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CITY OF  
**PORTLAND, OREGON**

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OFFICE OF NEIGHBORHOOD INVOLVEMENT

**AMANDA FRITZ, COMMISSIONER**

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**Noise Control Office**

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*Promoting a culture of civic engagement*

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## **Proposed Increase – FY 16-17 Noise Variance Fees**

**August 31, 2016**

### **Overview**

The City of Portland Noise Control Office is housed in the Office of Neighborhood Involvement. The goal of the program is to provide mitigation for noise pollution in Portland, enforce Title 18, and balance the interests of community to ensure equitable protection is achieved for all members through the oversight of a Noise Review Board.

This community-based approach is unique in its ongoing manner of helping engage the community to address Noise as a human health issue. The Noise Review Board is comprised of community members representing the construction industry, acoustical sciences and health, and the community at large.

### **Noise Variance Process**

One component of the Noise Control Office is to process and approve noise variance applications. These special permits are limited duration permission to exceed the permissible limits established in Title 18, both decibel and, in the case of construction, hours permitted to do work. Many variances require specific expert evaluation by Noise Office staff to set reasonable conditions in the permit to mitigate negative livability impacts while balancing the interests of industry and community events.

The Noise Control Office experienced an increase of 18% in the number of variance requests received from FY15 to FY 16, and the number is continuing to grow as the City becomes denser and noise concerns become a focal point for neighborhood livability

### **Capacity Challenges**

Currently, the Noise Control Office is staffed by 3.5 FTE, with 1 FTE, an administrative support position, only one-time funded through FY17. The Noise Control Office has received criticism and community complaints related to variance approvals in which the conditions are not monitored for compliance. Portland City Council has heard the complaints from constituents.

Unfortunately, with one field person in addition to the Noise Control Officer's limited capacity to do field work, the Noise Office must assume compliance with conditions placed on variances unless it receives a complaint. Staff are currently challenged in their capacity to respond to complaints in a timely manner. The program is in dire need

of additional compliance inspectors which would enable the Office to improve on its response time on complaints and to effectively monitor the conditions set by variances.

### **Immediate Term: Fee Increases to Support Current Operations**

The Noise Control Office is committed to proposing solutions to noise pollution and to being responsive to community complaints in an equitable fashion. Early this fall, the Noise Office will bring to City Council a nominal increase of approximately 15% for variance review and related monitoring activity. This increase will allow the Noise Office to maintain its current operations based on the current volume of variance activities. The fees proposed for FY17 will support, but will not cover the entire cost of the full time administrative coordinator. Noise Program fees have not been increased since FY14.

### **Mid-Term: Addressing Funding and Capacity Needs**

The Noise Office will be conducting a tracking study to present to City Council in the spring of 2017, identifying actual staff-time costs that are associated with the variance process, that reflect a reasonable responsiveness to community complaints. Historically, many community livability complaints have been in response to approved variance activities. Through the Noise Office's problem solving and collaboration with community and variance applicants, the Office has been able to achieve reasonable mitigation and appropriate conditions to yield positive outcomes for all parties involved. The exact number of complaints that result in a variance process, as well as the cost associated with monitoring conditions, will also be explored in the coming months.

The Noise Program is interested in exploring new and creative ways to increase funding the Noise Control Office to maintain its important function of maintaining neighborhood livability in the context of an increasingly dense urban environment.

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