

Urgency Ordinance Noise

Resilient City Zones

June 25, 2019

Planning and Economic Development

- October 8, 2017: Wildfire damaged or destroyed thousands of residential and commercial structures
- October 24, 2017: Council adopted urgency ordinances related to the Resilient City (-RC) Combining District

- The City Code for Noise in Chapter 17-16, limits the ambient noise levels based on Zoning Districts.
- The General Plan provides typical noise levels for construction

- Section 17-16.030 sets forth the base ambient noise levels present throughout the day within the various zoning districts.
- Section 17-16.120 of the City Code states that it is unlawful for any person to operate any machinery, equipment, pump, fan, air-conditioning apparatus or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient base noise level by more than five decibels.

Ambient Noise Levels

Zone	Time	Sound Level A (decibels Community Environment Classification
R1 and R2	10 p.m. to 7 a.m.	45
R1 and R2	7 p.m. to 10 p.m.	50
R1 and R2	7 a.m. to 7 p.m.	55
Multi-family	10 p.m. to 7 a.m.	50
Multi-family	7 a.m. to 10 p.m.	55
Office & Commercial	10 p.m. to 7 a.m.	55
Office & Commercial	7 a.m. to 10 p.m.	60
Intensive Commercial	10 p.m. to 7 a.m.	55
Intensive Commercial	7 a.m. to 10 p.m.	65
Industrial	Anytime	70

- The City of Santa Rosa General Plan 2035 Environmental Impact Report incorporates normal noise levels from construction that through standard conditions of approval are reduced to a less than significant impact because the increase in noise is short-term.

**TABLE 4.E-2
TYPICAL CONSTRUCTION PHASE NOISE LEVELS**

Construction Phase	Noise Level (dBA, Leq)¹
Ground Clearing	84
Excavation	89
Foundations	78
Erection	85
Finishing	89

¹ Average noise levels 50 feet from the noisiest source and 200 feet from the rest of the equipment associated with a given construction phase. Noise levels correspond to commercial projects in a typical urban ambient noise environment.

SOURCE: Bolt, Beranek and Newman, U.S. EPA, 1971. Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, 1971.

**TABLE 4.E-3
TYPICAL NOISE LEVELS FROM CONSTRUCTION EQUIPMENT**

Construction Equipment	Noise Level (dBA, Leq at 50 feet)
Dump Truck	88
Portable Air Compressor	81
Concrete Mixer (Truck)	85
Scraper	88
Jack Hammer	88
Dozer	87
Paver	89
Generator	76
Pile Driver	101
Rock Drill	98
Pump	76
Pneumatic tools	85
Backhoe	85

SOURCE: Cunniff, 1977, Bolt *et al.*, 1971.

- PED's Engineering division conducted decibel readings at construction sites within the –RC Overlay District
- Noise levels of rebuilding activities are consistent with the General Plan, but higher than the thresholds presented within the City Code.
- The decibel readings are consistent with industry standards associated with the equipment used in the rebuild operations.

TYPICAL NOISE LEVELS FROM CONSTRUCTION ACTIVITIES AND EQUIPMENT IN THE REBUILD AREAS

Construction Activity / Equipment	Average Noise Level (dBa, at 50 feet)
Air Compressor & Nail Gun	75
Air Compressor	69
Back-up Alarms	82
Backhoe	68
Excavator	72
Lift Trucks	81
Concrete Truck	77
Concrete Truck with Pumper	80
Drilling Rig	71
Crane	75
Generator	81
Electric Saws	76
Jack Hammer	67
*Samples taken March 2019 in rebuild areas	

- PED has participated in a significant number of community meetings
- Many property owners have expressed a desire to maintain quiet hours throughout the week.

- High volumes of construction activity within the rebuilding areas
- Impacts created by locally sourced materials such as concrete, the construction community has found it difficult at times to maintain a strict adherence to set construction schedules.

Proposed Exemption from the Noise Ordinance

- The City Manager, or his or her designee, be granted the authority to extend the construction hours from 7:00 a.m. to 7:00 p.m. Monday through Saturday to **5:00 a.m. to 9:00 p.m., Monday through Friday**, when it is determined that certain activities are critical to an expedient rebuild must occur outside of the standard hours.
- Any applicant permitted to perform exterior construction activities producing noise levels 5 decibels above the ambient levels **prior to 7:00 a.m. and after 7:00 p.m. but no later than 9:00 p.m. Monday through Friday** be required to provide notification to adjacent occupied homes.

Exempt from the California Environmental Quality Act (CEQA):

Public Resources Code Section 21080(b)(3): repairs and replacement work after a state-declared disaster

Public Resources Code Section 21080(b)(4): actions to mitigate or prevent an emergency

CEQA Section 15269(a): maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster stricken area

CEQA Section 15269(c): specific actions necessary to prevent or mitigate an emergency.

- Allows additional flexibility in the rebuild of fire damaged homes
- Alleviates Staff time dedicated to noise complaints

The Planning and Economic Development Department recommends that the Council:

- Amend section 20-28.100, Resilient City (–RC) Combining District, to exempt construction activities associated with the rebuilding efforts from adherence to the City’s Noise Ordinance as described in chapter 17-16 of the city code and establish specific construction hours that may be modified by the city manager when needed to support a timely rebuilding process for those parts of the City of Santa Rosa most severely impacted by the Tubbs and Nuns Fires of October 2017

Bill Rose
Supervising Planner
Planning and Economic Development
WRose@srcity.org
(707) 543-3253

Gabe Osburn
Deputy Director of Development Services
Planning and Economic Development
gosburn@srcity.org
(707) 543-3853

