



Staff Report

CONTINUED PUBLIC HEARINGS ON AMENDMENTS TO CHAPTER 15, ARTICLE VIII OF THE MUNICIPAL CODE REGARDING NOISE CONTROL

Honorable Mayor and Council Members:

Summary

At the March 14, 2006 Council meeting, several issues were raised concerning the proposed noise ordinance. At that time, Council elected to defer the matter until further research by staff could be concluded. Staff is returning at this time to provide an update on this matter.

Background

At the July 26, 2005 City Council meeting, Council directed staff to assemble a subcommittee to prepare a draft noise ordinance. The subcommittee consisted of members of the City Council, Planning Commission and staff members of the City Managers office, Police Department, and Community Development Department. The subcommittee, using the City of Menlo Park's noise ordinance as a guide, developed a draft noise ordinance (December 2005) that attempted to balance the expectation for maintenance of quality of life values for Belmont residents and the need for use of noise generating equipment to maintain commercial businesses and residential property.

At the February 14, 2006 Council study session, Council provided feedback and made minor changes to proposed ordinance language.

When staff returned to Council at the March 14, 2006 meeting to discuss the proposed ordinance, several issues were raised that required further research.

Discussion

While researching the issues that were raised at the 3/14/06 Council meeting, staff concluded that it would be advisable to organize all existing Municipal Codes and State regulations governing noise control along with current Conditional Use Permits regulating pertinent businesses in the city.

Staff has begun organizing all of this material and met with the noise subcommittee on April 24, 2006. The subcommittee discussed which direction should be taken to develop an ordinance that will meet the expectations of the community while protecting the need of businesses.

Once the subcommittee has made their determination on the status of the draft ordinance, staff will meet with the community members who have expressed interest in this issue. This meeting will provide these community members the opportunity to voice their concerns. Once all parties

have weighed in on the issue, staff will compile their responses and return to Council with the revised draft ordinance at the June 27, 2006 meeting.

General Plan/Vision Statement

Creation of an updated noise ordinance addresses the City Council Priority Agenda and furthers General Plan Goals/Policies outlined below:

1. “To assure that Belmont will be a balanced community with residences, schools, business, industry and space and facilities for social, recreational and cultural activities in keeping with the present character of the City of Belmont”. (1015)
2. “To preserve and enhance the attractive, family-oriented and tranquil quality of Belmont’s residential neighborhoods”. (1015)

Fiscal Impact

None at this time. Establishment of a noise ordinance will likely place additional code enforcement demands on staff time and will require the purchase of decibel readers to perform noise measurement readings in association with potential violations.

Public Contact

Posting of City Council agenda.

Recommendation

Staff recommends the Council continue the matter to the 6/27/06 Council meeting, directing staff to conduct further research in preparation of a revised draft noise ordinance.

Alternatives

1. Direct staff to return with the draft noise ordinance that was presented at the March 14, 2006 meeting for adoption.
2. Provide further direction on draft noise ordinance language.

Respectfully submitted,

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Ordinance