

## Heather Flores

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**From:** Linda Scholl [REDACTED]  
**Sent:** Wednesday, October 19, 2022 9:11 PM  
**To:** PlanningCommissioners  
**Cc:** Linda Scholl  
**Subject:** 10/ 20/2022 Planning Commission draft "Noise Element" Study Session Comments  
**Attachments:** IMG\_4194.MOV; movie.mov

-EXTERNAL-

Two videos of Cali Vibes Concert

October 19, 2022

### **Chair and Planning Commissioners**

**City of Long Beach, 411 West Ocean Boulevard, Long Beach CA 90802**

**Re: 10/ 20/2022 Planning Commission draft "Noise Element" Study Session**

Dear City of Long Beach Planning Commissioners,

We just received this *revised* draft Noise Element (dated October 2022) and the notice of the study session. Due to the pandemic issues, we are unable to attend in person.

We are seriously concerned that this *new draft fails to include any noise level limits* for outdoor amplified special events, or *any* tangible guidelines to protect adjacent residents from violations of prolonged harmful continuous levels of amplified noise from such events. The City again failed to stop this excessively loud outdoor amplification again, even in February 2022, only 4 months after the Planning Commission heard resident complaints in October 2021. The City held the Cali Vibe Concert in February 2022 in the parking lot of the LB Convention Center. It was the loudest and most hazardous to Ocean Blvd residents. Four days, 12 hours a day of 90+ decibels outside, 70+ decibels inside. It was so loud that residents were getting sick, with headaches, nausea. Many of us could not hold normal conversations, talk on the phone, or watch TV. And due to the pandemic and illnesses, many could not escape their homes to escape the painful noise. These noise levels were quadruple the noise levels allowed in the rest of the City. They should never be allowed to intrude into residents' homes.

Keep in mind that these noise levels for outdoor amplified concerts are for prolonged duration, continuous, over multiple days, often far above what the city has stated as healthful levels. It is the people who are ill or immobile and confined to their homes who are affected the most. They cannot escape the onslaught of unregulated amplified excessive prolonged levels of such noise for multiple days in a row, not to mention 24x7 set up and tear down.

Instead, the City should be guiding staff to ask the core question of "How can we manage the noise levels so residents are not affected in their homes?" "How well are our efforts working?" How can we monitor and manage the noise effectively? Rather, why does the question seem to be, "How loud can we permit the noise limits without getting serious residential pushback?"

And so we appeal to you, the Planning Commission, to guide the staff to set event noise limit standards for the protection of residents.

Please return this draft Noise Element to staff with the direction to include the following items:

1. Since special events are sanctioned (permitted) by the City of Long Beach, the City must require and enforce noise regulations for them. (This is according to page 373 of the 2017 California Office of Planning and Research General Plan Guidelines for the Model Noise Ordinance.)

This means: Include noise level limits for outdoor amplified events per generally accepted health standards and per land use guidelines. This must include guidelines for measuring the noise level at the residences, as is the current requirement, inclusion of noise limit standards in the event contracts, an *effective and timely* complaint procedure with recourse, a real time enforcement officer, penalties for violations, resident feedback, resident recourse.

Residents must be provided with effective recourse for resolution of excessive noise complaints. Currently the Police do not enforce noise levels for events because they apply a municipal code intended for “occasional” special events as applicable to all such events. The Health Dept. refers events noise complaints back to the host department, such as sending complaints about events noise back to the events department. The City must end the Catch 22 process. Thank

2. The noise limit at the venue can be as loud as participants can enjoy it within health standards. But when that noise crosses the line into adjacent residential or mixed use District 1 or District 2 land use, it needs to conform to the specified noise levels for that adjacent land use and district.

3. The Municipal Code related to the Noise Ordinance requires change. **DO NOT EXEMPT SPECIAL EVENTS FROM THE Municipal Code NOISE ORDINANCE!** The outdoor entertainment that is permitted by the City's Office of Special Events should not be exempt from the Noise Ordinance. Unhealthy noise limits that are applied to the entire rest of the City should also apply to events held near residences and including residences near the Waterfront area.

4. The Downtown Waterfront is one venue for sound purposes, including the Elephant Lot, Marina Green, Rainbow Lagoon and Alamitos Beach. The noise transmission from these locations affects the adjacent Ocean Blvd residents.

5. Note that many of these residences are founding neighborhoods, many built in the 1920s to 1960s. The building construction dates easily from 1920s to 2022. Recognizing that the older construction requires noise levels to be measured from the residence windows in seasonal positions (usually open in the summer) position. Note that this is stated in the current Noise Element.

6. Strategy N-13 is not a “strategy” to provide protection for residents and visitors from harmful noise. It sets no goals and can hold no one or nothing accountable. It is simply a list of activities. A real strategy is “to provide protection to residents from excessive noise by...”

In summary, we enjoy downtown entertainment. We know there is always a certain amount of light non intrusive noise when living in the City. We are pleased that some outdoor amplified concerts are managed well, are good neighbors, and are not intrusive to adjacent residents. But so many of the outdoor amplified concerts and events are so loud that, as stated above, you cannot hold a conversation inside your home, talk on the telephone, conduct business, sleep, even watch TV. And when it is hot outside, you dare not open the window for fear you will blast your eardrums to Mars. And then there’s the profane language from the ones that are bad neighbors.

To our Planning Commission, we thank you for considering and addressing these issues to protect all of us in Long Beach.

Respectfully,

Dr. Linda Scholl,  
ORCA Noise Committee, Downtown Long Beach

Note: Two videos of Cali Vibes Concert attached above