorporate many of the original public participation policies, standards and implementation measures of the Framework Plan (“Section 1500”). These changes were highlighted in yellow with a cross reference to the Framework Plan sections for clarity. Staff also distributed the revised chart to the Commission for discussion at the November 17th Planning Commission meeting and posted on the GPU website, www.planupdate.org. Due to public comments received at the November 17th meeting, the Commission voted to host a public workshop on the Governance section, including Chapters 1, 2 and 3. In order to accommodate this request, Roberts Rules of Order will be suspended for the workshop to allow exchanges between the public, staff and the Commissioners. The three minute comment period will also be suspended. Once the public has had an opportunity to speak, the Commission will re-open the hearing to allow for deliberation on the Governance sections. Staff proposes the following timeline as a guide for the meeting:

PUBLIC HEARINGS 5:00 to 6:00 pm

HUMBOLDT COUNTY DRAFT GENERAL PLAN UPDATE. Continued review of Chapter 13, the Noise Element and Chapter 14, the Safety Element.

WORKSHOP 6:00 to 8:00 pm

HUMBOLDT COUNTY DRAFT GENERAL PLAN UPDATE. Continued review of the General Plan Update, in particular, review of Chapters 1 (Introduction), 2 (Public Guide), and 3 (Governance) in a workshop format.

PUBLIC HEARINGS 8:00 to 9:30 pm

HUMBOLDT COUNTY DRAFT GENERAL PLAN UPDATE. Continued review and deliberation of the General Plan Update, in particular, Chapters 1 (Introduction), 2 (Public Guide), and 3 (Governance)

Please Note: Additional copies of any previously-distributed Key Issues and Plan Alternatives Chart or support materials for the draft Plan are available by contacting Tom Hofweber (268-3738) or Martha Spencer (268-3704), or are available on the GPU website at www.planupdate.org.

Attachment A

Industrial Performance Standards

HUMBOLDT COUNTY [Coastal] ZONING REGULATIONS Section 313-103.1
CHAPTER 3, PAGE 144

313-103.1 INDUSTRIAL PERFORMANCE STANDARDS

103.1.1 Purpose. The purpose of these regulations is to establish minimum standards for the operation of industrial development in Humboldt County. (Former Section CZ#A314-18(A))

103.1.2 Applicability. The provisions of this section shall apply to all of the Industrial use types. (Former Section CZ#A314-18(B))

103.1.3 Standards for Industrial Development that Impact Residential Zones. (Former Section CZ#A314-18(C))

103.1.3.1 Noise. All noise generating operations shall be buffered so that they do not exceed the exterior ambient noise level by more than 5 dB(A). (Former Section CZ#A314-18(C)(1))

103.1.3.2 Lights. All lights shall be directed on-site and shielded to reduce glare to adjacent residential areas. (Former Section CZ#A314-18(C)(2))

103.1.3.3 Traffic. New development shall demonstrate that it will not substantially increase truck traffic on residential streets. (Former Section CZ#A314-18(C)(3))

103.1.3.4 Vibrations. No perceptible vibrations shall be permitted off the building site. (Former Section CZ#A314-18(C)(4))

103.1.3.5 Electronic Interference. No visual or audible interference of radio or television reception by operations shall be permitted. (Former Section CZ#A314-18(C)(5))

103.1.3.6 Dust Control. All areas used for parking, traffic circulation and material storage shall be surfaced with asphalt concrete. (Former Section CZ#A314-18(C)(6))

103.1.3.7 All manufacturing and fabricating areas shall be enclosed in buildings. (Former Section CZ#A314-18(C)(7))

103.1.3.8 All equipment and materials storage areas adjacent to any residential zone shall be screened by walls, fences, or adequate plantings to a height of not less than six feet (6'), and said fencing and plantings shall conform to all yard requirements. (Former Section CZ#A314-18(C)(8))

103.1.4 Standards for Industrial Development that Impact Nonresidential Zones. (Former Section CZ#A314-18(D))

103.1.4.1 Noise. Mitigation measures shall be required where necessary to insure that noise generated by industrial operations does not exceed 70 dB(A) anywhere off the site. (Former Section CZ#A314-18(D)(1))

103.1.4.2 Lights. No restrictions. (Former Section CZ#A314-18(D)(2))

103.1.4.3 Traffic. No restrictions. (Former Section CZ#A314-18(D)(3))

HUMBOLDT COUNTY ZONING REGULATIONS Section 313-106.1
CHAPTER 3, PAGE 145

103.1.4.4 Vibrations. No perceptible vibrations shall be permitted to interfere with adjacent land uses. (Former Section CZ#A314-18(D)(4))

103.1.4.5 Electronic Interference. No visual or audible interference of radio or television reception by operations shall be permitted. (Former Section CZ#A314-18(D)(5))

103.1.4.6 All manufacturing and fabricating areas shall be enclosed in buildings. (Former Section CZ#A314-18(D)(6))

103.1.5 Modifications to Industrial Performance Standards. The Hearing Officer may modify any of the Industrial Performance Standards during review of a Use Permit for an industrial development. However, the Hearing Officer shall set, as a condition of the Use Permit, new minimum performance standards to replace those modified. (Former Section CZ#A314-18(E))

Attachment B

Excerpt from Sonoma County Noise Element

3. NOISE ISSUES, POLICIES AND STANDARDS

3.1 LAND USE COMPATIBILITY AND PROJECT REVIEW

Noise level performance standards in Table NE-2 are to be applied as performance standards for noise producing land uses which may affect noise sensitive land uses and new noise sensitive land uses proposed near noise generating land uses.

Infrequent single events such as passage of a train, truck, or airplane may interfere with adjacent uses even though the cumulative noise exposure is within acceptable limits. These events call for a single event noise standard. The potential for sleep disturbance is often the main concern in these cases.

- GOAL NE-1:** **Protect people from the adverse effects of exposure to excessive noise and to achieve an environment in which people and land uses may function without impairment from noise.**
- Objective NE-1.1:** Provide noise exposure information so that noise impacts may be effectively evaluated in land use planning and project review.
- Objective NE-1.2:** Develop and implement measures to avoid exposure of people to excessive noise levels.
- Objective NE-1.3:** Protect the present noise environment and prevent intrusion of new noise sources which would substantially alter the noise environment.
- Objective NE-1.4:** Mitigate noise from recreational and visitor serving uses.

The following policies shall be used to achieve the above objectives:

Policy NE-1a: Designate areas within Sonoma County as noise impacted if they are exposed to existing or projected exterior noise levels exceeding 60 dB Ldn, 60 dB CNEL, or the performance standards of Table NE-2.*

Policy NE-1b: Avoid noise sensitive land use development in noise impacted areas unless effective measures are included to reduce noise levels. For noise due to traffic on public roadways, railroads and airports, reduce exterior noise to 60 dB Ldn or less in outdoor activity areas and interior noise levels to 45 dB Ldn or less with windows and doors closed. Where it is not possible to meet this 60 dB Ldn standard using a practical application of the best available noise reduction technology, a maximum level of up to 65 dB Ldn may be allowed but interior noise level shall be maintained so as not to exceed 45 dB Ldn. For uses such as Single Room Occupancy, Work-Live, Mixed Use Projects, and Caretaker Units, exterior noise levels above 65 dB Ldn or the Table NE-2 standards may be considered if the interior standards of 45 dB Ldn can be met. For schools, libraries, offices, and other similar uses, the interior noise standard shall be 45 dB Leq in the worst case hour when the building is in use.*

Policy NE-1c: Control non-transportation related noise from new projects. The total noise level resulting from new sources shall not exceed the standards in Table NE-2 as measured at the exterior property line of any adjacent noise sensitive land use. Limit exceptions to the following:

- (1) If the ambient noise level exceeds the standard in Table NE-2, adjust the standard to equal the ambient level, up to a maximum of 5 dBA above the standard, provided that no measurable increase (i.e. +/- 1.5 dBA) shall be allowed
- (2) Reduce the applicable standards in Table NE-2 by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises, such as pile drivers and dog barking at kennels
- (3) Reduce the applicable standards in Table NE-2 by 5 decibels if the proposed use exceeds the ambient level by 10 or more decibels
- (4) For short term noise sources which are permitted to operate no more than six days per year, such as concerts or race events, the allowable noise exposures shown in Table NE2 may be increased by 5 dB. These events shall be subject to a noise management plan including provisions for maximum noise level limits, noise monitoring, complaint response and allowable hours of operation. The plan shall address potential cumulative noise impacts from all events in the area.
- (5) Noise levels may be measured at the location of the outdoor activity area of the noise sensitive land use, instead of the exterior property line of the adjacent noise sensitive land use where:
 - (a) the property on which the noise sensitive use is located has already been substantially developed pursuant to its existing zoning, and
 - (b) there is available open land on those noise sensitive lands for noise attenuation.

This exception may not be used on vacant properties which are zoned to allow noise sensitive uses.

TABLE NE-2: Maximum Allowable Exterior Noise Exposures for Non-transportation Noise Sources Hourly Noise Metric¹, dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (5 minutes in any hour)	60	55
L02 (1 minute in any hour)	65	60

¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 1 minute in any hour.

Policy NE-1d: Consider requiring an acoustical analysis prior to approval of any discretionary project involving a potentially significant new noise source or a noise sensitive land use in a noise impacted area. The analysis shall:

- (1) Be the responsibility of the applicant,

- (2) Be prepared by a qualified acoustical consultant,
- (3) Include noise measurements adequate to describe local conditions,
- (4) Include estimated noise levels in terms of Ldn and/or the standards of Table NE-2 for existing and projected future (20 years hence) conditions, based on accepted engineering data and practices, with a comparison made to the adopted policies of the Noise Element. Where low frequency noise (ex: blasting) would be generated, include assessment of noise levels and vibration using the most appropriate measuring technique to adequately characterize the impact,
- (5) Recommend measures to achieve compliance with this Element. Where the noise source consists of intermittent single events, address the effects of maximum noise levels on sleep disturbance,
- (6) Include estimates of noise exposure after these measures have been implemented, and
- (7) Be reviewed by the Permit and Resource Management Department and found to be in compliance with PRMD guidelines for the preparation of acoustical analyses.

Policy NE-1e: Continue to follow building permit procedures to ensure that requirements based upon the acoustical analysis are implemented.

Policy NE-1f: Require development projects that do not include or affect residential uses or other noise sensitive uses to include noise mitigation measures where necessary to maintain noise levels compatible with activities planned for the project site and vicinity.

Policy NE-1g: Enforce the State Noise Insulation Standards (Title 24, Part 2, California Administrative Code and Appendix Chapter 12 of the California Building Code) concerning new multiple occupancy dwellings.

Policy NE-1h: Prepare and consider a noise control ordinance to regulate existing noise sources as follows:

- (1) The draft ordinance shall be prepared by County Counsel with the assistance of the Public Health Department, the Sheriff's Department, and PRMD.
- (2) Consider ONC guidelines and ordinances of other counties.
- (3) The intent of the ordinance shall be to protect persons from existing or future excessive levels of noise which interfere with sleep, communication, relaxation, health or legally permitted use of property.
- (4) Excessive levels of noise shall be defined as levels which exceed the standards of Table NE-2 and other policies of the Noise Element.
- (5) In unincorporated areas of the County, it shall be unlawful to create noise which exceeds the standards of Table NE-2, as measured at the exterior of any noise sensitive use.
- (6) The noise ordinance may contain maximum allowable levels of interior noise created by exterior sources.

(7) The ordinance may exempt or modify noise requirements for agricultural uses, construction activities, school functions, property maintenance, heating and cooling equipment, utility facilities, waste collection and other sources.

(8) The ordinance shall include responsibilities and procedures for enforcement, abatement and variances.

Policy NE-1i: County equipment and vehicles shall comply with adopted noise level performance standards consistent with the best available noise reduction technology.

Policy NE-1j: Encourage the California Highway Patrol to actively enforce sections of the California Vehicle Code relating to adequate vehicle mufflers and modified exhaust systems.

Policy NE-1k: Incorporate into the Development Code the standards and policies of the Noise Element, where appropriate.

Policy NE-1l: Review and update the Noise Element to ensure that noise information and policies are consistent with regulations and conditions within the community.

Policy NE-1m: Consider requiring the monitoring of noise levels for discretionary projects to determine if noise levels are in compliance with required standards. The cost of monitoring shall be the responsibility of the applicant.

Attachment C

Revised Safety Element Narrative

Airport and Airspace Safety

The County Public Works Department operates six county airports. The Department has prepared an Airports Master Plan, which establishes airport land use compatibility policies, and maps the application of these policies for the Arcata-Eureka (McKinleyville) Airport, Murray Field, and Rohnerville Airport. These policies are incorporated into the General Plan. The General Plan applies these compatibility policies to the counties three other airports.

The County Public Works Department operates six county airports: Arcata-Eureka (McKinleyville) Airport, Murray Field, Dinsmore Airport, Garberville Airport, Kneeland Airport and Rohnerville Airport. The Board of Supervisors has adopted Airport Master Plans for each of the County maintained airports. In addition, the Board of Supervisors acting as the Airport Land Use Commission adopted the Airport Land Use Compatibility Plan. These documents established airport land use compatibility policies surrounding the airports.

In addition to the airport physical facilities, the Department of the Navy operates Military Training Routes (MTR) or Military Operating Areas (MOA) that traverse the central parts of the County as depicted in the Military Operation Area Figure XX. The Military Training Routes are comprised of a three dimensional airspace designated for military training and transport activities that have a defined floor (minimum altitude) and ceiling (maximum altitude). The MTR boundaries and minimum altitudes are identified in the Military Operation Area Figure XX. Within the MOA, the County needs to consider the impact of new development on military readiness activities and provide notice to the military of new discretionary development within MOA's. It is critical that new development is compatible with the military operations and does not penetrate or otherwise visually obstruct the airspace which could potentially jeopardize the safety of the public and military personnel. The application of this policy to make certain that land uses within the MOA are compatible with military operations, shall be implemented by Zoning Ordinance provisions that require discretionary review and approval of new development proposed within the MOA.

The Airport Land Use Commission (presently embodied as the Board of Supervisors) coordinates with applicable agencies in ensuring compatible land uses for areas surrounding County airports.

The principal airport/airspace/land use compatibility issues at most airports are:

Noise: Often the most significant of the adverse impacts of airport activities.

Airspace: The height of structures, trees, and other objects in the MOA or in the vicinity of an airport greatly affects the use of that airport.

Safety: Controls on land uses near airports can reduce potential risks both to people on the ground and to the occupants of aircraft.

The key policy guidance is given by an Airport Land Use Compatibility Matrix (included here as Figure 14-1).

The Airport Master Plans (www.co.humboldt.ca.us/aviation/) provide more information about onsite airport land use issues and policies.

This Plan requires close coordination between County Planning and Public Works when making land use and zoning decisions around the airports. Specific attention to this issue is given in the community plans, most importantly the McKinleyville Community Plan.