

FINDINGS

Noise Element General Plan and Municipal Code Amendment Application No. 2003-26 (GPA20-001) March 2, 2023

The Long Beach Municipal Code does not require specific findings for the adoption of a General Plan or Zoning Code amendment. The proposed Noise Element, however, is consistent with State law and guidelines; consistent with other elements of the City's General Plan; will not adversely affect the character, livability or appropriate development of the City; and is in conformity with public necessity, convenience, general welfare, and good planning practice. The City of Long Beach makes these findings in support of its adoption of the proposed Noise Element and associated municipal code amendments.

The Noise Element is consistent with California Government Code §65300 requirements for a local general plan. Government Code §65300 requires the City to “adopt a comprehensive, long term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency’s judgment bears relation to its planning. Chartered cities shall adopt general plans which contain the mandatory elements specified in Section 65302.” The proposed Noise Element is a required element of the City of Long Beach General Plan. The Noise Element, as well as the combined elements of the General Plan (Land Use, Urban Design, Historic Preservation, Open Space, Housing, Air Quality, Mobility, Seismic Safety, Local Coastal Program, Noise, Public Safety, and Conservation) meet the requirements of the aforementioned Government Code. Per the Government Code, the Noise Element shall identify and appraise noise problems in the community. The Noise Element shall analyze and quantify current and projected noise levels for a number of stationary noise sources; show noise contours which shall be used as a guide for establishing a pattern of land uses that minimizes exposure of community residents to excessive noise; include implementation measures and possible solutions that address existing and foreseeable noise problems; and serve as a guideline for compliance with the State’s noise insulation standards.

The General Plan, as amended by the Noise Element, is internally consistent, within and across elements pursuant to §65300.5. The Noise Element is consistent with and helps support other adopted general plan elements as described below:

- **Land Use** – The Noise Element builds upon and helps implement the Land Use Element (LUE) by reflecting both existing and planned mixes of compatible land uses as guided by the LUE and through new policies that help mitigate noise impacts. A key objective of the Noise Element is to provide noise exposure information for implementation of the LUE. When integrated with the Noise Element, the LUE will show acceptable new land uses in relation to existing and projected noise contours.

- **Housing** – Since residential land use is among the most noise sensitive, noise exposure information provided in the Noise Element must be considered when planning the location of and designing new housing.
- **Mobility** – The circulation system must be correlated with the LUE and is one of the major sources of noise. Thus, identifying ways to minimize noise exposure in the location and design of new transportation facilities is an important consideration, and planned land uses should incorporate project design features to minimize exposure to noise from existing transportation facilities.
- **Open Space** – Excessive noise can adversely affect the enjoyment of recreational pursuits in designated open space. Thus, noise exposure levels should be considered when planning for this kind of open space use. Conversely, open space can be used to buffer sensitive land uses from noise sources through the use of setbacks and landscaping.
- **Urban Design** – Urban design techniques can be employed to mitigate noise impacts. The Urban Design Element therefore complements the Noise Element. The Urban Design Element builds of the LUE PlaceTypes approach to allowing a greater mix of compatible uses within Long Beach neighborhoods in a harmonious manner supported by urban design strategies and policies.

The associated municipal code amendments are consistent with objectives, principles, and standards of the General Plan. Four general goals of the General Plan Noise Element include: a healthy, livable community; equitable distribution of noise; minimizing exposures to excessive noise; and allowing for elements necessary for a dynamic, growing City. The Municipal Code Amendments would not conflict with the City's General Plan, the 2010 Strategic Plan, local coastal program, or any other applicable land use plans and policies. Actually, the Municipal Code Amendments help implement and will create consistency between the updated Noise Element and the City's Noise Ordinance, found within Title 8 of the City's Municipal Code. The code amendments involve amendments to the Noise Ordinance to reflect the changing urban landscape of the City and are not intended to conflict with a program, plan, ordinance, or policy addressing existing land use regulations. The code amendments are consistent with goals, policies and strategies in the existing Land Use Element (LUE) of the General Plan. The 2019 LUE update established a number of mixed-use PlaceTypes that delineate areas that are currently mixed-use in nature and that are planned or anticipated to be more mixed-use in the future, and where commercial, residential and other compatible land uses will be integrated. Proposed amendments to the Noise Ordinance include updates to the boundaries of District Two of the Noise District Map to better reflect and be consistent with the recently adopted LUE PlaceTypes and establishment of a mixed-use land use category and associated noise limits and do not change noise limits for other land use categories.

A key component of the Noise Element update process was robust public engagement to inform the City's noise plan, strategies and priorities. **Public involvement in preparation**

of the plan met the requirements of §65351, which requires the planning agency to provide opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the planning agency deems appropriate. This involvement included residents of Long Beach, California Native American tribes, other public agencies, community organizations, as well as other stakeholders. Opportunities to provide feedback informing the Noise Element update began in 2017 with a variety of community engagement strategies, including a significant online outreach component, "Listen Up Long Beach," a crowdsourced digital mapping tool for the community to report on local noise issues, and multiple stakeholder meetings and focus groups. In October 2018, City staff held a focus group on Special Events and Outdoor Noise. In September 2019, Development Services Staff supported Special Events & Filming at their Special Events Sound Study community meeting. On May 30, 2019, Development Services staff held a Noise Element Open House. The Draft Noise Element was released for public review and feedback on May 28, 2019. Throughout the outreach and engagement process, staff gathered feedback about noise concerns, opportunities, and priorities from community members. The Proposed Noise Element incorporates feedback received from community members throughout the outreach and engagement process.

The City prepared an Environmental Impact Report (EIR) for the General Plan Noise Element update and associated Noise Ordinance Amendments. The Noise Element builds off the LUE goals, policies and strategies to better reflect land use regulations that support a compatible mix of uses in strategic areas, as established in the LUE. Staff received 21 comments during the public comment period for the draft EIR and responded to the comments in the Final EIR which was made available to the public for review 10 days prior to the hearing and was shared with all interested parties.

The City did not receive any requests for formal consultation with Native American Tribes pursuant to §65352.3. In accordance with Senate Bill 18 (SB 18) requirements, the City contacted Native American representatives in April 2020 regarding the proposed Noise Element update. The representatives that were contacted were identified through a list of contacts provided by the Native American Heritage Commission (NAHC). As provided in the tribal notices, approval of the project would not result in physical improvements including any physical improvements that would result in the disturbance of such resources. In accordance with Senate Bill 18 and Assembly Bill 52, the City will notify Native American representatives of future projects in the City that require a discretionary action as required.

The General Plan update and Municipal Code Amendments will not adversely affect the character, livability or appropriate development of the City, and is in conformity with public necessity convenience, general welfare, and good planning practice. The Long Beach General Plan Noise Element was first adopted in in 1975, and

the Noise Ordinance was last comprehensively updated in 1977 based on the Noise Element. Since then, the City's physical makeup, population, regional context and the regulatory guidance around noise have changed significantly. As Long Beach transitioned from a Los Angeles suburb to a vibrant, metropolitan community, the soundscape has also inevitably changed. The proposed Noise Element updates the City's policy framework to reflect these changes in the City's urban fabric and its soundscape in order to best serve the needs of Long Beach today and in the future. The Noise Element update aims to provide a tailored approach to noise policy across neighborhoods, recognizing the unique characteristics of a mixed-use downtown and major transportation corridor environments. Furthermore, the Noise Element update identifies new strategies and policies to maintain healthy, livable neighborhoods for all residents. As the City's current Noise Ordinance has not been substantively updated since 1977, there are several sections of the current code that include outdated standards, regulations, and references and that would be inconsistent with the proposed Noise Element. Proposed updates to the Noise Ordinance within the municipal code consist of modifications to the boundaries of District Two of the Noise District Map to better reflect and be consistent with the recently adopted LUE PlaceTypes; establishment of a mixed-use land use category and associated noise limits; and text changes to permit designated staff of all departments with noise regulation responsibilities to coordinate with and carry out the duties of the Noise Control Officer as necessary to ensure responsiveness to various kinds of noise complaints. The proposed municipal code amendments are designed to facilitate consistency between the updated Noise Element and the Noise Ordinance.