

NOISE CONTROL

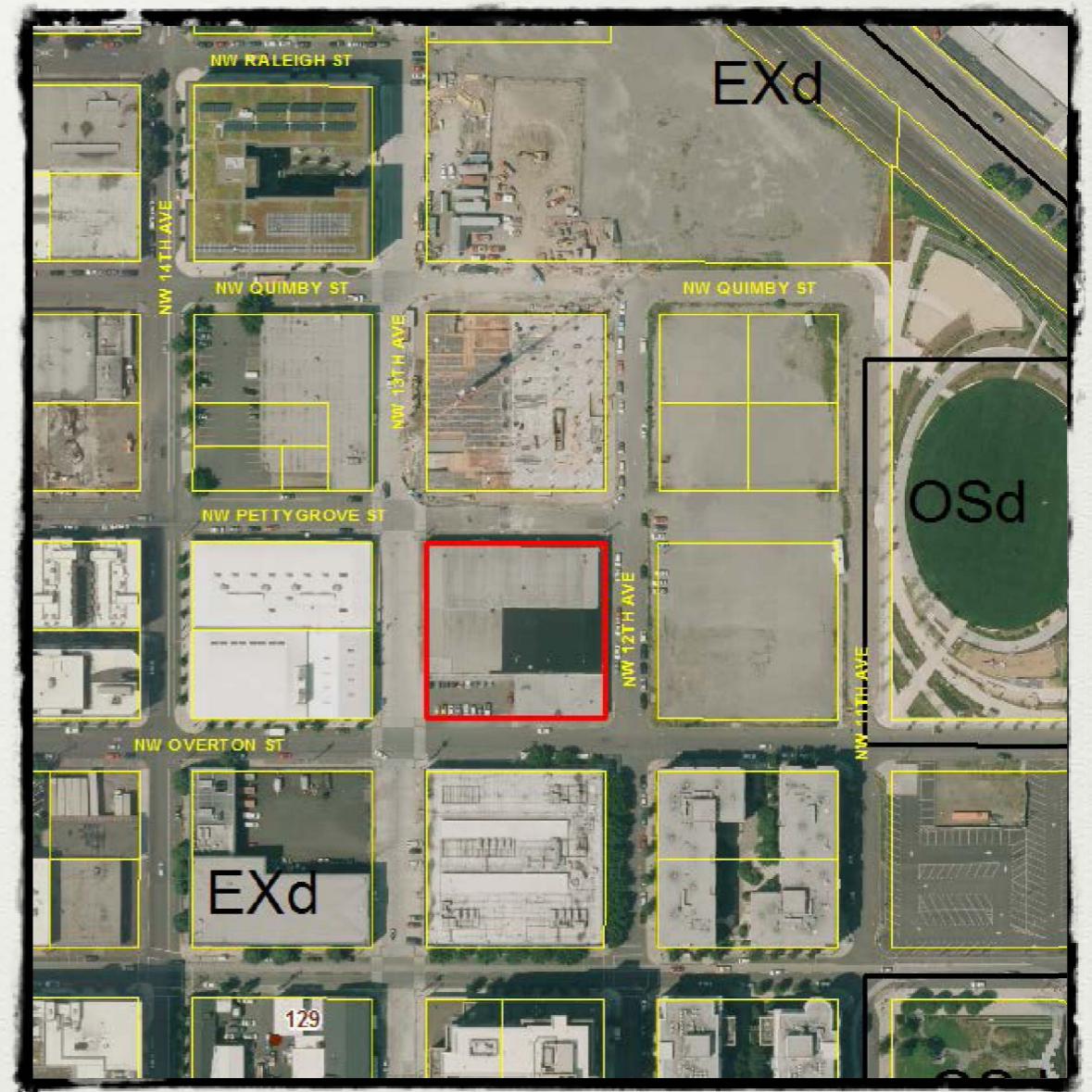
OFFICE OF NEIGHBORHOOD INVOLVEMENT

Pile Driver Noise Code Changes
Noise Variance Appeals

And Changes to EX Zoning in the Noise Code

General Background:

- Why this project at this Point in time for the Noise Review Board? [Chair David Sweet](#)
- Outreach during the process [Noise Officer Paul van Orden](#)
- What are the three primary components of the Noise Code we are examining today? [Noise Officer Paul van Orden](#)



Why this Project

- At the May 14, 2014 Public hearing of the NRB 14 Pearl citizens signed in to testify about their experiences with the excessive noise of Pile driving
- The Board modified its work plans to revisit garbage truck noise and instead scheduled pile driver noise dialogs for the fall
- The Board and the Noise Control Officer recognized the notable health impacts of pile driving in its loudest forms on the community, hence the reason the issue was brought to the forefront for discussion in October of 2014.

Board Meetings

- May 14, 2015 started the formal request by citizens, 14 on formal record, to ask to ban and or address the loudest forms of pile driving
- September 10, 2014 NRB Hearing , two people testified in opposition to pile driving
- October 10, 2014 NRB Formally starts to hold hearings, first meeting is a focus dialog with geotechnical professionals and Industry, but open to all public comment on issue
 - Jason Butler Brown , Engineer with BDS present today
- November 12, 2014 NRB Hearing focus: Are other cities actually doing any innovative work around regulating pile driving?, Public testimony taken
- March 11, 2015 First hearing trying to frame actual approaches for improving the way we interface pile driving
- April 1, 2015 Special Noise Board hearing to work to finalize a set of code changes to bring back for consideration at City Council.

Comments on Outreach

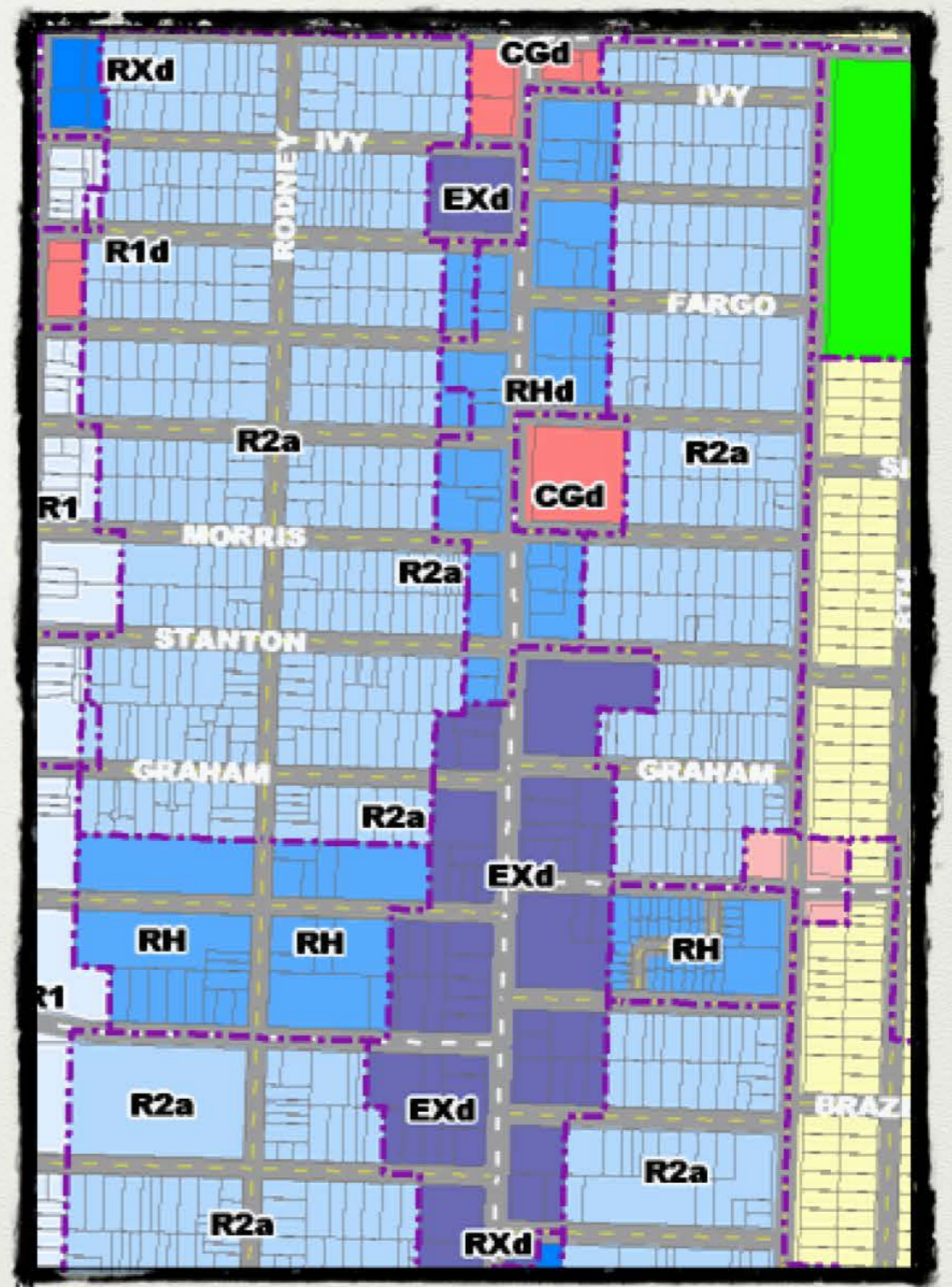
- By way of NRB declaring that the issue was a priority, we have said, in essence, that there is an environmental health concern which this work poses for the community.
- The Board did not need to have additional expertise to say the issue should be addressed. Additional meetings with health care practitioners, as some public testimony has suggested, would not have changed the perspective of the Board or staff that the current body of work and the City's approach to pile driving need to be addressed.
- Notification for each NRB agenda is mailed monthly to approximately 400 Plus interested parties: includes all neighborhood associations, any interested citizen or business and any other party who asks to be added to our list
- Calls and explanation of project with the Pearl District Neighborhood Association Chair Patty Gardner
- Outreach to development community, building trades, and a City Geotechnical expert, a second geotechnical engineer, Scott Mills, also participated in the industry focused dialog
- Note of project offered at each neighborhood association meeting that I might have attended during the period of time the project was actively meeting
- This project has not excited most neighborhoods we have conversed with, as they are unlikely to ever see pile driving in their own neighborhood boundaries, --- The project is still seen as an important one to get out ahead of by the NRB and Noise Office.

Pile Driver Code Change

- Limiting the days and hours of pile driving is chosen as the main approach for change in Portland.
 - a) Drop one hour of pile driving at the beginning of the day
 - Previously 7 AM to 6 PM, change to 8 AM to 6 PM
 - b) Remove Saturdays as a day for Pile Driving Operations
 - Pile Driving code suggestion is to move to ONLY Monday to Friday for this work

Changing EX Zoning from an Industrial noise classification to Commercial (for Title 18 only)

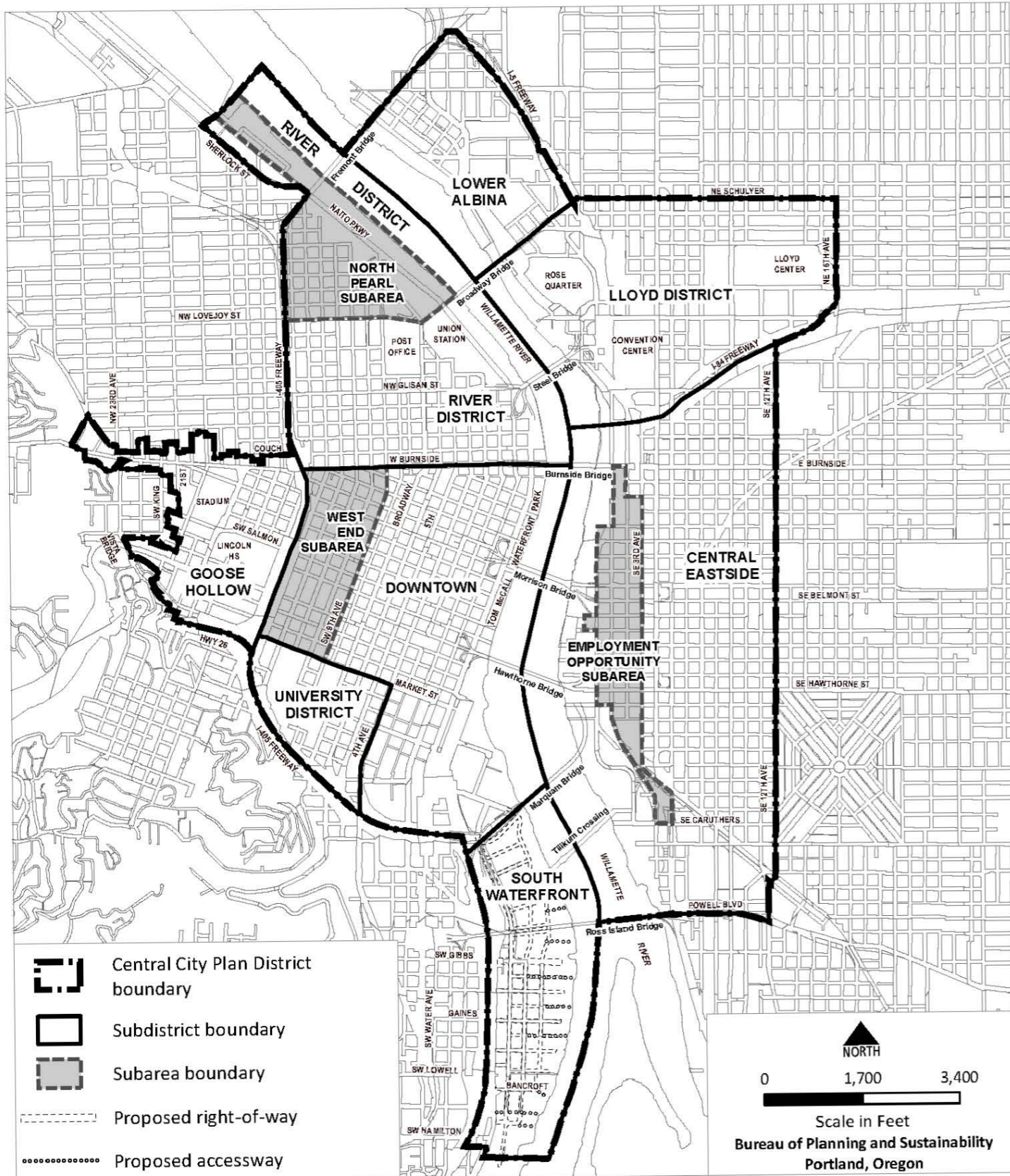
- The Pearl is the largest area in the City with a almost ubiquitous application of EX
- The change of EX zones from industrial in Title, to a new Commercial zoning is in the works with the new “CM” zones of the Mixed Use Zoning project at the Bureau of Planning and Sustainability
- Planning Bureau staff concur, changes to be in place to EX within the next several years.
 - Staff suggestion a modification: Result of a Dialog with the Central Eastside Industrial Council



Central City Plan District and Subdistricts

Map 510-1

Map Revised March 1, 2015



A. The sound levels established are as set forth in Figure 1 before any adjustments are applied:

FIGURE 1
PERMISSIBLE SOUND LEVELS
 (7 am-10 pm, otherwise minus 5 dBA)

		Zone Categories of Receiver (measured at property line)			
		Residential	Open Space	Commercial	Industrial
Zone Categories of Source	Residential	55	55	60	65
	Open Space	55	55	60	65
	Commercial	60	60	70	70
	Industrial	65	65	70	75

BASELINE: Sound levels of Title 18

Changing the venue for Appeals

- The Board is asking City Council to move the venue for appeals from City Council to the Code Hearings
- We should be able to appear within 30 days before the Hearing Officer
- Fits well with the efforts of the Ombuds Office to improve citizen access to appeal opportunities
- Timing fits with September 1st 2015 date for new processes suggested by the Ombuds Office