



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Amendments to the Environmental Protection Element of the General Plan HEARING DATE: AUGUST 5, 2010

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Date: July 22, 2010

Case No.: **2010.0068M**

Project: General Plan Amendment- Updating the Noise Maps of the Environmental Protection Element of the San Francisco General Plan and making conforming text amendments

Staff Contact: Stephen Shotland- (415) 558-6308
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Recommendation: **Adopt Amendments to the Environmental Protection Element of the General Plan**

PROJECT DESCRIPTION

San Francisco has not updated its Noise Element noise maps since 1974. The proposed General Plan amendment would update maps in the Environmental Protection Element to reflect current noise levels, and make corresponding text clarifications. On July 1st, the Planning Commission adopted Res. No. 18126, a Resolution of Intention to initiate the Amendment to the General Plan of the City and County of San Francisco, in order to update Map 1 (Background Noise Map), remove Map 2 (Thoroughfare Noise Map) and make subsequent text changes of the Environmental Protection Element.

PROJECT DESCRIPTION

The Environmental Protection Element of the City's General Plan contains the City's policies for reduction of noise impacts and enforcement of noise emission standards. It contains noise compatibility guidelines to determine whether noise levels at proposed development sites are consistent with the tolerance of proposed and adjacent uses; and if not, requires that noise insulation be incorporated into the development project. It additionally includes maps which illustrate noise levels throughout the City (Map 1, Background Noise Levels - 1974, and Map 2, Thoroughfare Noise Levels - 1974) to be used in review of new development, as shown in Exhibit A.

In fall 2008, adopted legislation updated the Noise Control Ordinance, contained in Article 29 of the San Francisco Police Code, which implements these General Plan policies. The previous version of this ordinance, which is enforced by the San Francisco Department of Public Health (DPH), was virtually unenforceable because its noise standards were tied to zoning categories from the 1970s. The newly adopted legislation simplified the zoning categories into uses including residential, commercial/industrial, and public land uses; and amended the way in which the City measures ambient

noise in both residential and commercial neighborhoods. It was furthermore intended to make noise monitoring more responsive to certain types of noise, especially those associated with entertainment. To support implementation of Article 29, the Department of Public Health developed new maps which update the acoustical noise levels, including both background and thoroughfare noise levels, using a City-developed noise model. The San Francisco Noise Model uses available sources of traffic data including local and county transportation authorities; departments of public works; environmental impact reports, bike and pedestrian plans; and transportation demand studies associated with mass transit; and applies it to local sites using hourly traffic counts and types from SFCHAMP, the local traffic model maintained by the San Francisco County Transportation Authority. DPH verified the noise levels contained in the proposed map with field measurement to ensure its accuracy.

During data collection of noise levels in San Francisco, it was determined that the background noise within the city is predominately driven by traffic. Therefore, there is no substantial difference between background noise levels and thoroughfare noise levels, which are the two existing maps in the Element. Thus, staff is proposing to update the existing Map 1 and to remove Map 2 altogether. The proposed update to Map 1, based on the San Francisco Noise Model, is shown in Exhibit B. The amendment includes conforming text amendments, provided in the Board of Supervisor's Draft Ordinance (Exhibit D).

AREA LOCATION

These maps represent noise conditions citywide. Both maps cover the entire jurisdiction of the City and County of San Francisco.

ENVIRONMENTAL REVIEW

On May 26, 2010, the Major Environmental Analysis of the Department determined that the Project is Categorically Exempt from Environmental Review under CEQA Guidelines Section 15060 (c) (2) – Nonphysical project.

PUBLIC COMMENT

There was no public comment received at the Planning Commission initiation hearing held on July 1, 2010. Public comment will be taken at the hearing on August 5th.

REQUIRED COMMISSION ACTION

On July 1, the Planning Commission adopted Resolution no. 18126, a Resolution of Intention initiating an amendment to the Environmental Protection Element of the General Plan. Planning Department staff recommends that the Planning Commission adopt a resolution approving amendments to the Environmental Protection Element of the General Plan, and request the Board of Supervisors adopt the amendments.

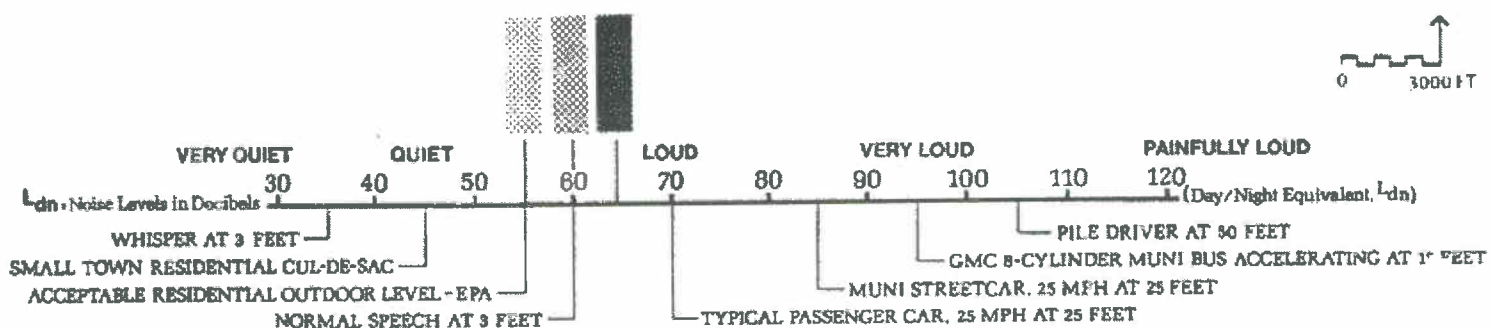
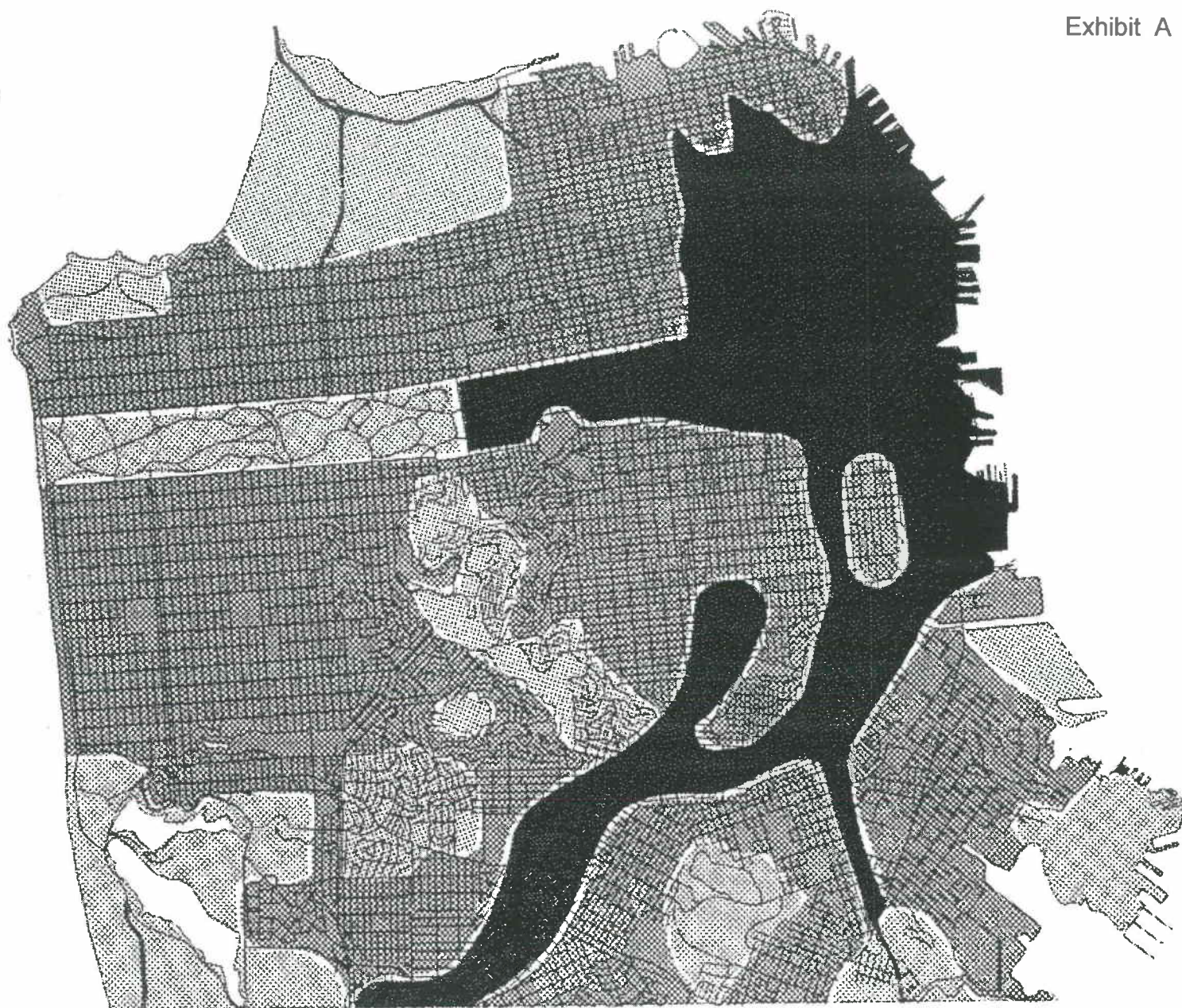
BASIS FOR RECOMMENDATION

The updated map will support accurate implementation of Article 29. DPH has verified the noise levels contained in the proposed map with field measurement to ensure its accuracy.

RECOMMENDATION:	Approve Amendments to the Environmental Protection Element of the General Plan
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Attachments:

- Exhibit A: Existing Environmental Protection Element Maps 1 and 2
- Exhibit B: Proposed Environmental Protection Element Map 1
- Exhibit C: Case 2010.0068M - General Plan Amendment draft Resolution
- Exhibit D: General Plan Amendment draft Ordinance



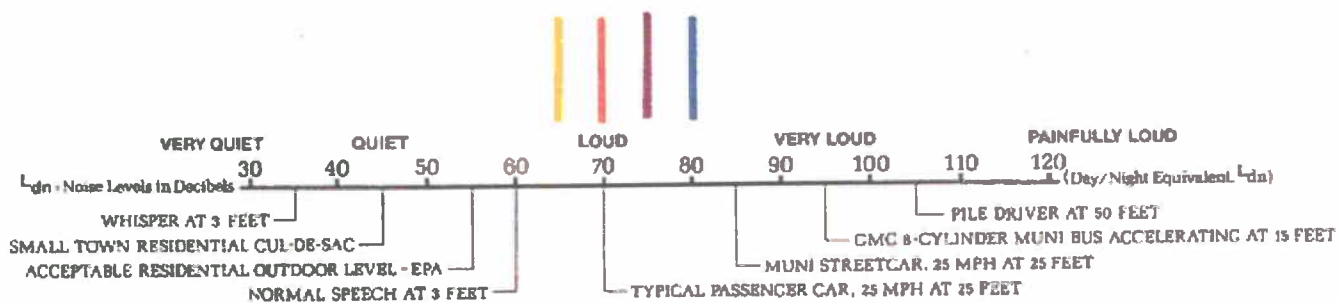
NOTE
Background Noise: The general din of street noises excluding all separate, distinguishable noise events.

BACKGROUND NOISE LEVELS . 1974



THOROUGHFARE NOISE LEVELS . 1974

0 1000 FT
Map 2

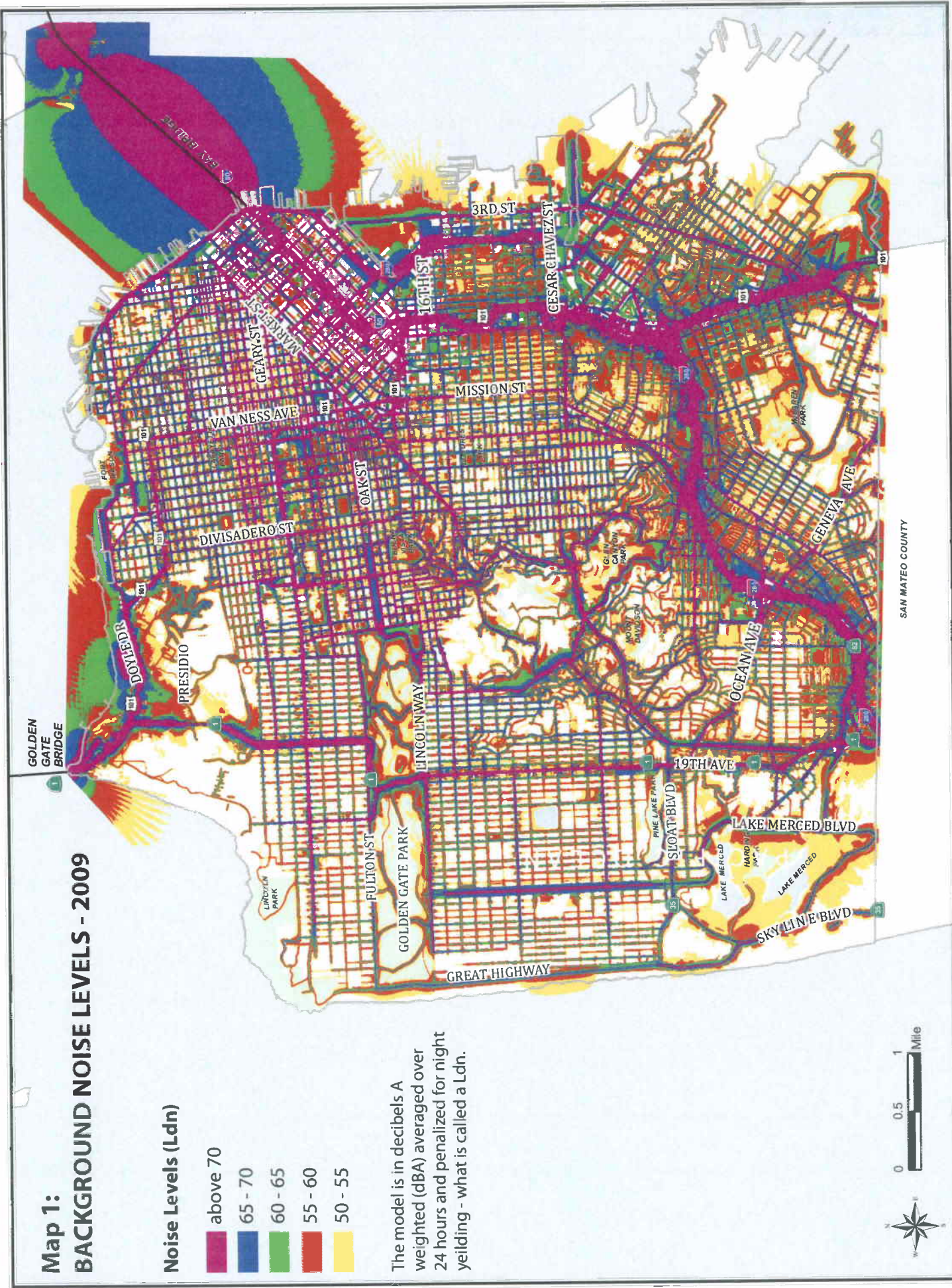


**Map 1:
BACKGROUND NOISE LEVELS - 2009**

Noise Levels (Ldn)

- above 70
- 65 - 70
- 60 - 65
- 55 - 60
- 50 - 55

The model is in decibels A weighted (dBA) averaged over 24 hours and penalized for night yielding - what is called a Ldn.



SAN MATEO COUNTY



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution HEARING DATE: AUGUST 5, 2010

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Date: July 29, 2010
Case No.: **2010.0068M**
Project Title: **General Plan Amendment updating the Noise Maps of the Environmental Protection Element and making conforming text amendments**
Block/Lot: Citywide
Project Sponsor: San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
Staff Contact: Stephen Shotland – (415) 558-6308
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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO GENERAL PLAN BY: AMENDING THE NOISE MAPS OF THE ENVIRONMENTAL PROTECTION ELEMENT TO REFLECT CURRENT CONDITIONS; MAKING CONFORMING TEXT AMENDMENTS; AND MAKING FINDINGS, INCLUDING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1, AND ENVIRONMENTAL FINDINGS

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco mandates that the Planning Department shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan.

The Department of Public Health recently updated the acoustical noise levels for the City, thereby replacing the information contained in the existing Map 1 (Background Noise Map) of the Environmental Protection Element. In order to utilize the new noise levels in enforcement of the City's Noise Control Ordinance, contained in Article 29 of the San Francisco Police Code, maps representing these new noise levels must be adopted into the City's General Plan.

The San Francisco Planning Department is seeking to amend the General Plan to update maps in the Environmental Protection Element to reflect these current noise levels, and make conforming text amendments. The amendments would update Map 1 (Background Noise Map) to reflect current noise levels and to include thoroughfare noise levels, and therefore remove Map 2 (Thoroughfare Noise Map) and include conforming text amendments.

Staff recommends adoption of the draft Resolution to adopt the proposed amendments to the Environmental Protection Element of the General Plan.

Planning Code Section 101.1(b) establishes eight priority policies and is the basis by which differences between competing policies in the General Plan are resolved. The project is consistent with the eight priority policies, in that:

1. That existing neighborhood serving retail uses be preserved and enhanced and future opportunities for resident employment in or ownership of such businesses enhanced.

The proposed change would not impact neighborhood serving retail uses or future opportunities for employment.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The proposed change would not have a negative impact housing and neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced.

The proposed change would not impact affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposed change would not impede MUNI transit services, overburden streets, or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The proposed change would not adversely affect the industrial or service sectors.

6. That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposed change would not adversely affect preparedness against injury and loss of life in an earthquake.

7. That landmarks and historic buildings be preserved.

The proposed change would not have an impact on landmarks or historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The proposed change would not have an effect on parks and open spaces.

Analysis of applicable General Plan Objectives and Policies has determined that the proposed action is, on balance, consistent with the General Plan as it is proposed to be amended. Below are specific policies and objectives that support the proposed action.

NOTE: General Plan Elements are in **BOLD CAPITAL FONT**
General Plan Objectives and Policy numbers are in **BOLD FONT**
General Plan Policies are in standard font

ENVIRONMENTAL PROTECTION ELEMENT

OBJECTIVE 9

REDUCE TRANSPORTATION-RELATED NOISE.

- Policy 9.1:** Enforce noise emission standards for vehicles.
- Policy 9.2:** Impose traffic restrictions to reduce transportation noise.
- Policy 9.3:** Limit City purchases of vehicles to models with the lowest noise emissions and adequately maintain City-owned vehicles and travel surfaces.
- Policy 9.4:** Regulate use of emergency sirens.
- Policy 9.5:** Retain and expand the electric trolley network.
- Policy 9.6:** Discourage changes in streets which will result in greater traffic noise in noise-sensitive areas.

OBJECTIVE 10

MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS.

- Policy 10.1:** Promote site planning, building orientation and design, and interior layout that will lessen noise intrusion.
- Policy 10.2:** Promote the incorporation of noise insulation materials in new construction.
- Policy 10.3:** Construct physical barriers to reduce noise transmission from heavy traffic carriers.

OBJECTIVE 11

PROMOTE LAND USES THAT ARE COMPATIBLE WITH VARIOUS TRANSPORTATION NOISE LEVELS.

- Policy 11.1:** Discourage new uses in areas in which the noise level exceeds the noise compatibility guidelines for that use.

Policy 11.2: Consider the relocation to more appropriate areas of those land uses which need more quiet and cannot be effectively insulated from noise in their present location, as well as those land uses which are noisy and are presently in noise-sensitive areas.

Policy 11.3: Locate new noise-generating development so that the noise impact is reduced.

As permitted under Section 302(a) of the Planning Code, on July 1, 2010, the Planning Commission adopted Resolution No. 18126, a Resolution of Intention to initiate an amendment to the Environmental Protection Element of the General Plan.

On May 26, 2010, the Major Environmental Analysis Section of the Department determined that the General Plan Amendment set forth in the Draft Board of Supervisor's Ordinance, as shown in Exhibit D, is Categorically Exempt from Environmental Review under CEQA Guidelines Section 15060 (c) (2) – Nonphysical Project.

NOW, THEREFORE BE IT RESOLVED, That pursuant to Planning Code Section 340, the Planning Commission does hereby find that the public necessity, convenience and general welfare require the proposed amendments and therefore adopts amendments to the General Plan contained in the attached ordinance, approved as to form by the City Attorney in Exhibit D, and recommends approval of these amendments to the Board of Supervisors.

I hereby certify that the foregoing Resolution was ADOPTED by the City Planning Commission on August 5th, 2010.

Linda Avery
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

1 [General Plan Amendments - Updating the Noise Maps of the Environmental Protection
2 Element.]

3 **Ordinance amending the San Francisco General Plan by amending the Noise Maps of**
4 **the Environmental Protection Element to reflect current conditions, making**
5 **conforming text amendments, and making findings, including findings of consistency**
6 **with the General Plan and the eight priority policies of Planning Code Section**
7 **101.1, and environmental findings**

8 Note: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strikethrough italics Times New Roman*~~.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Findings.

14 A. Section 4.105 of the Charter of the City and County of San Francisco provides
15 that the Planning Commission shall periodically recommend to the Board of Supervisors, for
16 approval or rejection, proposed amendments to the General Plan.

17 B. On _____, the Board of Supervisors received from the Planning
18 Department proposed General Plan amendments to the Environmental Protection Element of
19 the General Plan, which was adopted by the Planning Commission on _____.

20 C. Section 4.105 of the City Charter further provides that if the Board of
21 Supervisors fails to Act within 90 days of receipt of the proposed General Plan Amendment,
22 then the proposed amendment shall be deemed approved.

23 D. San Francisco Planning Code Section 340 provides that an amendment to the
24 General Plan may be initiated by a resolution of intention by the Planning Commission, which
25 refers to, and incorporates by reference, the proposed General Plan amendment. Planning

1 Code Section 340 further provides that the Planning Commission shall adopt the proposed
2 General Plan amendment after a public hearing if it finds from the facts presented that the
3 public necessity, convenience and general welfare require the proposed amendment or any
4 part thereof. If adopted by the Planning Commission in whole or in part, the proposed
5 amendment shall be presented to the Board of Supervisors, which may approve or reject the
6 amendment by a majority vote.

7 E. On July 1st, 2010, the Planning Commission adopted Resolution No. R-18126
8 initiating an amendment to the General Plan, at a duly noticed public hearing. A copy of
9 Planning Commission Resolution No. R-18126 is on file with the Clerk of the Board in File No.

10 _____.

11 F. On May 26, 2010, the Major Environmental Analysis of the Department
12 determined that the Project is Categorically Exempt from Environmental Review under CEQA
13 Guidelines Section 15060 (c) (2) – Nonphysical project.

14 G. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
15 General Plan Amendment set forth in the documents on file with the Clerk of the Board in File
16 No. _____ will serve the public necessity, convenience and general
17 welfare for the reasons set forth in Planning Commission Resolution No. _____
18 and incorporates those reasons herein by reference.

19 N. The Board of Supervisors finds that the General Plan Amendment, as set forth
20 in the documents on file with the Clerk of the Board in File No. _____,
21 are in conformity with the General Plan, as it is amended by this Ordinance, and the eight
22 priority policies of Planning Code Section 101.1 for the reasons set forth in Planning
23 Commission Resolution No. _____. The Board hereby adopts the findings set forth in
24
25

1 Planning Commission Resolution No. _____ and incorporates those findings herein by
2 reference.

3 Section 2. The Board of Supervisors hereby approves the proposed amendments to
4 the General Plan, as recommended to the Board of Supervisors by the Planning Commission
5 in Resolution No. _____ and as shown on the maps on file with the Clerk of the
6 Board in File No. _____. These amendments are summarized as follows:

7 A. ENVIRONMENTAL PROTECTION ELEMENT


8 1. Replace Map 1: Background Noise Levels (1974) with Background Noise Levels
9 (2009).

10 2. Delete Map 2: Thoroughfares Noise Levels (1974).

11 3. Delete all references to Environmental Protection Element Map 2 within the
12 Element.

13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By:

16 
17 ANDREA RUIZ-ESQUIDE
18 Deputy City Attorney