



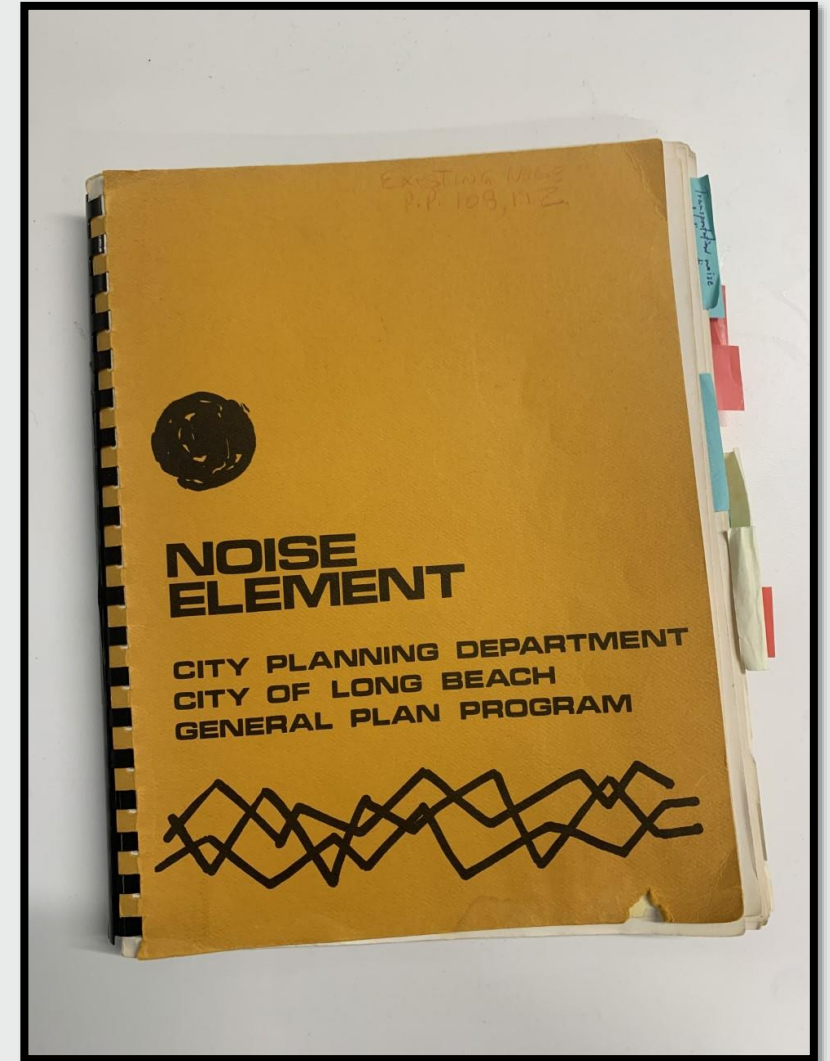
# **Noise Element and Noise Ordinance Update**

**Planning Commission Study Session**

**October 20, 2022**

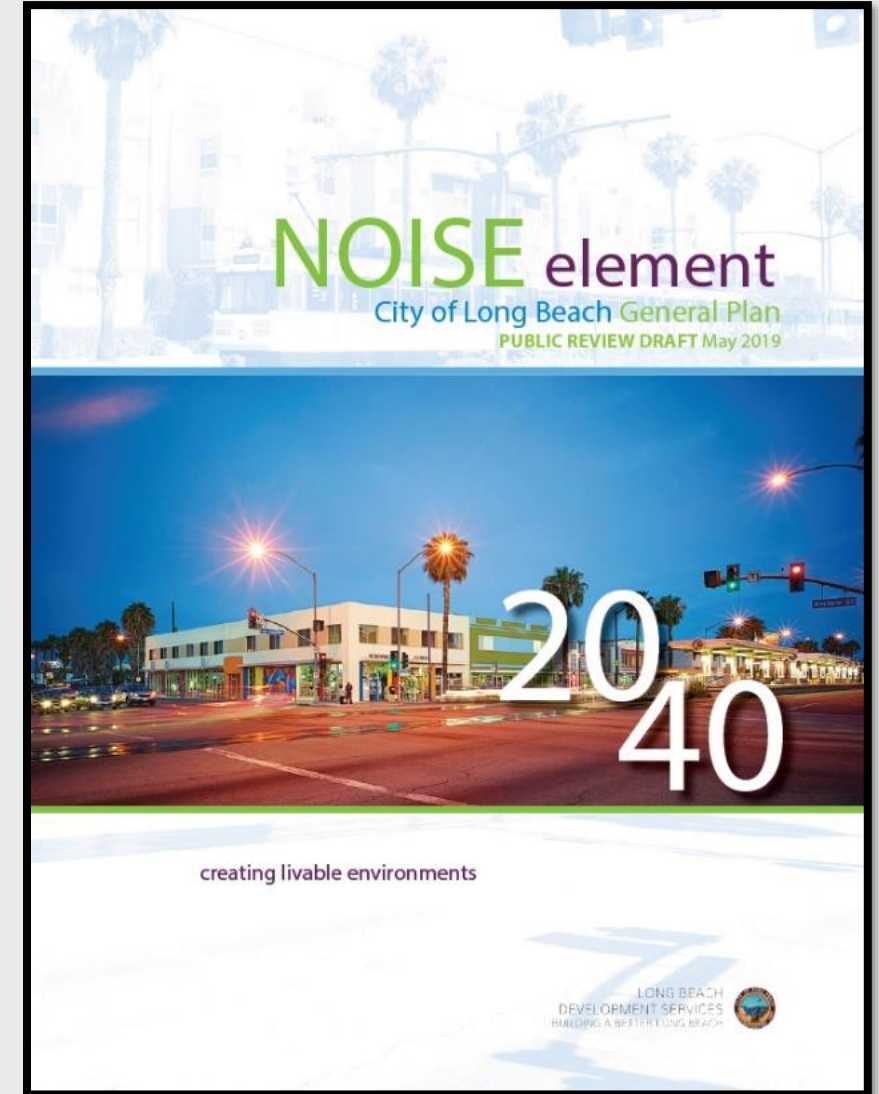
# Background & Context

- Long Beach General Plan Noise Element adopted in 1975 & the Noise Ordinance was last updated in 1977
- The city's physical makeup, population regional context, & regulatory guidance around noise have changed
- An update has been underway since 2017 including extensive community engagement and technical analysis. **Last action on item was at the Oct 2021 PC meeting, the commission directed staff to conduct a further study of special events**
- City's policy framework reflects changes in the City's urban fabric & its soundscape, while identifying new strategies & policies to maintain healthy, livable neighborhoods for all residents



# Noise Element Overview

- Mandated by State law to be consistent with all other General Plan elements (Land Use)
- A draft has been available since June 2019. A revised draft was released March 2021. **The Oct 2022 draft is available for public comment until November 14, 2022.**
- Replace the 1975 document & establish policies that will guide how noise and land use compatibility are addressed throughout the City
- Implemented by the Noise Ordinance (LBMC Chapter 8.80)





# Noise Plan

- Chapter 5: This Noise Plan identifies strategies & 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.



# Proposed Noise Element Edits

## Chapter 3. Context

Long Beach is a vibrant coastal city with attractions serving residents, businesses, and visitors. As such, the City has experienced an **increased** interest in holding special events in Long Beach, especially outdoor special events along the waterfront in the downtown area. These events include, but are not limited to, community festivals, runs/walks, citywide holiday celebrations, Long Beach Grand Prix, Long Beach Marathon, Long Beach Lesbian and Gay Pride Parade and Celebration, Jazz Festival, **film-production,** and events hosted at the Queen Mary.

## Chapter 5. Noise Plan: Creating Livable Environments

Long Beach provides a desirable setting for special events of many forms. These events include, but are not limited to, community festivals, runs/walks, citywide holiday celebrations, Long Beach Grand Prix, Long Beach Marathon, Long Beach Lesbian and Gay Pride Parade and Celebration, Jazz Festival, **film-production** and events hosted at the Queen Mary.

# Proposed Noise Element Edits Cont.

## Chapter 5. Noise Plan: Creating Livable Environments

### **New** Proposed Noise Element Language

#### Special Events- Strategy No. 13

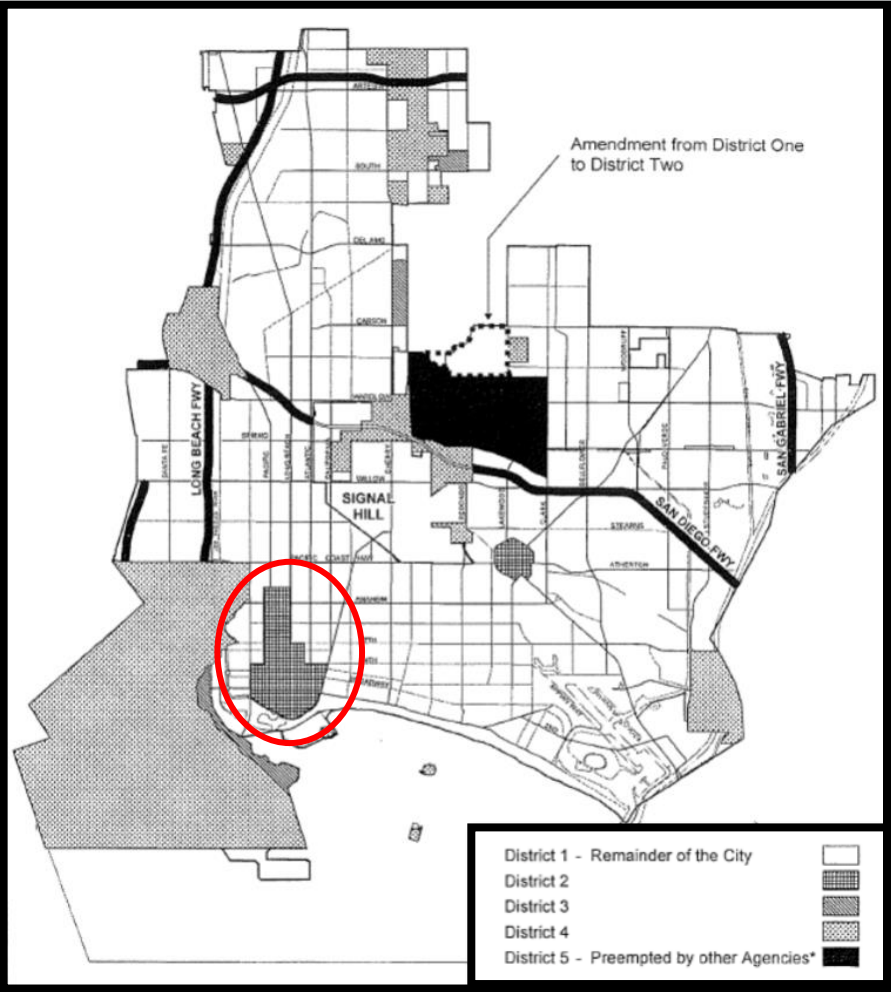
**Policy N 13-3:** Implement and enforce procedures related to noise level requirements for **large** special events, **and review procedures on an annual basis**



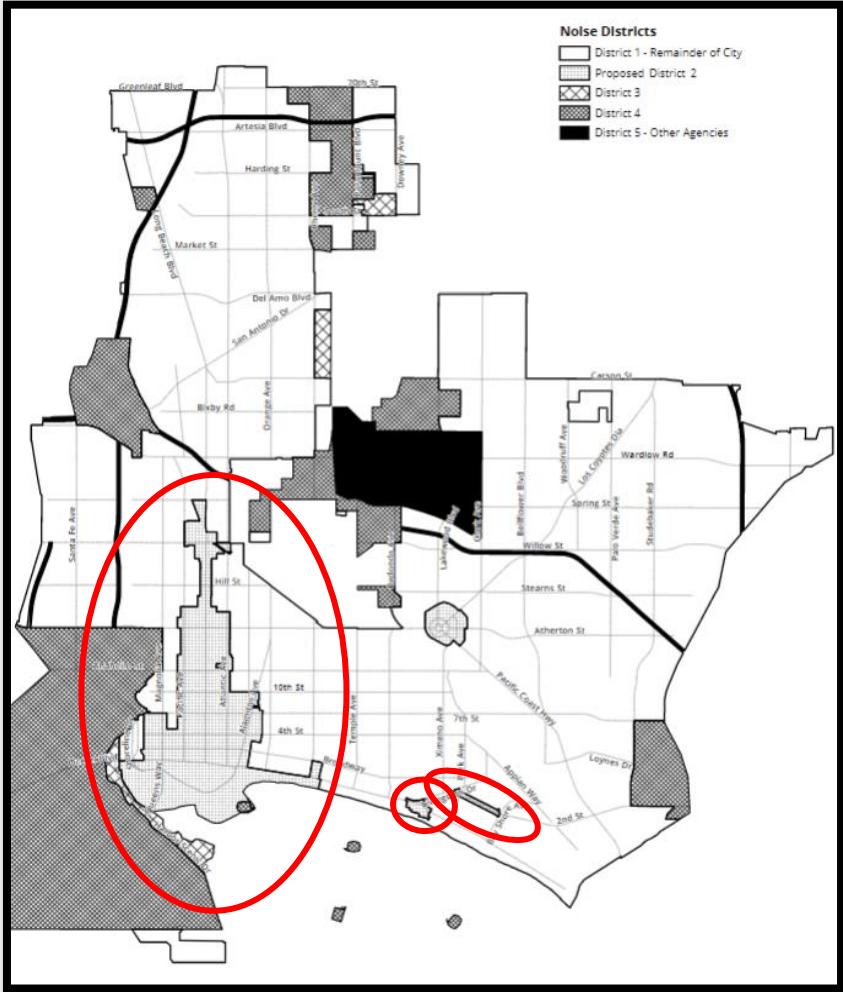


# 8.80.160 Noise District Map - Existing and Proposed

Existing




Proposed



# Proposed Noise District Map with PlaceTypes


Proposed Noise District two expansion areas encompass additional areas that tend to be:


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

 Proposed Noise District 2


**Existing Noise Districts**

District 1 - Remainder of City


 District 2

 District 3


 District 4

 District 5 - Other Agencies

**Long Beach 2040 PlaceType In Proposed District 2**


 DT, Downtown

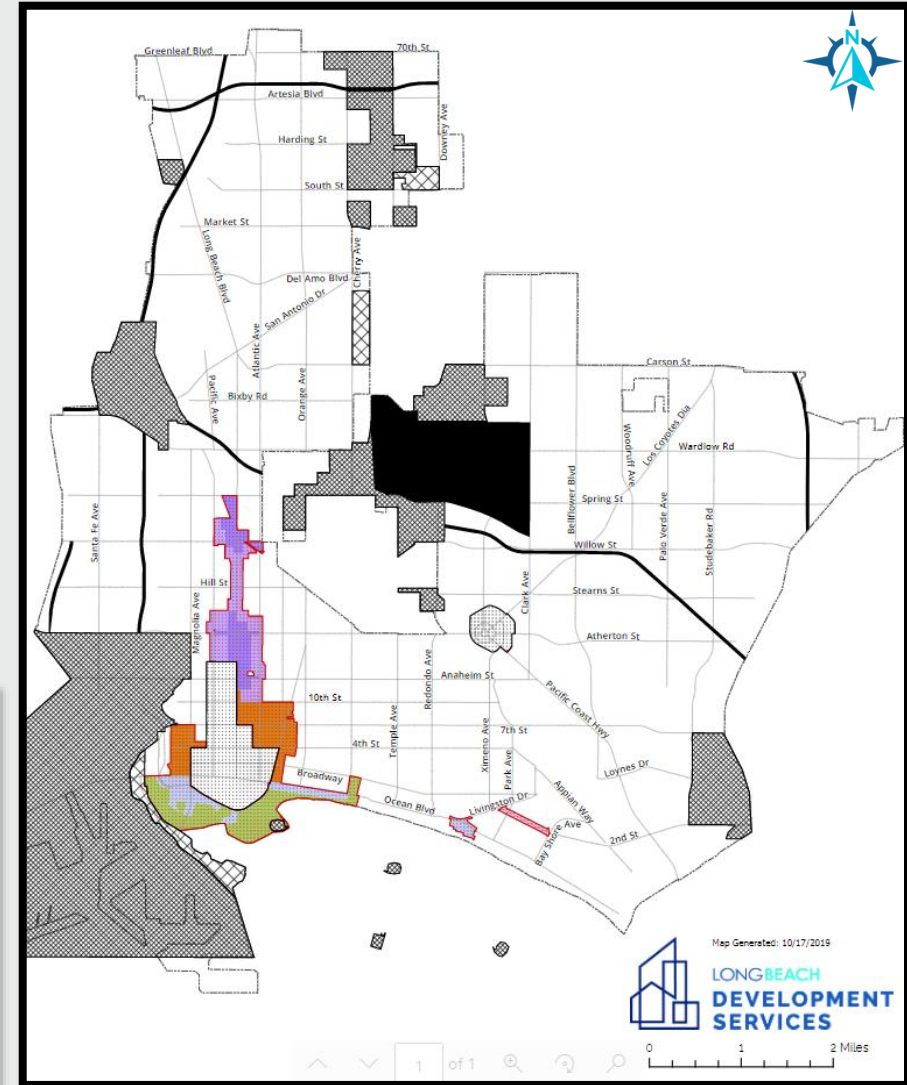
 NSC-L, Neighborhood Serving Center or Corridor Low Density

 OS, Open Space

 TOD-L, Transit-Oriented Development Low Density

 TOD-M, Transit-Oriented Development Moderate Density

 WF, Waterfront



# Proposed Chapter 8 (Noise Ordinance) Amendments

## 8.80.160 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
District One		Day: 7:00 a.m. – 10:00 p.m.	50
District Two	<del>P</del> <b>Mixed-use or</b> predominantly commercial with other land use types also present	Night: 10:00 p.m. - 7:00 a.m.	55
District Two		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

## 8.80.170 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. 7:00 a.m.—10:00 p.m.	35 45
All	Mixed-Use	10:00 p.m.—7:00 a.m. 7:00 a.m.—10:00 p.m.	45 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

# Past 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 City departments and bureaus with noise regulation responsibilities, including but not limited to Airport, Animal Control, Building, Code Enforcement, Police, and the Office of Special Events and Filming, shall receive and address noise complaints that are within the purview of their respective functions. Additionally, all departments with noise regulation responsibility shall 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 City departments and bureaus as appropriate, based on the circumstance; and conducting other actions necessary to facilitate resolution of the noise complaint.



# 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.

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# Special Events Noise in the Long Beach Municipal Code

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

## Title 8 Health & 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 and Filming Office

- Staff strives to provide year-round events to **cultivate pride, social awareness and cultural enrichment for residents & visitors** with events that include:
  - Festivals & Citywide Celebrations
  - Runs/Walks
- Year-around events helps **to build a foundation** that **fosters sustainable community development, economic development, & tourism**



# Noise Element Update Public Outreach and Engagement

## 2017-2019

- 2017-2018 – Extensive public outreach efforts were conducted through community outreach, focus groups & engagement strategies including crowdsourced mapping tool "**Listen Up Long Beach**"
- May 30, 2019 – DV held Noise Element Open House
- Sept 26, 2019 – DV supported Special Events & Filming at their Special Events Sound Study community meeting





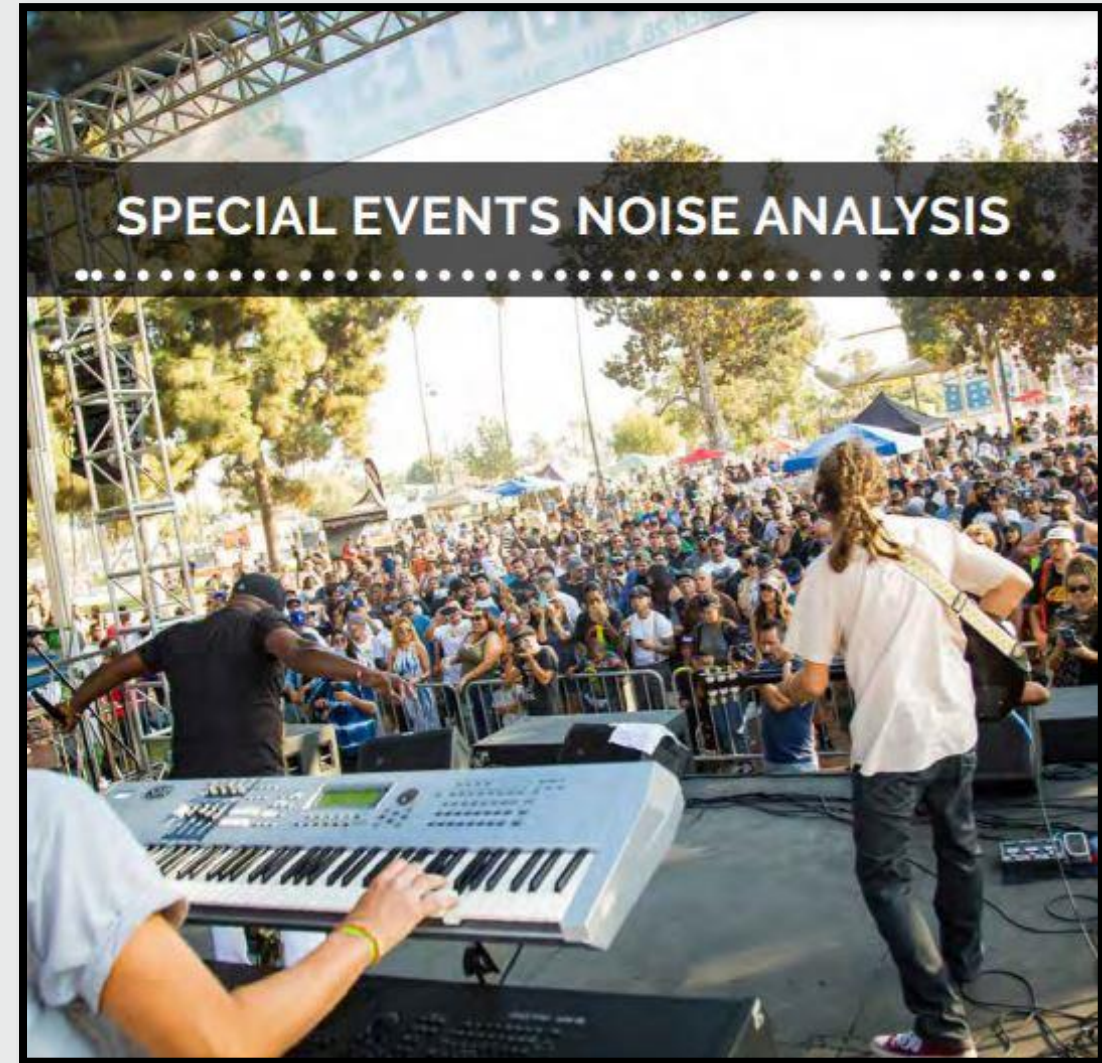
# Special Events Noise Study

Special Events & 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

Special Events & Filming Office implemented measures:

## Outreach, Communication and Transparency

- Special events public calendar and notifications
- Permit applications 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 Cont.

## Sound Mitigation

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





# Special Events Cont.

## Future Anticipated Implementations

- Sound reading available in real time & visible to constituents
- Consider potential future mitigation measures as sound technology advances

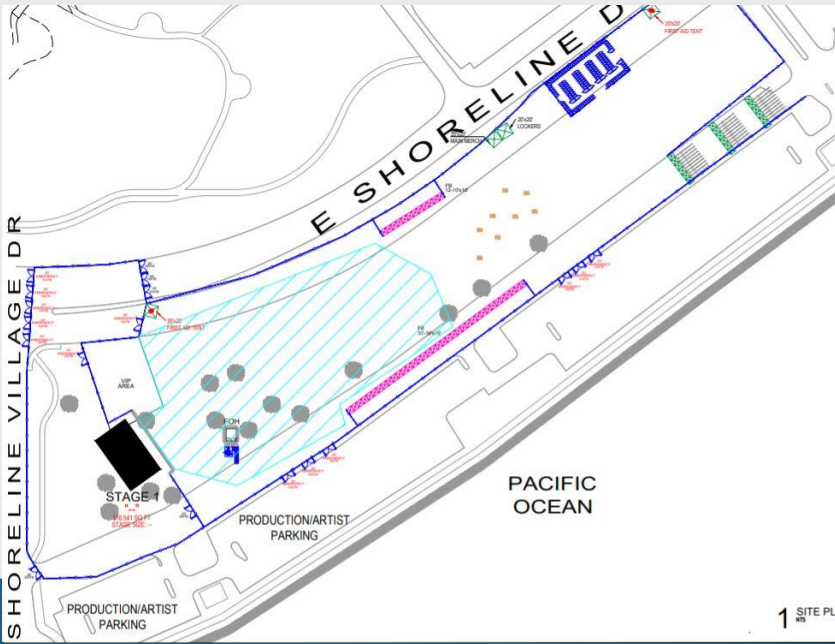
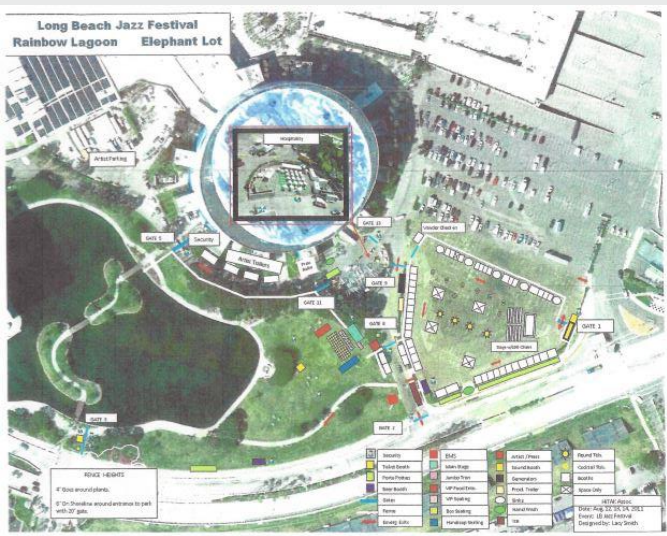


# Special Events in the Downtown Area

- Special events range from large scale events to smaller activities at various locations of the waterfront area
- Ambient noise in the waterfront area is already relatively high. As such, special events noise is measured in relation to a high ambient noise level and is monitored, keeping noise levels at 100 decibels (dBA) at the stage in the 70 dBA range measured from nearby residences
- City staff are trained in sound engineering and use sound level meters satisfying LBMC (Section 8.80.020) requirements.
- Since conducting the Special Events Noise Study and instituting the noise mitigation measures, significantly fewer public complaints have been received.



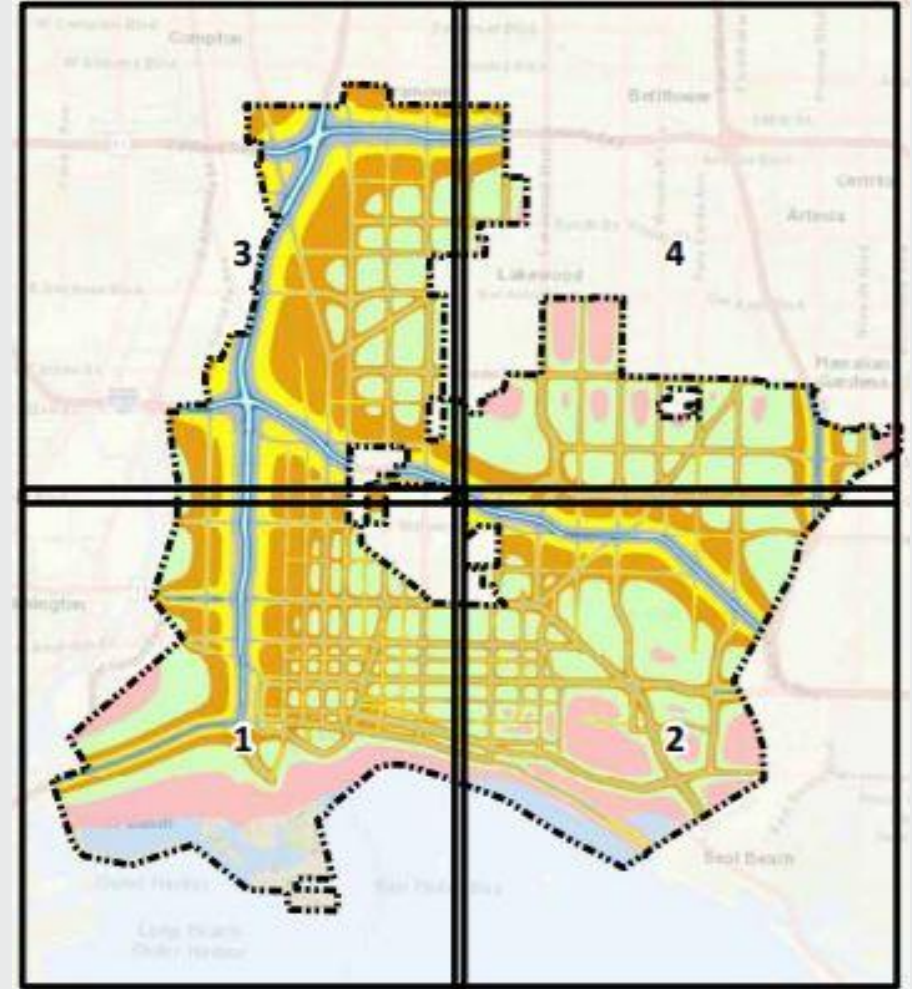
# Special Events – Venue Site Layouts





# 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)

# Environmental Review

- Pursuant to the California Environmental Quality Act (CEQA) & 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 & the public comment period ended on June 14, 2021.
- Recent minor edits made to the Noise Element & Noise Ordinance does not require another Draft EIR re-release for public comment.

# 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 & 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 noise limits as the purpose of the General Plan Noise Element is to establish goals and policies related to noise

# Response to Common Comments

## **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

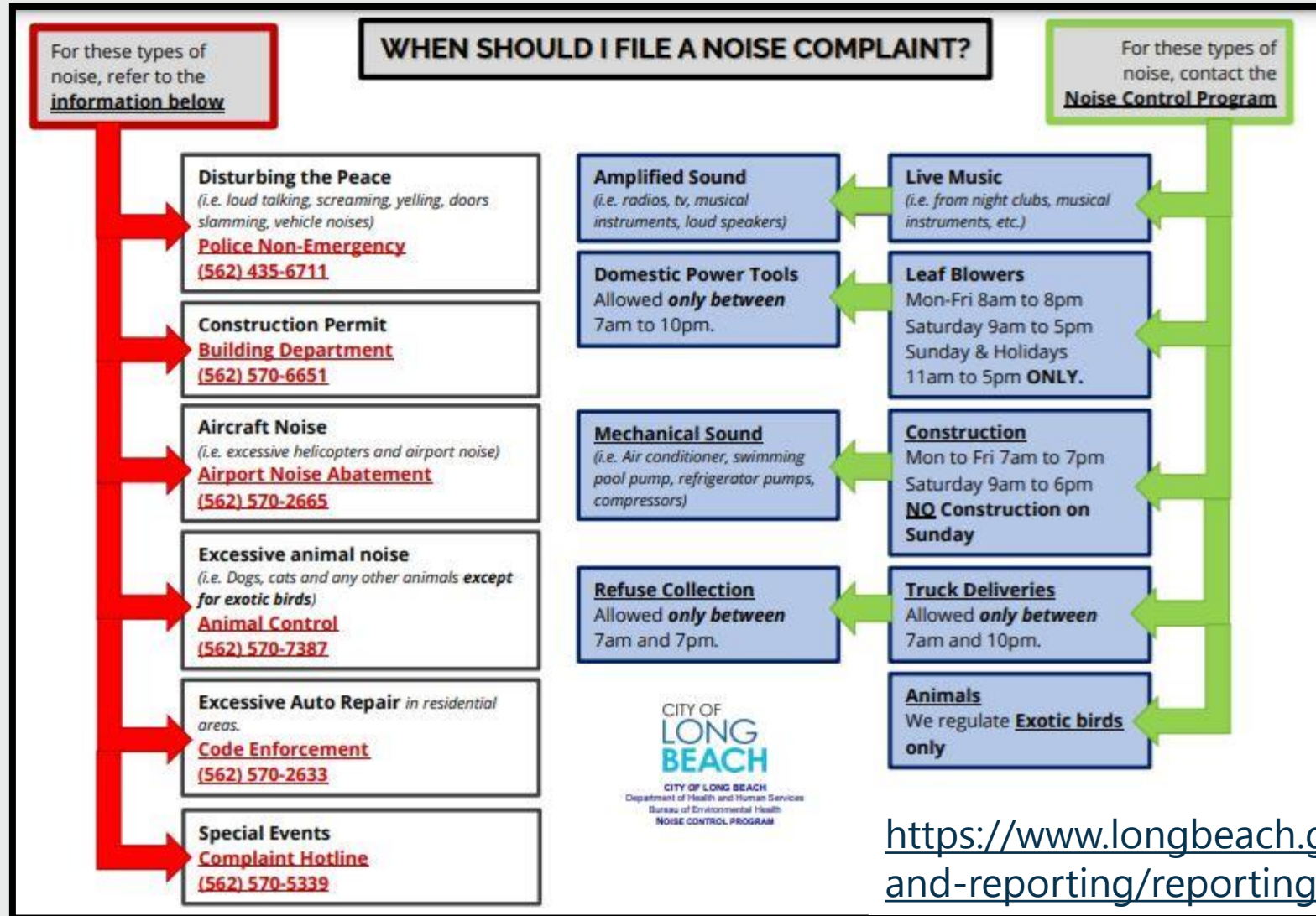
# Response to Common Comments

## Common Comment #5. How is the City of Long Beach regulating noise levels for mixed use areas?

- *Response:* Established the Noise Control Program to enforce the Noise Ordinance (Section 8.80.010) in the city.
- *Response:* The Noise Control Program guides the public on the type of noise disturbances and the appropriate city departments to contact depending on the type of noise complaint.
- *Response:* The Special Events and Filming Office conducted a sound study that evaluated jurisdictions with similar populations and types of special events (e.g. Austin, TX).
- *Response:* One common practice across jurisdictions when dealing with regulating noise levels for mixed- use areas is applying a receding land uses standard design. For example, if you have a residential development with a lower noise standard next to a higher noise district that makes or generates noise, **the district must comply with noise level at the property line of the quieter district**



# City Departments with Noise Regulatory Responsibilities



<https://www.longbeach.gov/health/inspections-and-reporting/reporting/noise-monitoring>



**Thank you**

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# Noise Plan - Example Strategies & 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 & Policies

## Environmental Justice & 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.