



# Noise Element and Noise Ordinance Update

City Council Public Hearing - June 6, 2023

# Background and Context

- The **Noise Element** is one of the mandated elements, or chapters, of the City's General Plan pursuant to state law.
- The Long Beach General Plan Noise Element was first adopted in **1975** and has never been updated. Since then, the City's physical makeup, population, regional context, and the regulatory guidance around noise have all changed.
- The Noise Element update process has been **underway since 2017** including robust public engagement and technical analysis.

## Required Elements



# Background and Context (cont.)

- The proposed Noise Element update would ensure the City's policy framework reflects changes in the City's urban fabric and its soundscape, while identifying new strategies and policies to maintain healthy, livable neighborhoods for all residents.
- A broad long-range process that helps **inform future land use and development decisions**.
- A draft has been made available since **June 2019**. A revised draft was released in **March 2021**. The most recent draft was released in **October 2022** and made available for public comment until December 1, 2022.

# Background and Context (cont.)

- First Noise Element Study session with Planning Commission took place in **2017**.
- **In October 2021**, the item was presented to Planning Commission (Commission) for adoption. The Commission directed City staff to conduct a further study of special events and regulations around noise in mixed use areas.
- A **revised plan** was released for public review in October 2022.
- Two Commission **study sessions** took place in October and December 2022.

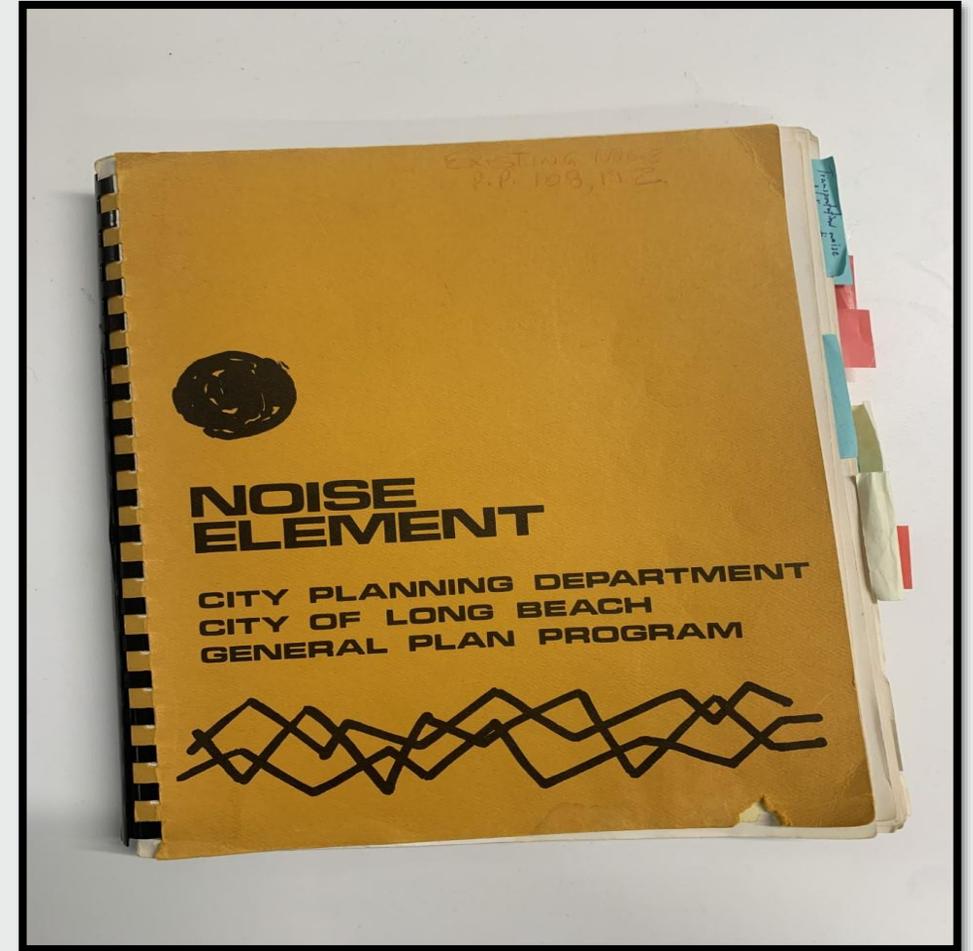


# Background and Context (cont.)

- On March 2, 2023, the Commission voted to recommend the Noise Element and related Ordinance amendments to the City Council.
- The Commission took action to modify City staff's recommendation by splitting the motion into two separate parts.
  - The reason for the split vote was because the Commission felt that separate consideration of the Noise Ordinance Update was warranted based on public feedback regarding the desire for it to further address noise generated from special events.
  - Based on the Commission's deliberations related to the fact that special events noise is regulated through a different title of the Long Beach Municipal Code (LBMC) than that which was before the Commission, **the Commission ultimately voted to recommend both the plan and the ordinance amendments to the City Council.**

# Project Overview

- Content and framework for the Noise Element update is guided by the Governor's Office of Planning and Research (OPR) Guidelines for General Plans.
- **Establishes policies that will guide how noise and land use compatibility are addressed throughout the City.**
- Addresses noise from a range of stationary sources.
- Mandated by State law to be consistent with all other General Plan elements (Land Use, Housing, Mobility, Open Space, Urban Design).
- Implemented by the City's Noise Ordinance (LBMC Chapter 8.80) and through development project review processes.



# Noise Element Chapters

1. *Vision: A City That Thrives*
2. *Introduction: What is a Noise Element?*
3. *Context: Understanding the Noise Environment*
4. *Noise Fundamentals: Characteristics of Sound*
5. *Noise Plan: Creating Livable Environments*
6. *Administration and Implementation: Maintaining the Noise Element*



*"Just as we share the air we breathe, we are submerged in a sea of shared sound. We are all connected by the vibrations we make as we use energy in daily life."*

Bruce Odland and Sam Auinger

Reflections on the Sonic Commons, a Special Section of the Leonardo Music Journal

# Chapter 5: Noise Plan

- The Noise Plan identifies strategies and policies to implement the vision of a healthy, livable noise environment in Long Beach.
- The Noise Plan contains a total of 16 strategies and 108 policies.



# Noise Element Update Public Outreach and Engagement

**2017-2019**

## Community Engagement Strategies

- The creation of the project website dedicated to all Noise Element Update information and materials.
- Social media outreach with the hashtag #ListenUpLB. Online Engagement Tool “Listen Up Long Beach”.
- City hosted webpage, emails, Facebook, and Twitter.
- April 2017 Planning Commission Study Session.



# Noise Element Update Public Outreach and Engagement (cont.)

## Stakeholder Meetings

- Internal and External Stakeholders
- City Departments including the Police Department, Special Events, Noise Control Office, Animal Care Services, Public Works, the Port, the Airport and local agencies such as the Long Beach Unified School District

## Focus Groups

- Public health professionals, environmental justice advocates, bar and restaurant operators, construction industry representatives. Environmental health working groups, and local school students.



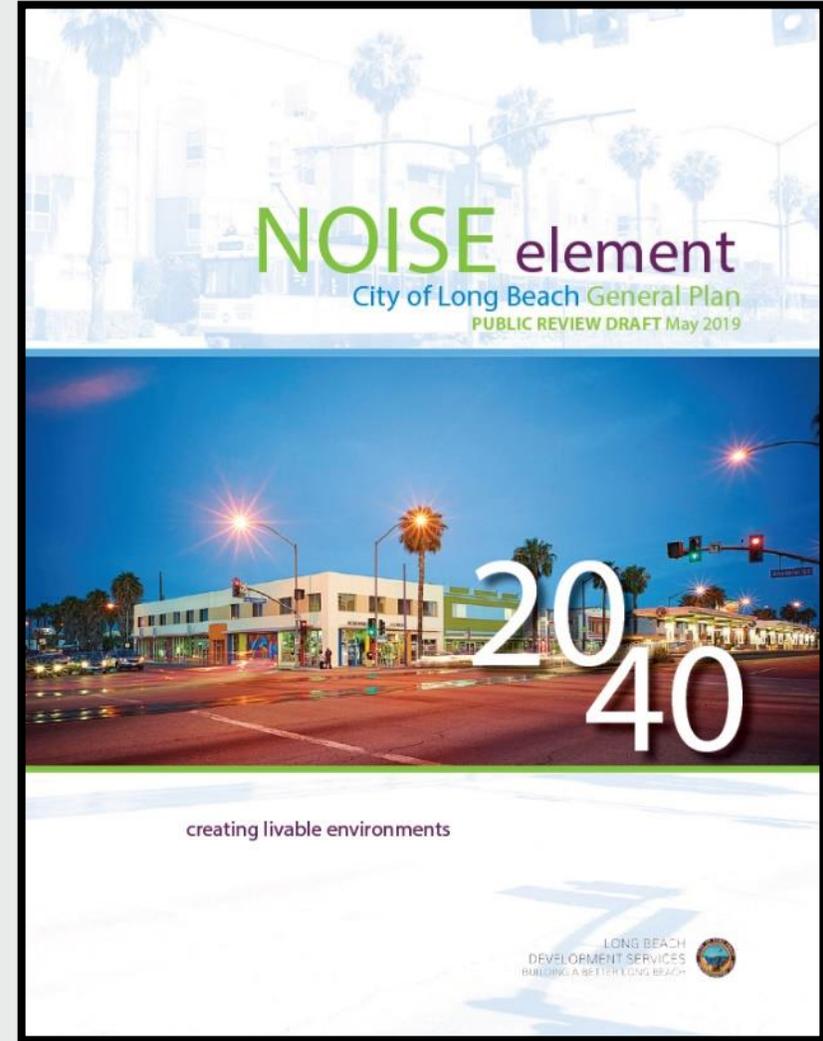
# Noise Element Update Public Outreach and Engagement (cont.)

- October 17, 2018 – The Development Services Department (DV) held a focus group on Special Events and Outdoor Noise.
- May 30, 2019 – DV held the Noise Element Open House.
- September 26, 2019 – Based on City Council and Public feedback, a Special Events Sound Study was conducted and the results were presented at this meeting.
- DV attended multiple Ocean Residents Community Association meeting throughout the multi-year process.



# Noise Element Update Process

- The draft plan was released in 2019 with revised drafts released in 2021 and 2022.
- Environmental Impact Report (EIR) review and comment period took place in 2021.
- The most recent version the October 2022 draft was made available for public comment from October 14 to December 1, 2022.
- A spectrum of oral public comments supporting and opposing the item have been acknowledged. Individuals who have provided public input have been heard, many of whom have been heard numerous times.

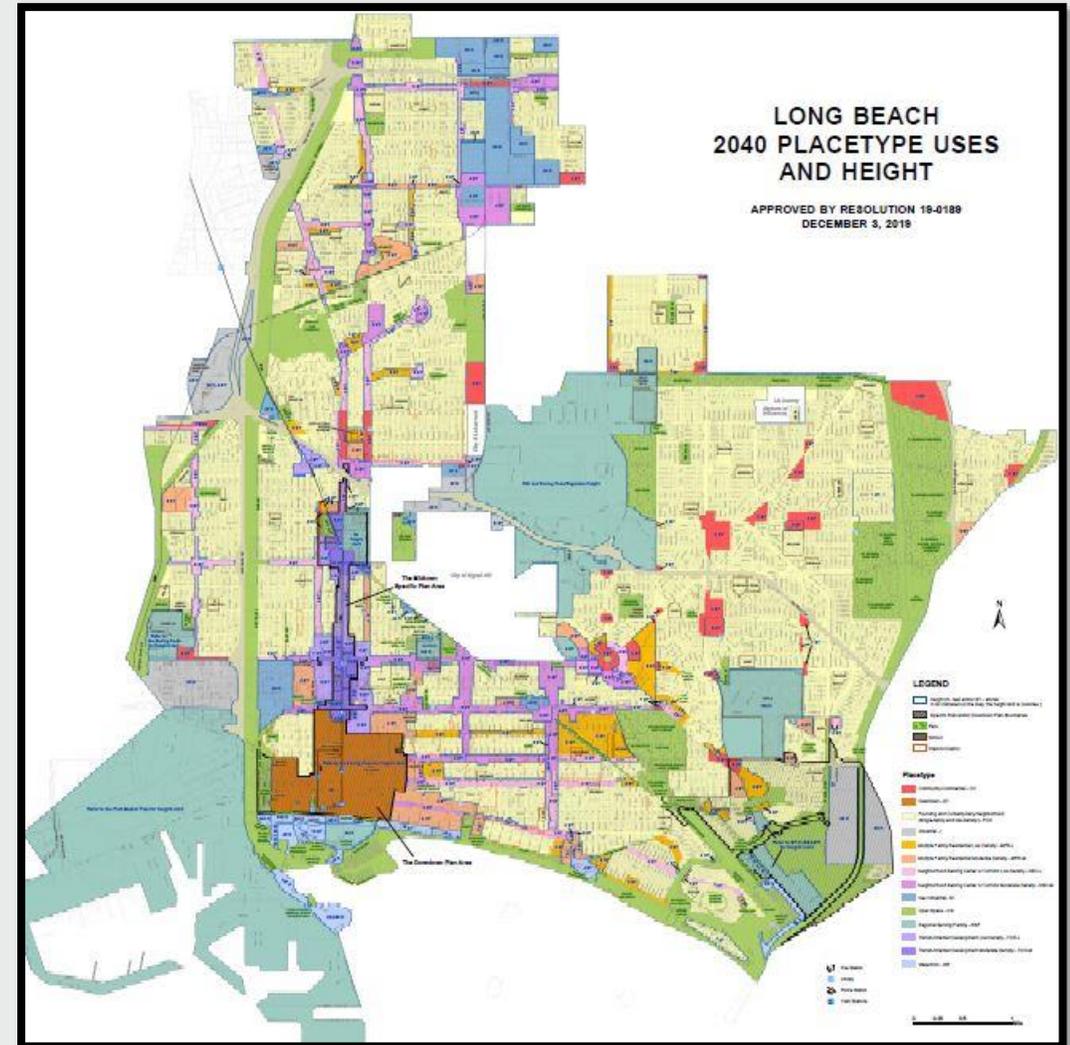


# Proposed Amendments to Title 8, under Chapter 8.80 (Noise)

Proposed edits to **Title 8 Health & Safety, under Chapter 8.80 (Noise) of the LBMC** to implement the Noise Element Update.

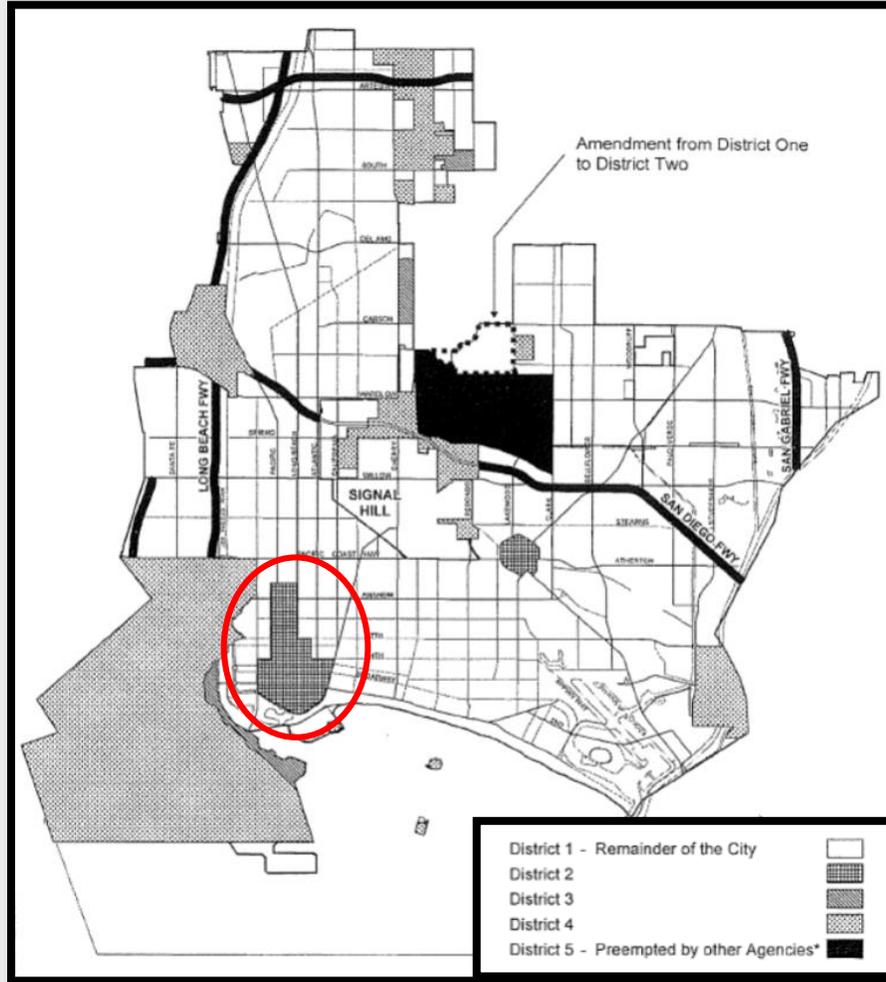
# Update Noise District Map for Consistency with Land Use Element PlaceTypes

- The 2019 LUE update established mixed-use PlaceTypes that delineate areas that are planned or anticipated to be more mixed-use in the future.
- Proposed amendments to the Noise Ordinance include:
  - **Updates to the boundaries of Noise District Two (District Two) of the Noise District Map.**

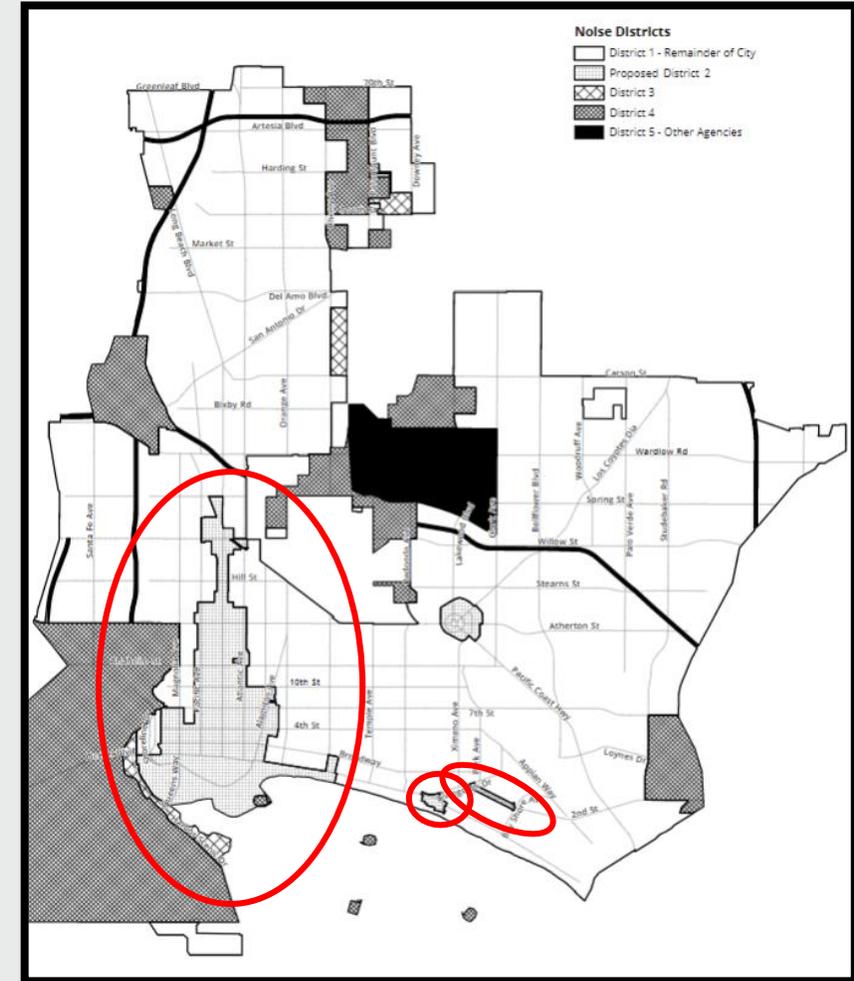


# 8.80.160 Noise District Map – Existing and Proposed

## Existing



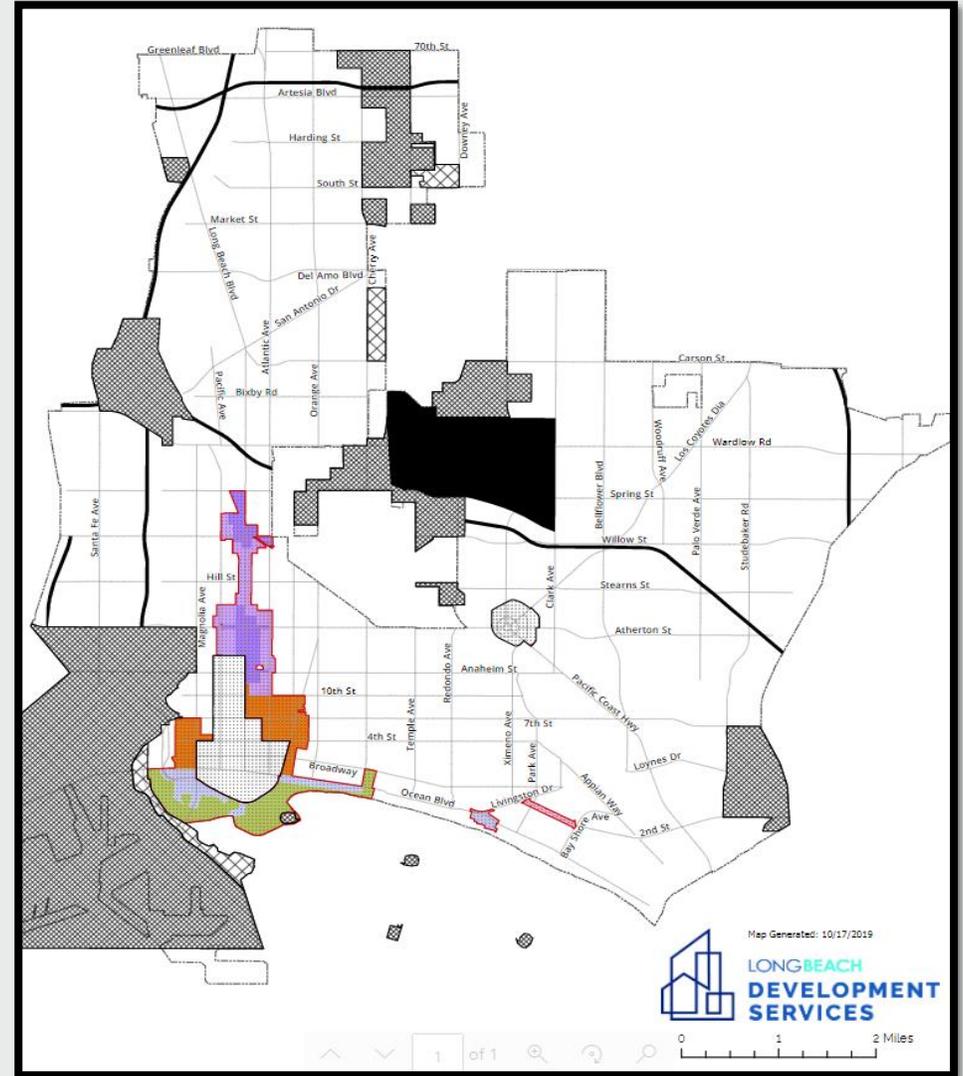
## Proposed



# Proposed Noise District Map with PlaceTypes

Proposed District Two expansion areas encompass additional areas that tend to be:

- High intensity, mixed-use areas
- Serve by transit, function as regional destinations, and incorporate visitor-serving uses



# Proposed Chapter 8 (Noise Ordinance) Amendments – Exterior Noise Limits

Receiving Land Use District		Time Period	Noise Level** (dBA)
District One	Predominantly residential with other land use types also present	Night: 10:00 p.m. - 7:00 a.m.	45
		Day: 7:00 a.m. - 10:00 p.m.	50
District Two	Mixed-use or predominantly commercial with other land use types also present	Night: 10:00 p.m. - 7:00 a.m.	55
		Day: 7:00 a.m. - 10:00 p.m.	60
District Three	Predominantly industrial with other land use types also present	Any time	65
District Four		Any time	70
District Five	Airport, freeways and waterways regulated by other agencies	Regulated by other agencies and laws	

# Proposed Noise Ordinance Amendments – Interior Noise Limits

Receiving Land Use District	Type of Land Use	Time Interval	Allowable Interior Noise Level (dBA)
All	Residential	10:00 p.m.—7:00 a.m.	35
		7:00 a.m.—10:00 p.m.	45
All	Mixed-Use	10:00 p.m.—7:00 a.m.	45
		7:00 a.m.—10:00 p.m.	50
All	School	10:00 p.m.—7:00 a.m. (while school is in session)	45
Hospital, designated noise sensitive zones		Any time	40

# New Proposed Noise Ordinance Amendments

## 8.80.030 Administration and Enforcement

The noise control program established by this Chapter shall be administered by the noise control office as designated by the City Manager. An official within the noise control office shall be appointed as the Noise Control Officer and shall be a person with sufficient knowledge of environmental acoustics to enforce noise regulations. All departments with noise regulation responsibility may, based on circumstance and need, carry out the duties of the Noise Control Officer to help ensure that noise complaints from the public are timely and adequately addressed. This includes but is not limited to taking noise measurements and acting as a case manager, upon receiving a noise complaint; coordinating with the Noise Control Officer and relevant departments as appropriate based on the circumstance; and conducting other actions necessary to facilitate resolution of the noise complaint. Further, the City is committed to annually reviewing the provisions of this ordinance.

# Special Events Noise in the Long Beach Municipal Code

Special Events are not regulated by the Noise Ordinance under Chapter 8.80. Rather, they are regulated according to their temporary and unique characteristics:

## Title 8 Health and Safety, Chapter 8.80 (Noise)

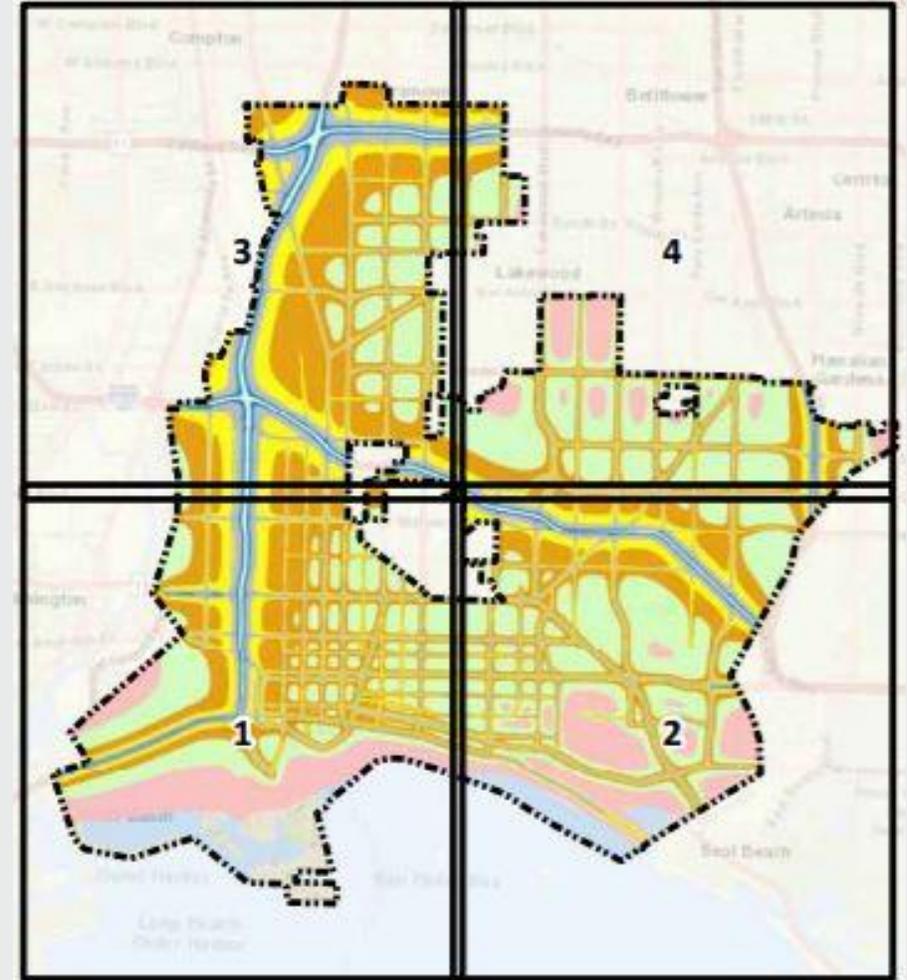
- 8.80.280 – **Exemption—Entertainment events.** The provisions of this Chapter shall not apply to occasional outdoor or indoor gatherings, public dances, shows and sporting and entertainment events.

## Chapter 5.72 (Entertainment and Similar Activities)

- **Entertainment events are regulated by Chapter 5.72**, where the permitting process includes standard conditions as well as regulates events according to their temporary and unique characteristics.

# Special Events as a Temporary Noise Source

- OPR's General Plan Guidelines state that the noise element should address stationary noise sources such as highways and freeways, aviation, military, and other stationary sources identified by local agencies that contribute to the noise environment.
- The City does not identify short-term, temporary, and seasonal special events as stationary noise sources that consist of typical noise patterns and contribute to the existing ambient noise setting.
- Each permitting process event is regulated according to its temporary and unique characteristics through the special events.



Future 2040 Traffic Noise Contours (Stationary Noise)

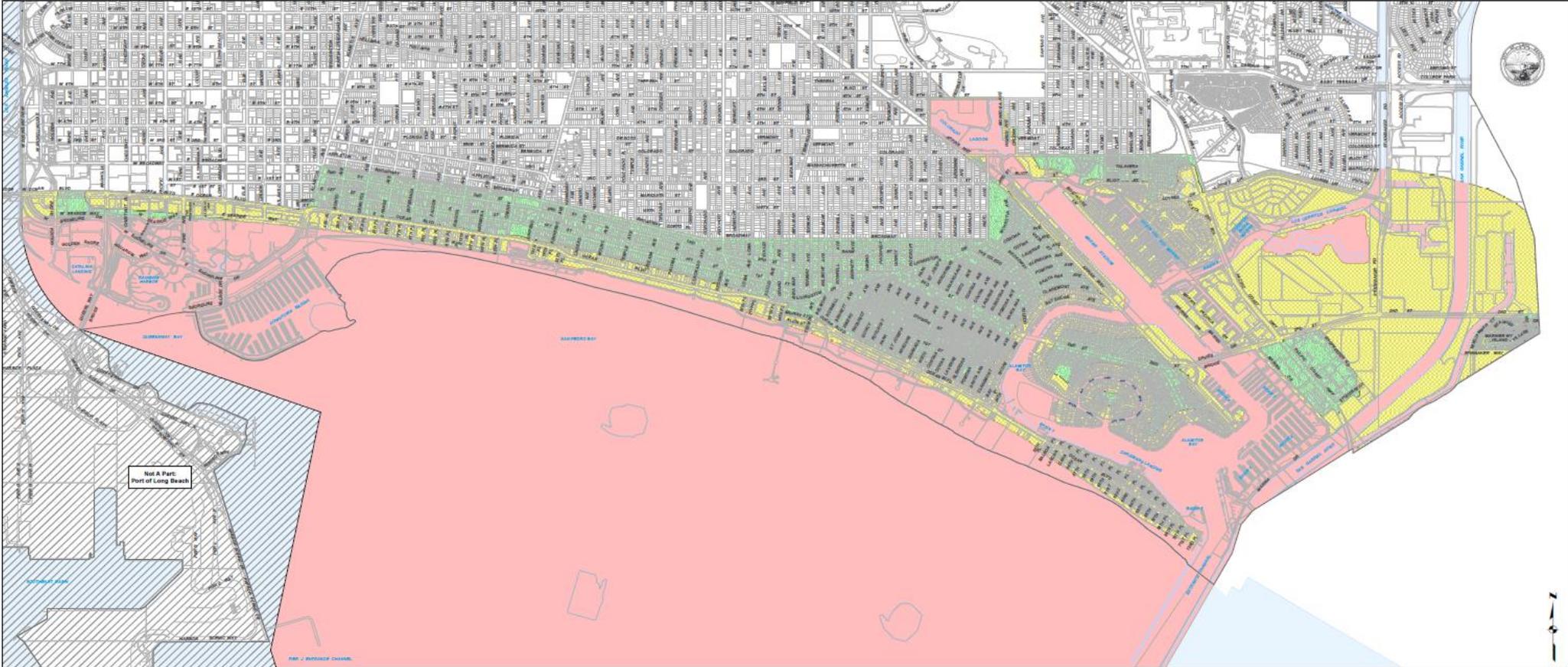
# Special Events in Planning Documents

- **Section 21.53 (Temporary Uses)** of the Zoning Code addresses the occurrence of special events, such as carnivals, fiestas, other outdoor exhibition or celebration in certain zoning districts.
- In the Coastal Zone, coastal permitting may be required depending on the location of the special event and timing of the event to ensure the maintenance and preservation of coastal access in accordance with the Coastal Act and the City's Local Coastal Program.
  - City Staff, Office of Special Events and the California Coastal Commission (Coastal Commission) are working together on a Local Coastal Program Amendment (LCPA) to amend language in the Local Coastal Program regarding public events at Alamitos Beach.
  - This amendment would introduce policies related to the occurrence of events and best management practices to ensure the policies of the Coastal Act are adhered to.
  - The City's Local Coastal Program is a separate document from the Noise Element Update and will have additional opportunities for outreach and public hearings.

# Special Events in Coastal Zone

- The Coastal Zone is divided into three jurisdictional areas: Coastal Commission Original Permit Jurisdiction, Appealable Area, and City Coastal Zone.
- Areas shown in red are under the permitting authority of the Coastal Commission, which typically includes the sandy beach areas of the City's coastline. Special events in these areas are required to demonstrate compliance with the Coastal Commission's policies for temporary events.
- The Grand Prix is subject to a separate Coastal Commission permit that is renewed on a 5-year basis.

# Map of Coastal Zone



Source: California Coastal Commission Data (Delivered to the City of Long Beach 1/5/2023)  
 MA-2022-001 (Coastal Commission Hearing Date 12/15/22)  
 Long Beach Resolution No. RES-21-0076 (Adopted 7/13/2021)

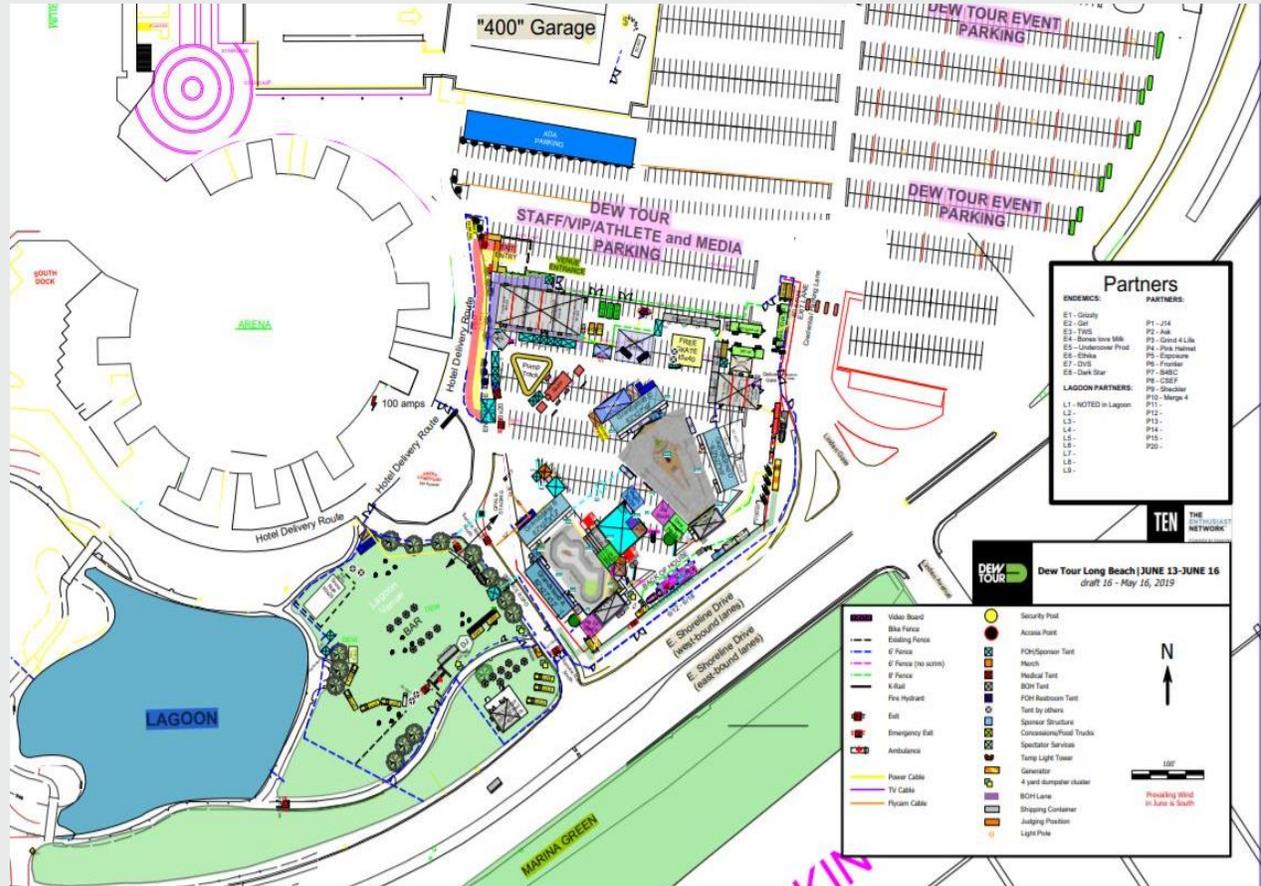
## City of Long Beach Coastal Zone

As of January 2023

- Appealable Area
- Coastal Commission Permit Jurisdiction
- Coastal Zone
- Not A Part: Port of Long Beach
- Assessor Parcels
- Waterways

Disclaimer  
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# Special Events – Varied Site Venue Layouts



# Special Events – Varied Site Venue Layouts (cont.)



# Special Events Noise Study

Special Events and Filming Office conducted a Special Events Noise Study, at the request of City Council:

- Evaluated current regulations and procedures related to noise from special events.
- Includes case studies on cities with comparable range of special events.

Key Study Findings:

- Identified additional strategies, technologies and procedures to explore as next steps.
- Informed development of Noise Element Strategy 13 (Special Events) and associated policies.



# Special Events Implementation Measures

## Outreach, Communication and Transparency

- Special events public calendar and notifications
- Permit applications for special events are circulated to various City departments for review and approval with conditions
- After hours events line to respond to noise complaints



*Concert Map – Sound Study Grid*

# Special Events Implementation Measures (cont.)

## Sound Mitigation

- Sound readings conducted with calibrated sound meters
- City staff trained in sound engineering and conducts regular sound monitoring and reporting
- Use of sound boxes monitored by a third party
- Additional sound mitigation such as acoustical sound barriers



# Special Events Future Anticipations

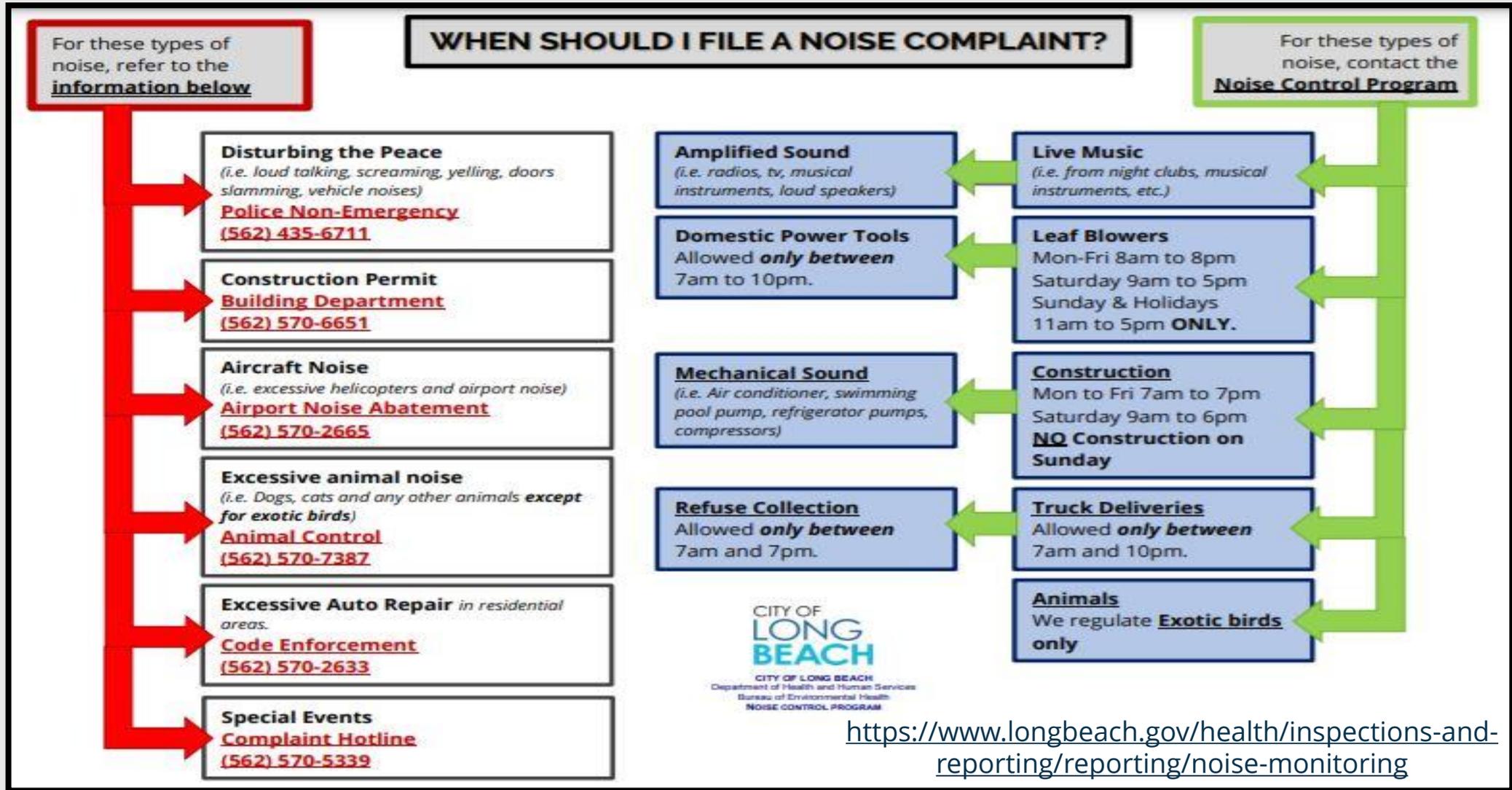
- Sound reading available in real time and visible to the public
- Continue to monitor potential future mitigation measures as sound technology advances and implement as appropriate



# Environmental Review

- Pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City, as Lead Agency, prepared a Draft and Final Environmental Impact Report (**EIR 03-20**).
- The Draft EIR was **released** on March 23, 2021, and the public comment period ended on June 14, 2021.
- **Recent minor edits made to the Noise Element and Noise Ordinance does not require another Draft EIR re-release for public comment.**

# City Departments with Noise Regulatory Responsibilities



# Public Hearing Notice

- Notice of this public hearing was published in the Long Beach Press Telegram and Grunion Gazette by May 23, 2023.
- Notices were also provided and posted at all City libraries and posted at City Hall. The public hearing notice was posted on the DV Department's website and distributed through the City's LinkLB email blast system and Noise Element interested parties list.

# Recommendation

Recommendation to receive supporting documentation into the record and conclude the public hearing;

Adopt a Resolution approving and certifying the Environmental Impact Report EIR 03-20, State Clearinghouse No. 2019050009 and associated findings;

Adopt a Resolution replacing the current Noise Element with the updated Noise Element of the Long Beach General Plan; and,

Adopt an Ordinance implementing associated amendments to the Noise Ordinance, Long Beach Municipal Code Chapter 8.80. (Citywide)



Thank you

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# Response to Common Comments

## **Common Comment #1. Special events should not be categorized as temporary, but rather stationary noise sources**

- *Response:* Due to the temporary and often seasonal nature of these events, they are not considered representative of typical noise patterns that contribute to the existing ambient noise setting.

## **Common Comment #2. Standards for noise limits should be added to the Noise Element, in particular as a means for providing enforcement for Special Events**

- *Response:* The Noise Element appropriately does not include specific noise limits as the purpose of the General Plan Noise Element is to establish goals and policies related to noise

# Response to Common Comments Cont

## **Common Comment #3. Lack of air conditioning in older buildings may inhibit the ability to keep windows closed during certain times of the year.**

- *Response:* These standards are based on the requirements of the California Code of Regulations, Title 24. Comments related to the interior noise insulation standards demonstrate concern regarding existing State regulations and the state of existing, older buildings

## **Common Comment #4. Excessive noise is a hazard to public health per California Health and Safety Code Section 46000**

- *Response:* As stated in Section 4.2.7 of the Draft EIR, the proposed Noise Element includes strategies and policies that are intended to provide protection for land uses from excessive noise and vibration sources, as well as to implement the vision of a healthy, livable noise environment in the City

# Noise Plan – Example Strategies and Policies

## PlaceType Characteristics and Land Use Compatibility

- Strategy No. 1 - Apply site planning and other design strategies to reduce noise impacts, especially within the Founding and Contemporary Neighborhoods, Multifamily Residential—Low and Moderate, and Neighborhood Serving Centers and Corridors – Low and Moderate PlaceTypes.
  - Policy N 1-5. Use urban design strategies such as the use courtyards, paseos, alleys, plazas and open space areas to provide a buffer to noise sensitive uses.
  - Policy N 1-6. Encourage project site planning and the location of the various functional spaces within developments to minimize the potential adverse impacts of noise.

# Noise Plan – Example Strategies and Policies

## Environmental Justice and Social Equity

- Strategy No. 15 - Reduce the disproportionate environmental noise burdens affecting low-income and minority populations.
  - Policy N 15-2. Requires that proposals for new sensitive land uses incorporate adequate setbacks, barriers, landscaping or other measures as necessary to minimize noise impacts, particularly in areas of the City that are disproportionately impacted by noise.