



## ZONING TOPIC – Excessive Noise and Zoning Ordinances

### Discussion

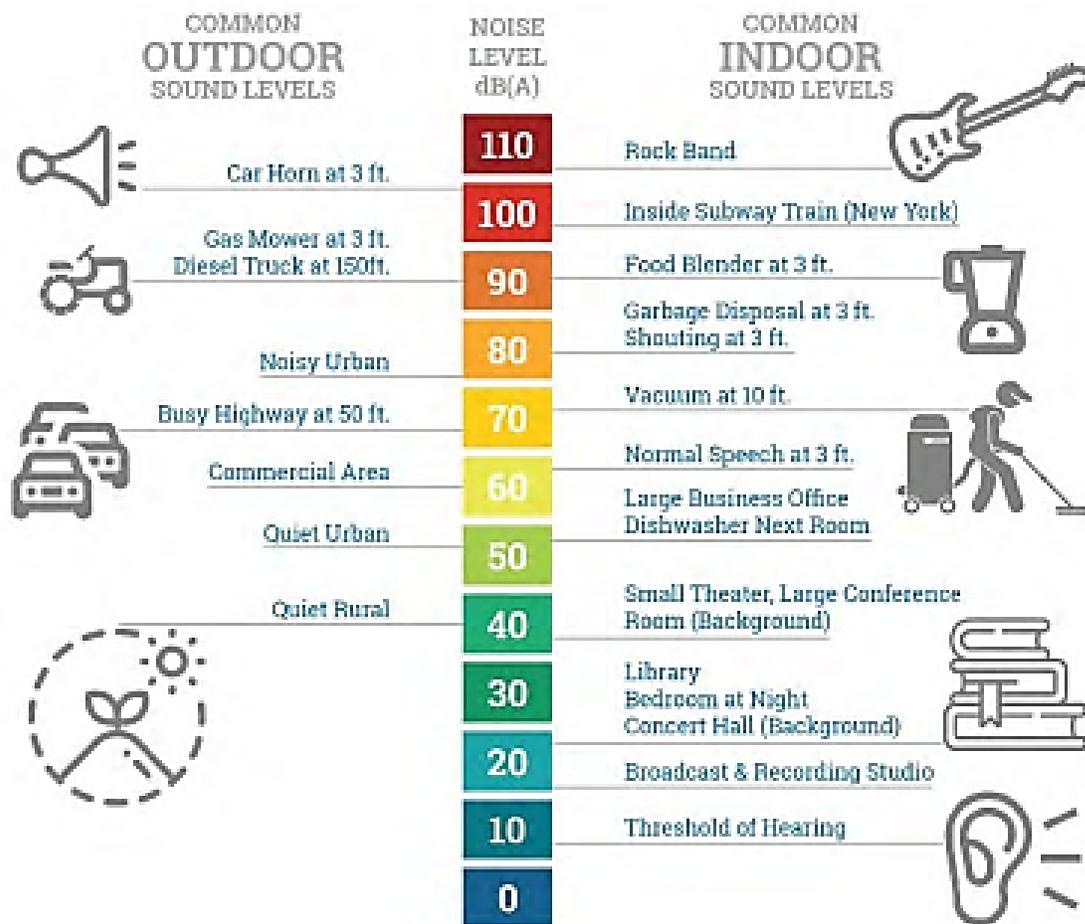
In California, noise regulation is primarily governed by the Noise Control Act (California Health and Safety Code, Division 104, Part 5). This act establishes standards and procedures to control noise pollution and protect public health and welfare. Under state planning laws every city must have a general plan element prepared specifically to address community noise levels, including policies to manage noise. State law and the Shasta Lake General Plan Noise Element ( [Final-City-of-Shasta-Lake-2040-General-Plan](#) ([cityofshastalake.org](http://cityofshastalake.org)) recognize that excessive noise can be a serious health hazard.

The [California Noise Control Act](#) gives individual cities the power to set strict rules for noise reduction and enforce them as necessary. The Act encourages local agencies to enact and enforce noise ordinances and establish technically sufficient noise abatement measures. Because each community sets its own ordinances, there is no single uniform code covering the entire state. However, the state also has a general law that prohibits creating a “loud and unreasonable noise” that disturbs the peace of others, which may result in jail time and/or fine.

Here are some key reasons why cities regulate noise in California:

- **Health and Welfare:** Residents are entitled to a peaceful environment without noise intrusion that may be hazardous to their health or welfare. City General Plan policies aim to provide such an environment for all residents. Excessive noise can lead to sleep disturbances, stress, reduced property values, and other negative impacts on physical and mental well-being.
- **Balancing Needs:** Noise ordinances strike a balance between the needs of individuals, businesses, and residents.
- **Local Ordinances:** Cities and counties pass local laws that establish protection against excessive or untimely noise. These ordinances typically include “quiet times” during which loud noises are restricted. For example, loud noises are usually prohibited between 10 p.m. and 7 or 8 a.m. on weekdays.
- **Tenants’ Rights:** Tenants have the right to peacefully enjoy their property. If another tenant’s noisy behavior violates local nuisance regulations, landlords have a duty to address it. Tenants can notify landlords and, if necessary, contact local law enforcement to enforce their right to quiet enjoyment.

In summary, noise regulation aims to find a balance between individual rights and the well-being of the community. The following chart from the GP provides some detail about “comparative noise levels” from different activities.



**Figure 7-25: Comparative Noise Levels (dBA)**

*Source: Adapted by DP+S from Federal Aviation Administration website (faa.gov)*

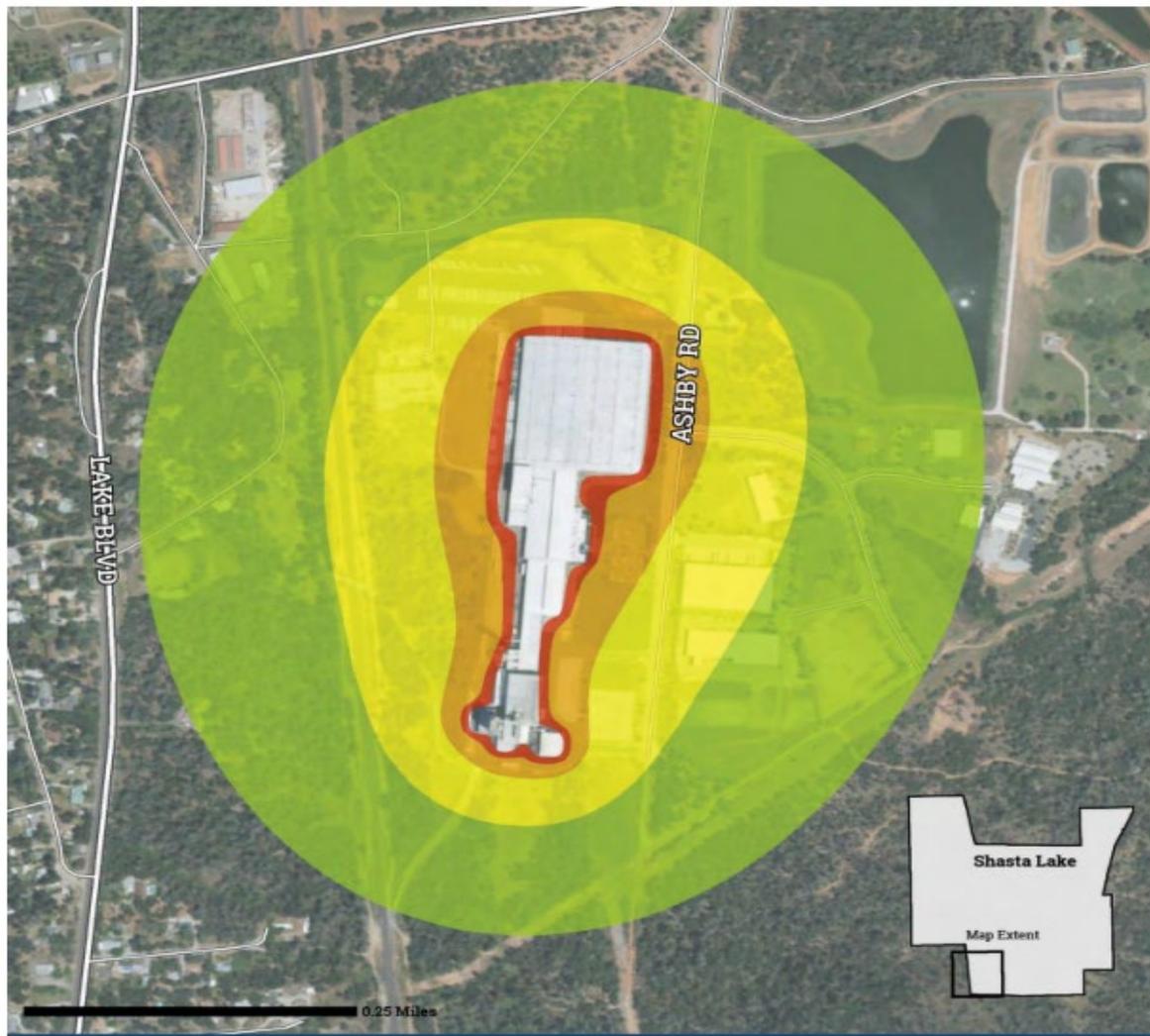
The effect of noise on the individual and the community varies with its duration, intensity, and tolerance level. People react differently to sounds, even to the same sound. Figure 7-25 identifies noise level exposure for various everyday activities. Regardless of how noise is perceived on the individual level, the locations of existing and planned land uses must be considered when placing facilities that generate significant volumes of noise.

**Why is this important for the zoning ordinance update?**

Land use decisions can significantly impact noise levels for residents. When determining the placement of land uses, it is important to consider the activities associated with potential future uses and existing uses within the surrounding environment. Incompatible uses can significantly impact the quality of life in the community, especially as population growth and new development generate more noise. Local zoning regulations play a crucial role in determining noise level permissions, and in establishing the legal

framework to allow communities to regulate load or unpleasant noise. Different zones, such as residential, commercial, and industrial, have specific limits on noise levels to ensure compatibility and minimize disturbances.

The programmatic environmental impact report (PEIR) prepared for the General Plan addressed the issue of noise in detail and established “noise contour” mapping for major noise sources in Shasta Lake. This mapping included existing noise level sampling, which was then used to model potential future noise levels. Noise in the City of Shasta Lake is principally caused by mobile sources, including automobiles, trucks, trains, and machinery for production, such as that used in industry and construction. An example of these maps, which are located in the Noise Element, is below.



**Knauf Fiberglass Plant  
(Industrial Park) Noise Contours  
City of Shasta Lake**

Equivalent Sound Level Leq in dB (A)	
45	
50	
55	
60	

The PEIR determined that implementing the General Plan policies focusing on excessive noise would adequately address future noise impacts from planned growth. The noise policies in the City of Shasta Lake General Plan 2040 are in **Section 7: Public Safety and Community Health Element**. This section addresses noise problems, quantifies current and projected noise levels from various sources, and establishes noise compatibility guidelines for different land uses.

### **Related General Plan Policies**

The following are some relevant General Plan policies that touch on this topic and relate directly to preparing a new zoning ordinance.

POLICY-HS-8.1            Protect the community from excessive noise through thoughtful siting and adequate buffering where new uses have the potential to cause negative noise impacts on health and wellness. (Source: New)

POLICY-HS-8.2            Protect noise-sensitive uses and areas from significant sources of noise, including from transportation and stationary noise-generating uses. (Source: New)

POLICY-HS-8.4            The noise sensitivity of land uses as established in Figure 7-24 shall be used in the location of new development, new circulation improvements, and preparation of general plan amendments and specific plans. The noise exposure level shall be established by reference to the noise contour maps (Figure 7-26, Figure 7-27, Figure 7-28, and Figure 7-29) or project specific measurements or calculations made pursuant to the Noise Ordinance. The guidelines in Figure 7-24 shall be with the degree of flexibility required in each case to achieve a sound and feasible land use decision. (Source: Existing Policy N-a, modified)

IMPLEMENTATION-HS-8.1        Buffer noise-sensitive uses and areas adjacent to existing and new sources of noise, such as Interstate 5 and industrial areas and uses, through the implementation of various methods, including but not limited to:

- Establishing land use compatibility standards;
- Enforcement of noise standards;
- Insulating or buffering residences exposed to excessive levels of noise;
- Minimizing traffic noise through responsive site design techniques and physical barriers; and
- Regulating new development to limit noise impacts through site and building design and operational conditions. (Source: New)

IMPLEMENTATION-HS-8.4        Condition approval of all new development in residential on the use of noise mitigation measures to reduce exterior sound levels to less than or equal to 60 dB CNEL. (Source: Existing Implementation N-(1))

### **Important Weblinks**

- **General Plan Chapter 7 - Public Safety Element – Noise Section** ([Final-City-of-Shasta-Lake-2040-General-Plan \(cityofshastalake.org\)](https://www.cityofshastalake.org/2040-General-Plan)).