

ORDINANCE NO. 9478 (N.S.)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE RELATING TO NOISE REGULATIONS

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. It is the purpose of this ordinance to amend the San Diego County noise control regulations, to permit noise created by a project for which a Major Use Permit has been approved based upon a specific noise study, to be controlled by the noise mitigation conditions of that permit rather than the general standards of the noise ordinance.

Section 2. Section 36.404 of the San Diego County Code is hereby amended, to read as follows:

Sec. 36.404. SOUND LEVEL LIMITS.

Unless a variance has been applied for and granted, it shall be unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level, at any point on or beyond the boundaries of the property on which the sound is produced, exceeds the applicable limits set forth below, except that:

- (1) Construction noise level limits shall be governed by Section 36.401 of this chapter; and
- (2) Where a noise study has been conducted and the noise mitigation measures recommended by that study have been made conditions of approval of a Major Use Permit which authorizes the noise-generating use or activity, and the decision making body approving the Major Use Permit determined that those mitigation measures reduce potential noise impacts to a level below significance, then implementation and compliance with such noise mitigation measures shall be deemed to constitute compliance with this Section.

[Remaining paragraphs: No Change]

PASSED, APPROVED AND ADOPTED this 19th day of June, 2002.

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