

Lauren Davidson

From: George Wooten <george232@centurytel.net>
Sent: Monday, April 11, 2016 1:48 PM
To: Lauren Davidson
Subject: Comments related to Noise Regulation
Attachments: Zoning-Comments-Noise-Regulation-Wooten-2016-04-11.pdf

Thank you for submitting these as part of the hearing on zoning today, April 11. These comments are also attached as a PDF)

Date: April 11, 2016

To: Okanogan County Planning Commission
ldavidson@co.okanogan.wa.us

Dear Planning Department:

Comments on Noise Regulation

Background

It is in the best interest of Okanogan County government to take responsibility for regulating excessive and deleterious noise during the planning process. The current noise ordinance in the Okanogan County Code needs amendment as it fails to meet state law. In addition, current agriculture exemptions are vague and inadequate.

Federal and state programs include provisions for noise standards and guidelines as part of their eligibility and performance criteria. Resources that should be referred to for noise regulation guidance include:

1. (1980) Guidelines for Considering Noise in Land use Planning and Control" by the Federal Interagency Committee on Urban Noise:

<http://www.nonoise.org/epa/Roll7/roll7doc20.pdf>

2. (1980) Noise violations: Guidance Manual for State and Local Prosecutors : United States. Environmental Protection Agency. Noise Enforcement Division:

<http://www.nonoise.org/epa/Roll6/roll6doc3.pdf>

3. List of EPA Titles on Noise Regulation:

<http://www.nonoise.org/epa/>

Noise is a valid land use determinant. Noise planning encourages development that is compatible with various noise levels. The objective of planning for noise is to use zoning to guide noise-sensitive land uses away from significant sources of noise. Where sound has the potential to carry long distances such as over water, additional protection from excessive noise is necessary.

Noise Ordinance

1. The noise ordinance must include a succinct, concise definition of noise that is unreasonable or raucous. Consult planning guidelines contained in "Guidelines for Considering Noise in Land use Planning and Control" (1980) by the Federal Interagency Committee on Urban Noise.

2. The noise ordinance must protect and maintain, as far as is practically possible, the "natural soundscape" throughout Okanogan County.

3. (Zoning) Okanogan County Code must establish minimum allowable sound levels and types of sounds, for sources originating from one property and intruding into another person's property. Penalties for exceedance will adhere to state law.

4. (Zoning) Okanogan County Code must identify areas that are noise-sensitive, such as hospitals, parks and public meeting places, public recreational facilities including those managed by other agencies, schools, residential areas and lake shores, and then establish the maximum sound levels for those areas.

5. For Rural Districts it is imperative that sound levels be designated that will protect and maintain the greatest amount of natural ambient soundscape as possible.

6. All public waters and shorelines of statewide significance are noise sensitive areas, where excessive noise must be limited to protect the quality of life and the environment. All public waters and shorelines must be designated as noise-sensitive lands.

7. Abnormally high frequency audible sounds are a special type of noise pollution that has deleterious effects in humans. The regulation of audible high frequency sounds is necessary. An example of regulatory code for audible high frequency sounds is:

"No Entity, whether private, public, industrial or agricultural, will be exempt from penalties for creating and allowing sounds to be emitted into the public soundscape that are of a sustained, continuous, high frequency audible sound."

8. The integrity of the noise ordinance depends on enforcement. Therefore a far-reaching "Good Neighbor" noise ordinance should be implemented as described in "Guidelines for Considering Noise in Land use Planning and Control" (1980) by the Federal Interagency Committee on Urban Noise.

Sincerely yours,



George Wooten,
Environmental Consultant



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www.avast.com

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