

## GPAC COMMENT WORKSHEET FOR DRAFT GENERAL PLAN AND DRAFT EIR

<b>COMMENTS BY:</b> <b>Steve Whitten – Noise Element Comments</b>		<b>DATE:</b> <b>3 March 2011</b>
CHAPTER/ PAGE/ PARAGRAPH	COMMENTS	PROPOSED ACTION FOR GPAC'S CONSIDERATION
Noise Element, Page NS-1	<p>One of the most desired characteristics of desert living is the relatively quiet, peaceful and tranquil attributes compared to the busier urban settings of Southern California. In analyzing the quality of life in the community of Twentynine Palms, these attributes represent the City's greatest assets. The purpose of the Noise Plan is to retain and protect quality of life by preventing, reducing and controlling noise.</p> <p>Lack of noise is a basic and desirable characteristic of living in the City. As development occurs, competing interest have the potential to collide and, if not carefully planned, can result in intrusive noise which could degrade the quality of life for residents and visitors.</p> <p>The Noise Plan seeks to identify noise sources, and provide a means for sustainable growth without the result of excessive noise. Issues addressed in the Noise Plan include those set forth in California Government Code Section 65302 (f).</p>	Suggest including current GP Purpose statement (See Comment) with the H-I purpose statement.
Noise Element, Page NS-4	Based upon the identification of the major noise sources and the location of sensitive receptors, a noise measurement survey was conducted. The survey has two (2) functions. The first is to determine the existing noise levels at noise sensitive land uses and at other areas of interest. A second function is to obtain an accurate description of the ambient noise levels in various neighborhoods throughout the City.	It would be helpful to know who actually conducted the noise measurement survey. Was it conducted by a by a registered acoustician.

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Noise Element, Page NS-31	<p>Currently the City does not have a noise ordinance, but does have a few sections of the Municipal Code that addresses noise. The Municipal Code only contains a few sections that limit noise. Chapter 8.01 – Pets limits noise for pets and kennels to levels that are not “excessive” or “offensive.” Chapter 10.01 – Hazardous Waste Facility Siting requires an analysis of noise for the siting of these facilities. Chapter 10.04 – Solid Waste Collection and Disposal Services requires that collection equipment not exceed seventy-five (75) dBA at a distance of twenty-five (25) feet from the collection truck. Chapter 12.16 – Skateboards and Other Wheeled Toys prohibits persons from causing “loud or unreasonable noises” when skateboarding. The Municipal Code does not contain specifically a Noise Ordinance that would provide more comprehensive protection from any noise source generated on private property. Many communities have developed Noise Ordinances based on the California Model Noise Ordinance. It contains specific noise limits that are enforceable. Program 1.2.4 would require the development of a Noise Ordinance.</p>	Suggest the City create and adopt a Noise ordinance as suggested on Page NS-35 of the element.

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Noise Element, Page NS-39	Noise generation impacts will be considered prior to any land use designation change and/or any land use intensification and uses will be located in a manner that minimizes noise impacts. <b>Prior to approval of projects, which may result in significant noise pollution, the City will require noise analysis to ensure that noise levels do not exceed acceptable levels as defined by the City's Development Code.</b> The City will require special design standards for proposed projects with the potential to exceed the noise level requirements. In cases where special design standards are required, the City will require mitigation plans to be certified by a registered acoustician.	Suggest clarification of "Prior to approval of projects". New development or any project?
Noise Element, Page NS-40	Implementation Policy NS-1.3 Develop a buyer and renter notification program for the persons within the City limits locating under the Sundance Military Operations Area (MOA) airspace. This area experiences occasional high levels of aircraft activity and is bounded roughly by MCAGCC to the north, Indian Trail on the south, Canyon Road on the west and past the limits of the City to the east. The notification program should simply inform persons and businesses moving into that area that they will be exposed to occasional high levels of aircraft activity.	Isn't this already covered by current required Real Estate Disclosures? If so there no need for the City to get into the notification program. If the City does develop a program, are there any legal ramifications if someone isn't notified?
Noise Element, Page NS-40	Implementation	Isn't this already covered by current required Real Estate Disclosures? If so



