

Goal 6 Air, Water, and Land Resources Quality

□ Section 4, Sound Quality

BACKGROUND

Statewide Planning Goal 6: Air, Water and Land Resources Quality

“To maintain and improve the quality of the air, water and land resources of the state.”

A quiet environment contributes significantly to Lake Oswego’s quality of life. However, like most cities, Lake Oswego has many noise sources and significant potential for future noise problems exists. Transportation is the most significant source of continuous noise. This includes noise generated by traffic along major roadways and railroads which run through the City. Additional noise problems can result from industrial and commercial activity including manufacturing processes, heating, ventilation and air conditioning equipment, and communication devices such as whistles, buzzers and pagers. The quiet environment of residential neighborhoods can also be affected by occasional noise caused by sources such as electric and gas engine power tools, barking dogs, car and house alarms, audio equipment and construction activity.

There are limits as to what can be done to eliminate existing noise situations such as those caused by transportation. Prevention of future problems depends upon separating noise generating activities from noise sensitive uses, and other measures such as limiting noise emissions and emphasizing noise insulation techniques in new construction. Communities can work to prevent noise problems from occurring, especially in residential neighborhoods, through public education. However, enforcement of noise ordinances is the principal method cities use to address noise disruptions when they do occur in residential neighborhoods.

The City’s Municipal Code regulates loud and disturbing noise as a nuisance. These regulations are enforced by the police department and code enforcement officers. There is no ongoing noise monitoring and problems are dealt with on a complaint basis.

Currently, Lake Oswego’s development standards for buildings and landscaping require mitigation of noise impacts on interior occupied spaces and adjacent property. The City has no regulations which establish maximum allowable decibel or sound levels.

The Oregon Department of Environmental Quality enforces laws and regulations relating to noise pursuant to Oregon Laws and Administrative Rules (ORS 467 and OAR 340-035-000 et.seq) for new and existing industrial development, transportation facilities and other activities which can generate problem amounts of noise. However, DEQ does not have an active noise enforcement program. Because of budget constraints, the agency responds to noise problems on a complaint basis only.

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Noise problems are very hard to solve after an area is developed. Consequently, DEQ encourages local governments to evaluate potential noise problems as part of planning and zoning decisions. Therefore, Lake Oswego has a responsibility to review development applications in regard to noise impacts. Development standards can also regulate the siting of noise generating activities adjacent to sensitive areas such as residential neighborhoods, schools, hospitals, parks, natural areas and open spaces. Conversely, noise impacts should be adequately mitigated by noise sensitive development when such development is located adjacent to noise producing activities.

Summary Of Major Issues

The following are some of the issues, changed circumstances and conditions which were considered in the update of this element of the Comprehensive Plan.

- Transportation represents the most significant source of continuous noise within Lake Oswego.
- Occasionally, the quiet environment of residential neighborhoods is disturbed by electric and gas engine power tools, barking dogs, audio equipment, car and house alarms, and construction activity.
- Local jurisdictions have the primary responsibility for regulating noise and preventing noise problems. DEQ does not take an active role in monitoring and enforcing noise regulations.

GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES

GOAL

Reduce noise levels in Lake Oswego and maintain the quiet character of the community in which people can converse, relax, play and sleep without interference from noise.

POLICIES

1. Protect and maintain the quiet character of those areas of the community unaffected by major noise sources.

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2. Ensure development complies with state and local noise regulations.
3. Prevent noise problems through zoning regulations, development standards and ordinances that prescribe fines and other penalties for violations.
4. Evaluate the noise potential of proposed development and separate noise-sensitive and noise-producing land uses.
5. Locate, design and buffer land uses which generate noise such as major transportation facilities, industrial development and active recreation areas to protect existing and future noise sensitive land uses.
6. Require noise mitigating construction and site design measures for noise sensitive development that would be impacted by existing or future noise producing land uses.
7. Minimize noise impacts on residential neighborhoods, public open spaces, recreation and natural areas.

RECOMMENDED ACTION MEASURES

- i. Coordinate with area jurisdictions and state and local agencies to minimize noise impacts of existing and future transportation facilities and other noise-producing land uses.
- ii. Adopt development standards which require review of the potential noise impacts of new development, including roads and the need for commensurate mitigating measures such as:
 - a. Building setbacks;
 - b. Berms, sound walls and extensive landscaping;
 - c. Site design measures such as using parking, storage areas and buildings which generate little or no noise to separate noise sources from surrounding land uses;
 - d. Sound insulation and state of the art mechanical and processing equipment which generate little or no noise;
 - e. Measures recommended by DEQ or a qualified noise consultant and financial agreements to ensure required noise reduction measures are installed;
 - f. Increased rights-of-way for major arterials and berming, sound walls, sunken roadways, and planting of large shrubs and trees; and,
 - g. Traffic management measures to discourage through traffic from using local residential streets.

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- iii. Regulate hours of construction activity to minimize the noise impacts on the surrounding area.
- iv. Minimize the noise impacts in residential areas by electric and gas engine power tools, barking dogs, audio equipment, house and car alarms, etc., through effective noise ordinances, enforcement and community education.