

## REPORT TO GENERAL PLAN 2040 STEERING COMMITTEE

**Subject: Discussion of Noise Element Policy Audit**

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### EXECUTIVE SUMMARY

Agenda Item 5.D addresses the 2040 General Plan Noise Element. Staff has completed a first-pass “audit” of this element, with recommendations for editing existing policies and programs, and a list of potential topics to be added. The Committee will be invited to weigh in on this topic before staff prepares the first draft of the revised policies and programs.

### REPORT

#### Background

The Government Code requires that every California general plan include a “Noise” Element. According to State law, the Element must address noise problems in the community, including:

- Highways and freeways
- Primary arterials and major local streets
- Passenger and freight rail operations and ground rapid transit systems
- Commercial, general aviation, heliport, helistop, and military airports, aircraft overflights, etc.
- Local industrial plants
- Other ground stationary noise sources

Noise elements are also required to include contour diagrams showing existing and projected levels of noise in the horizon year of the Plan. The diagrams are used as a guide for determining the compatibility of future land uses based on ambient noise levels. An important part of the noise element is to explore methods to reduce noise exposure and identify measures to protect sensitive uses (such as homes and schools) from noise in the future.

#### What’s in the Noise Element Now?

The General Plan 2020 Noise Element can be reviewed [here](#). The Element begins with a description of noise sources in San Rafael, typical noise levels, the effects of noise, and noise standards for different uses. The standards establish the maximum acceptable levels of noise where different land uses are acceptable, conditionally acceptable, and clearly unacceptable. This is followed by a noise goal, nine policies, and 14 implementing programs.

## **Policy Audit**

The remainder of this report presents the Noise Element goal, policies, and programs, along with staff recommendations. The matrix includes a column for Committee members to record their thoughts or ideas about the policies, programs, and staff recommendations. Committee members are encouraged to review the matrix before the March meeting and be prepared to discuss the existing policies and programs at the meeting.

The matrix will be provided in Word format following the meeting on March 13. Staff will consider Committee input as the policies and programs are revised. The Committee will have an opportunity to review Draft new policies and programs at a future meeting.

## NOISE POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<p><b>Goal N-1</b></p>	<p><b>ACCEPTABLE NOISE LEVELS</b>            It is the goal of San Rafael to have acceptable noise levels. Excessive noise is a concern for many residents of San Rafael. These concerns can be managed with proper mitigation or through the implementation of the noise ordinance. The City of San Rafael recognizes the issue of noise and has standards to protect people from excessive, unnecessary and unreasonable noises from any and all sources in the community.</p>	<p>Consider rewording this, since “acceptable noise levels” is subjective (or should be backed up by a numeric threshold in the goal). The goal should be to protect the public from excessive, unnecessary, and unreasonable noise levels (e.g., last sentence).</p>	
<p><b>Policy N-1</b></p>	<p><b>Noise Impacts on New Development</b>            Protect people in new development from excessive noise by applying noise standards in land use decisions. Apply the Land Use Compatibility Standards (see Exhibit 31) to the siting of new uses in existing noise environments. These standards identify the acceptability of a project based on noise exposure. If a project exceeds the standards in Exhibit 31, an acoustical analysis shall be required to identify noise impacts and potential noise mitigations. Mitigation should include the research and use of state-of-the-art abating materials and technology.</p>	<p>Reword slightly. First policy should be to maintain the peace and quiet of existing neighborhoods. Subsequent policies should ensure that noise levels are considered when new development is approved, to protect new residents <u>and also to protect existing residents</u>. First four sentences are OK. Last sentence (mitigation measures) should also cover on design, construction, and site planning.</p>	
<p><i>Program N-1a</i></p>	<p><b>Acoustical Studies.</b> Require acoustical studies for all new residential projects within the projected Ldn 60 dB noise contours (see Exhibit 31) so that noise mitigation measures can be incorporated into project design. Acoustical studies shall identify noise sources and contain a discussion of the existing and future noise exposure and the mitigation measures that may be used to achieve the appropriate outdoor and indoor noise standards.</p>	<p>Carry forward. Need similar measures for non-residential projects with the potential to impact nearby residential areas (see N-4a).</p>	

## NOISE POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<p><b>Policy N-2</b></p>	<p><b>Exterior Noise Standards for Residential Use Areas.</b> The exterior noise standard for backyards and/or common usable outdoor areas in new residential development is up to Ldn of 60 dB. In common usable outdoor areas in Downtown, mixed-use residential, and high density residential districts, up to Ldn of 65 dB may be allowed if determined acceptable through development review.</p>	<p><i>Standard remains applicable and is consistent with State guidelines. Carry forward.</i></p>	
<p><b>Policy N-3</b></p>	<p><b>Planning and Design of New Development.</b> Encourage new development to be planned and designed to minimize noise impacts from outside noise sources.</p>	<p><i>And vice versa.... Also designed to minimize noise impacts ON outside receptors.</i></p>	
<p><i>Program N-3a</i></p>	<p><b>Noise Mitigation.</b> Require, where appropriate, the following mitigation measures to minimize noise impacts on proposed development projects:</p> <ol style="list-style-type: none"> <li>1. <b>Site planning.</b> Proper site planning is the first mitigation measure that should be investigated to reduce noise impacts. By taking advantage of the natural shape and terrain of the site, it often is possible to arrange the buildings and other uses in a manner that will reduce and possibly eliminate noise impacts. Specific site planning techniques include:               <ol style="list-style-type: none"> <li>a. Increasing the distance between the noise source and the receiver;</li> <li>b. Placing non-noise sensitive land uses such as parking lots, maintenance facilities, and utility areas between the source and the receiver;</li> <li>c. Using non-noise sensitive structures such as garages to shield noise-sensitive areas; and</li> <li>d. Orienting buildings to shield outdoor spaces from a noise source.</li> </ol> </li> </ol>	<p><i>Carry forward. These are standard noise mitigation measures and are all still valid.</i></p>	

## NOISE POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<p><i>Program N-3a (cont)</i></p>	<p>2. <b>Architectural layout of buildings.</b> In many cases, noise reduction can be attained by careful layout of noise-sensitive spaces. Bedrooms, for example, should be placed away from freeways. Quiet outdoor spaces can be provided next to a noisy highway by creating a U-shaped development, which faces away from the highway.</p> <p>3. <b>Noise Barriers.</b> Absorptive types of noise barriers or walls should be used to reduce noise levels from ground transportation noise sources and industrial sources. A barrier must interrupt the line of sight between the noise source and the receiver in order to reduce noise level both outdoors and indoors. A barrier should provide at least Ldn 5 dB of noise reduction to achieve a noticeable change in noise levels.</p> <p>4. <b>Construction modifications.</b> If site planning, architectural layout, noise barriers, or a combination of these measures does not achieve the required noise reduction, then mitigation should be facilitated through construction modification to walls, roofs, ceilings, doors, windows.</p> <p>5. <b>Alternatives to Sound Walls.</b> Encourage new development to identify alternatives to the use of sound walls to ease noise impacts.</p>	<p><i>“bedrooms should be placed away from freeways, railroads, and major transportation arteries”</i></p> <p><i>Carry forward 3 and 4.</i></p> <p><i>Reference enforcement of Title 24 insulation standards to mitigate noise levels.</i></p> <p><i>This is more of a policy than a program and should be stated as such (potentially with a program to develop design guidelines for then desired types of noise barriers). Are sound walls discouraged in practice?</i></p>	

## NOISE POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<p><b>Policy N-4</b></p>	<p><b>Noise from New Nonresidential Development</b> Design nonresidential development to minimize noise impacts on neighboring uses.</p> <p>a. <b>Performance Standards for Uses Affecting Residential Districts.</b> New nonresidential development shall not increase noise levels in a residential district by more than Ldn 3 dB, or create noise impacts that would increase noise levels to more than Ldn 60 dB at the property line of the noise receiving use, whichever is the more restrictive standard.</p> <p>b. <b>Performance Standards for Uses Affecting Nonresidential and Mixed Use Districts.</b> New nonresidential projects shall not increase noise levels in a nonresidential or mixed-use district by more than Ldn 5 dB, or create noise impacts that would increase noise levels to more than Ldn 65 dB (Office, Retail) or Ldn 70 dB (Industrial), at the property line of the noise receiving use, whichever is the more restrictive standard.</p> <p>c. <b>Waiver.</b> These standards may be waived if, as determined by an acoustical study, there are mitigating circumstances (such as higher existing noise levels), and no uses would be adversely affected.</p>	<p><i>The implied presumption of N-1 and N-4 is that new residential development must be protected from noise, while new <u>non-residential</u> development must mitigate noise impacts on its surroundings. Suggest retooling to acknowledge that all new development, regardless of use, may have noise impacts on adjacent uses and should mitigate those impacts accordingly. Likewise, all new development, regardless of use, should mitigate potential adverse noise impacts on its future occupants (residents, workers, visitors, etc.).</i></p> <p><i>This is a pretty big loophole. Confirm that it's still OK.</i></p>	
<p><i>Program N-4a</i></p>	<p><b>Require Acoustical Study.</b> Identify through an acoustical study noise mitigation measures to be designed and built into new nonresidential and mixed-use development and encourage absorptive types of mitigation measures between noise sources and residential districts.</p>	<p><i>OK. Potentially consolidate with N-1a, if policies are not segregated by land use.</i></p>	

## NOISE POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<b>Policy N-5</b>	<b>Traffic Noise from New Development</b> Minimize noise impacts of increased off-site traffic caused by new development. Where the exterior Ldn is 65 dB or greater at a residential building or outdoor use area and a plan, program, or project increases traffic noise levels by more than Ldn 3 dB, reasonable noise mitigation measures shall be included in the plan, program or project.	<i>Carry forward</i>	
<i>Program N-5a</i>	<b>Traffic Noise Studies.</b> Require acoustical studies to evaluate potential off-site noise impacts resulting from traffic generated by new development.	<i>This would presumably be covered by the acoustical studies in N-1a and N-4a</i>	
<b>Policy N-6</b>	<b>Traffic Noise</b> Attempt to minimize traffic noise through land use policies, law enforcement, and street improvements.	<i>May need to qualify---this refers to existing traffic noise as well as future noise --- can also mitigate through landscaping, berms, etc.</i>	
<i>Program N-6a</i>	<b>Enforce Speed Limits.</b> Enforce speed limits on roads generating numerous noise complaints.	<i>Carry forward [Note Program N-6b was deleted in 2016 since it was completed]</i>	
<i>Program N-6c</i>	<b>Coordination with Local and State Agencies.</b> Coordinate with CalTrans, Marin Countywide Planning Agency, Congestion Management Agency and other agencies to achieve noise reduction along Pt. San Pedro Road, Highways 101 and 580, and the Sonoma Marin Area Rail Transit corridor.	<i>OK. Cross-reference N-8 on SMART rail.</i>	
<i>Program N-6d</i>	<b>Vehicle Code.</b> Enforce the California Vehicle Code regarding noisy vehicles.	<i>Carry forward</i>	
<i>Program N-6e</i>	<b>Street Improvements.</b> Pursue feasible cost-effective new street paving technologies to minimize traffic noise.	<i>Carry forward. Also, look for ways to reduce noise from buses and trains.</i>	

## NOISE POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<i>Program N-6f</i>	<b>Widening of US 101 and 580.</b> Encourage Caltrans to mitigate highway noise impacts as a part of the US 101 widening project. Review and comment, as necessary, on any proposed sound walls in San Rafael. Encourage Caltrans to use noise mitigation measures other than walls if they can be shown to be effective. These measures may include alternative pavement types and sound-absorptive treatments on existing and future noise barriers.	<i>Replace with a new action to work with Caltrans to mitigate noise from 101 and 580 on an ongoing basis, including future changes to the 580/101 interchange.</i>	
<b>Policy N-7</b>	<b>Airport/Heliport</b> To the extent allowed by federal and state law, consider and mitigate noise impacts of any changes in facilities or operations that require use permit mitigations or other land use permits at the San Rafael Airport in north San Rafael and the heliport in East San Rafael (see Noise Contours for San Rafael Airport and Heliport in Exhibits 32 and 33).	<i>Carry forward.</i>	
<b>Policy N-8</b>	<b>Sonoma Marin Area Rail Transit</b> If a commuter rail service or other use is developed along the Sonoma Marin Area Rail Transit right-of-way, minimize noise impacts on existing development.	<i>Update to reflect SMART's construction (and extension). Include separate train horn/ quiet zones policy? Are there other SMART-related noise or vibration issues to be addressed?</i>	
<i>Program N-8a</i>	<b>Future Transitway Mitigation Measures.</b> A detailed noise assessment and appropriate mitigation measures should be prepared for any rail project on the Sonoma Marin Area Rail Transit right-of-way. The analysis should address the City's noise standards and the Federal Transit Administrations (FTA) guidelines.	<i>Reframe to recognize that SMART is now operational and this applies to future changes to existing service.</i>	
<b>Policy N-9</b>	<b>Nuisance Noise.</b> Minimize impacts from noise levels that exceed community sound levels.	<i>Elaborate on what sources of noise are being referred to here—e.g., domestic, business, etc.</i>	

## NOISE POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<i>Program N-9a</i>	<b>Enforce and Update the Noise Ordinance.</b> Enforce and update, as necessary, the City's Noise Ordinance that addresses common noise nuisances including amplified music, outdoor mechanical equipment and construction activities.	<i>Carry forward</i>	
<i>Program N-9b</i>	<b>Mitigation for Construction Activity Noise.</b> Through environmental review, identify mitigation measures to minimize the exposure of neighboring properties to excessive noise levels from construction-related activity.	<i>Carry forward</i>	
<i>Program N-9c</i>	<b>Noise Specifications.</b> Include noise specifications in requests for equipment information and bids for new City equipment and consider this information as part of evaluation of the bids.	<i>Carry forward</i>	
<i>Program N-9d</i>	<b>San Rafael Rock Quarry.</b> Seek to minimize noise impacts of the quarry and brickyard operations through cooperative efforts with the County of Marin through its code enforcement and land use entitlement processes.	<i>Carry forward—are there other locations or land uses that have persistent noise problems that need to be addressed?</i>	
<p><i>Editor's Notes:</i></p> <p><i>Policy N-2 should more clearly state that new noise-sensitive uses should not be placed in high-noise environments.</i></p> <p><i>Add a Program to use conditions of approval (via use permits) to limit the potential for noise conflicts</i></p> <p><i>Are there any specific noise sources that should be addressed (gas powered leaf blowers, etc.)?</i></p> <p><i>Other than the San Rafael airport and the heliport, is aviation noise an issue at all (e.g., planes approaching SFO and OAK)?</i></p>			