Date: June 21, 2022

To: Thomas B. Modica, City Manager

From: Oscar W. Orci, Director of Development Services

For: Mayor and Members of the City Council

Subject: General Plan Noise Element Update

Overview and Background

The Noise Element is one of the nine state-mandated General Plan Elements required for every city in California. In 1971, the California legislature mandated that a Noise Element be included as part of the General Plan for every City and County in the state due to potential impacts associated with elevated noise and vibration and the effects on citizens within its cities. An update to the City of Long Beach’s (City) original 1975 Noise Element is proposed alongside the corresponding Municipal Code amendment to the City Noise Ordinance to bring them into conformance with the 2019 General Plan Land Use Element (LUE).

This memorandum provides an overview of the Noise Element update process to date, as well as next steps. Due to staffing and other higher-priority endeavors, this process is temporarily on-hold and is expected to resume around January of 2023.

Requirements for Noise Element Updates

Per Government Code Section 65300.5, all General Plan elements must be consistent with each other. As the LUE was updated in 2019, the Proposed Noise Element update and proposed amendments to the Noise Ordinance to implement the updated Noise Element ensure consistency between the Noise Element and the LUE. The Noise Element update and Noise Ordinance amendments also provide updated information, such as noise contours and noise limits, that inform implementation of the various General Plan Elements. Additionally, the Noise Element establishes new strategies and policies that help minimize noise impacts.

This Noise Element identifies strategies and policies to implement the vision of a healthy and livable noise environment in Long Beach. The strategies and policies outlined in Chapter 5: Noise Plan, identify specific ways the City is working toward that vision. Long Beach is continuously pursuing innovative policies to lead the way in planning for noise in an evolving urban environment. This Chapter provides strategies and policies organized into six areas: 1) PlaceType Characteristics and Land Use Compatibility; 2) Mobility; 3) Construction; 4) Special Events; 5) Environmental Justice and Social Equity; and, 6) Noise Management. The plan contains 16 strategies and 108 policies that together provide a comprehensive framework for minimizing noise impacts in the City through the reduction of potential impacts related to incompatible land uses that work to promote a healthy noise environment in the City. Changes to the Noise Ordinance are needed to implement the Proposed Noise Element.
Proposed Noise Ordinance Amendments

The City’s Noise Ordinance is contained in Title 8, Health and Safety, Chapter 8.80, Noise, of the Long Beach Municipal Code (LBMC). Chapter 8.80, Noise, establishes exterior and interior noise limits for the generation of sound within Long Beach. The maximum noise levels vary based on the receiving land use type and the cumulative duration of noise. Proposed amendments to LBMC Chapter 8.80 are provided in Attachment A. These amendments are designed to implement the Noise Element update and facilitate consistency with the LUE.

Update Noise District Map for Consistency with Land Use Element PlaceTypes

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 improve consistency with the recently adopted LUE PlaceTypes.

Currently, Noise District Two consists of areas that contain predominantly commercial uses, with other land use types also present (Attachment B). The proposed update to the Noise District Map expands District Two boundaries to capture areas that are currently characterized by mixed use development or are planned for mixed-uses and commercial uses in the future through the LUE (Attachment C). The areas included in the Noise District Two boundaries were determined based on geography, PlaceType, and existing and anticipated activity centers and development patterns (Attachment D). Geographically, the proposed District Two boundaries expand the existing area to include additional portions of Downtown, Midtown, Central Long Beach, and key Waterfront areas, as well as portions of Belmont Shore. In general, these areas tend to be high intensity, mixed-use areas that are served by transit, function as regional destinations, and incorporate visitor-serving uses.

As proposed, District Two would not include any areas designated primarily or solely residential uses. The proposed expansion of District Two is intended to include existing and planned areas designated for mixed-use and major activity centers in Long Beach to align noise districts with the relevant LUE PlaceTypes. The expanded area of District Two consists of an increase of 3.7 percent (from 2 percent to 5.7 percent), or 1.96 square miles, of the City’s total area.

Update the Noise Limits Tables to Include Mixed-Use

The proposed amendments to the Noise Ordinance also include updating the Interior and Exterior Noise Limits Tables in the LBMC Chapter 8.80 to add mixed use as a land use type, including the corresponding maximum allowable daytime and nighttime decibel levels. For the exterior noise limits table, District Two, which previously consisted of predominantly commercial uses with other land uses present, would be updated to include mixed uses. For the interior noise limits table, a new mixed-use receiving land use type is proposed. The proposed corresponding noise limits were developed based on technical analysis and best practices and are aligned with other similar and nearby jurisdictions. These proposed amendments to Noise Limits align and are consistent with the proposed updates to the Noise
District Map. These proposed amendments incorporate limited mixed-use areas in the higher commercial noise district (Noise District 2) while maintaining the existing standards for indoor and outdoor noise limits for all other districts including residential and other noise-sensitive land uses such as schools.

Public Outreach and Engagement

Throughout the outreach and engagement process, City staff gathered feedback about noise concerns, opportunities, and priorities from community members, and incorporated this feedback into the proposed Noise Element. Many comments touched on the frequency and sound levels of special events in the Waterfront area and the categorization of special events as a temporary, rather than stationary, noise source. Additionally, commenters noted that excessive noise is a hazard to public health. Other concerns included general questions and comments about how the City can address noise sources such as freeways, ground vehicles and aircraft, leaf blowers, and nuisance neighborhood noises such as barking dogs. Finally, other comments recognized Long Beach as a growing metropolitan city, where sound associated with entertainment and other common urban activities is an unavoidable part of the environment.

Special Events

Long Beach is a vibrant, metropolitan city with attractions serving residents, businesses, and visitors. As such, the City has experienced an increased interest in holding special events, 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 Pride Parade and Celebration, Jazz Festival, film production, and events hosted at the Queen Mary. These activities help build a foundation that fosters sustainable community development, economic development, and tourism. However, with residents living in close proximity to these events, ensuring managed frequency and intensity of the noise from these events is a priority for the City. Long Beach is seeking an informed, balanced approach to managing the needs of these events while continuing to prioritize the wellbeing of residents. During development of the Noise Element update, much of the community feedback focused on concerns about noise generated by special events that take place in Long Beach as well as from those interested in maintaining or expanding the City’s many special events.

At the request of the City Council, the City’s Special Events and Filming Bureau within the City Manager’s Office prepared a Special Events Noise Analysis, which was a concurrent but separate effort from the Noise Element update. The Noise Element is a vision document that will inform Long Beach's long-term, holistic approach to ambient noise and provides a framework for general policies relating to special events, while the Special Events Noise Study more specifically focused on evaluating and identifying strategies for managing special events noise. The City’s Special Events and Filming Bureau hosted a community meeting on September 26, 2019, to present the findings of the Special Events Noise Analysis and the additional practices that would be instituted as part of the special events permitting process. The Special Events Noise Analysis sought to evaluate the existing regulations and procedures in place that relate to noise from special events; conduct case studies and identify best
practices from select cities with comparable vibrancy and range of special events (Pasadena, California; Nashville, Tennessee; Austin, Texas; and Seattle, Washington); and synthesize key findings and options, including standards, methods, strategies, and technologies, for special events noise mitigation consideration.

As a result of this process, the Special Events and Filming Bureau implemented a number of measures to improve special events permitting processes and noise mitigation strategies. These include special events applications being made available online, circulated through various City departments for review, and approved with conditions (e.g. limited hours, sound mitigation measures, sound monitoring methods, and community notifications); regular sound monitoring and reporting by the Health Department and the Special Events and Filming Bureau; and availability of an after-hours hotline for concerns relating to special events. Noise conditions and mitigations may include amplified speaker conditions and additional sound mitigations such as the use of acoustical sound barriers. The Special Events and Filming Bureau continues to consider potential future special events mitigation measures, such as the use of sound monitoring boxes in downtown event parks during summer months, implementation of penalty fees, and website improvements.

Planning Commission Meeting – October 21, 2021

The Planning Commission (Commission) held a public hearing on the Proposed Noise Element and Noise Ordinance Amendments on October 21, 2021. At that hearing the matter was continued indefinitely to allow City staff to clarify several issues raised by the Commission and public. Below is a summary of major issues raised and City staff responses:

Special events in the Downtown Waterfront Area are too loud and too frequent. Excessive noise is a hazard to public health.

Special events range from large scale events to smaller activities at various locations of the waterfront area, including Rainbow Lagoon and Shoreline Park, in order to distribute sound. Additionally, site plans for the various special events vary significantly. Several different venue layouts and stage configurations are used in multiple parks and areas throughout the waterfront to assist with the disbursement of sound in the area. Additionally, it should be noted that special events noise is measured in relation to ambient noise, and that ambient noise in the waterfront area is already relatively high. Generally, ambient sounds generally range from 30 decibels (dBA) (very quiet) to 100 dBA (very loud). Special events noise levels are monitored, keeping noise levels at 100 (dBA) at the stage in the 70 dBA range measured from nearby residences. It should also be noted that City staff monitoring these events are trained in sound engineering and use sound level meters satisfying LBMC (Section 8.80.020) requirements. While many devices (i.e. smartphones) contain applications for noise level measurements, the programming within the applications do not meet required standards and have limited ability to accurately assess noise. Many jurisdictions, including the City of San Francisco, will not allow smart phone applications to be considered or reviewed for sound level reading purposes. Finally, since conducting the Special Events Noise Study and instituting the noise mitigation measures, significantly fewer public complaints have been received.
Special events should not be categorized as temporary, but rather stationary noise sources.

The California Office of Planning and Research General Plan Guidelines state that the noise element should address stationary noise sources including noise from sources such as highways and freeways, major arterials and local streets, passenger and freight rail and ground rapid transit; aviation, military, and other facilities related to airport operations; industrial plants; 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. Regardless of frequency, these events are not considered stationary sources that can be regulated based on static criteria. It was suggested at the Planning Commission meeting that cumulative noise impacts from special events be measured in a similar way as airport noise is measured. However, the method of measuring airport noise cannot be applied to special events. Additionally, treating a temporary noise as stationary would be detrimental to the surrounding uses because it would artificially change ambient noise levels. Overall, for special events, each event is regulated according to its temporary and unique characteristics through the special events permitting process. Based on input from the community, the Proposed Noise Element does establish general strategies and policies that help minimize noise impacts, including those that occur on a periodic basis, such as those from special events.

Standards for noise limits should be added to the Noise Element as a means for providing enforcement for special events.

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, while the Municipal Code and Noise Ordinance establish the actual noise limits and can be updated without creating the need for a General Plan Amendment. While the Noise Element is implemented by the Noise Ordinance, special events are not regulated by the noise limits provided in LBMC Chapter 8.80. Per LBMC Section 8.80.280, the provisions of Chapter 8.80 (Noise), including existing and proposed modifications to the interior and exterior noise limits, shall not apply to occasional outdoor or indoor gatherings, public dances, shows and sporting and entertainment events, provided said events are conducted pursuant to a permit or license or other entitlement issued by the City relative to the staging of said events. Rather, such entertainment events are regulated by Chapter 5.72 (Entertainment and Similar Activities), where the permitting process includes standard conditions as well as regulates events according to their temporary and unique characteristics. Furthermore, it should be noted that several cities do not have any specific interior noise standards in their municipal codes. Long Beach includes both exterior and interior noise limits within its municipal code. In the proposed Noise Ordinance amendment, a new mixed-use category is included within the interior noise limits. It proposes noise limits for this new category that are comparable to other cities and even conservative by some standards.
Next Steps

All public comments will be evaluated by City staff. The Planning Commission will hold a future study session on the proposed Noise Element and Noise Ordinance Amendments. Due to staffing and other constraints this future discussion will occur in early 2023. Once all of the issues are resolved and the Planning Commission provides their recommendation, the update will then be forwarded to the City Council for final approval.

The draft Noise Element and additional information about the project are available on the Development Services website at:  https://longbeach.gov/lbds/planning/advance/general-plan/noise-element/.

If you have any questions regarding this matter, please contact Alison Spindler-Ruiz, Acting Planning Bureau Manager, at (562) 570-6946 or at Alison.Spindler-Ruiz@longbeach.gov.

ATTACHMENTS: ATTACHMENT A – PROPOSED NOISE ORDINANCE REDLINE
ATTACHMENT B – EXISTING NOISE DISTRICT MAP
ATTACHMENT C – PROPOSED NOISE DISTRICT MAP
ATTACHMENT D – PROPOSED NOISE DISTRICT MAP WITH PLACE Types

CC: CHARLES PARKIN, CITY ATTORNEY
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KEVIN LEE, CHIEF PUBLIC AFFAIRS OFFICER
MONIQUE DE LA GARZA, CITY CLERK (REF. FILE #21-081PL)
DEPARTMENT HEADS
Proposed Noise Ordinance Redline

8.80.160 Exterior noise limits—Correction for character of sound.

In the event that alleged offensive noise contains a steady audible tone such as a whine, screech, or hum, or is a repetitive noise such as hammering or riveting or contains music or speech conveying informational content, the standard limits set forth in Table A shall be reduced by five (5) decibels.

**Table A**

EXTERIOR NOISE LIMITS

<table>
<thead>
<tr>
<th>Receiving Land Use District*</th>
<th>Time Period</th>
<th>Noise Level** (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>District One</td>
<td>Night:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10:00 p.m.—7:00 a.m.</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>Day:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:00 a.m.—10:00 p.m.</td>
<td>50</td>
</tr>
<tr>
<td>District Two</td>
<td>Night:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10:00 p.m.—7:00 a.m.</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>Day:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:00 a.m.—10:00 p.m.</td>
<td>60</td>
</tr>
<tr>
<td>District Three</td>
<td>Any time</td>
<td>65</td>
</tr>
<tr>
<td>District Four</td>
<td>Any time</td>
<td>70</td>
</tr>
<tr>
<td>District Five</td>
<td>Regulated by other agencies and laws</td>
<td></td>
</tr>
</tbody>
</table>

*District One: Predominantly residential with other land use types also present

District Two: Mixed-use or predominantly commercial with other land use types also present

Districts Three and Four: Predominantly industrial with other land types use also present

District Five: Airport, freeways and waterways regulated by other agencies

** Districts Three and Four limits are intended primarily for use at their boundaries rather than for noise control within those districts.
Table B
BACKGROUND NOISE CORRECTION

<table>
<thead>
<tr>
<th>Difference between total noise and background (decibels)</th>
<th>Amount to be subtracted from noise alone (decibels)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6—8</td>
<td>1</td>
</tr>
<tr>
<td>9—10</td>
<td>.5</td>
</tr>
</tbody>
</table>

(Remove Existing Noise District Map and Insert Proposed Noise District Map below)
8.80.170-Interior noise limits—Maximum Sound levels.

A. The interior noise standards for various land use districts as presented in Table C shall apply, unless otherwise specifically indicated, within structures located in designated zones with windows in their normal seasonal configuration.

<table>
<thead>
<tr>
<th>Receiving Land Use District</th>
<th>Type of Land Use</th>
<th>Time Interval</th>
<th>Allowable Interior Noise Level (dBA)</th>
</tr>
</thead>
</table>
| 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          | 7:00 a.m.—10:00 p.m. (While school is in session) | 45 |
| Hospital, designated quiet zones and noise sensitive zones | Any time | 40 |

B. No person shall operate, or cause to be operated, any source of sound indoors at any location within the incorporated limits of the City or allow the creation of any indoor noise which causes the noise level when measured inside the receiving dwelling unit to exceed:

1. The noise standard for that land use district as specified in Table C for a cumulative period of more than five (5) minutes in any hour; or

2. The noise standard plus five decibels (5 dB) for a cumulative period of more than one (1) minute in any hour; or
3. The noise standard plus ten decibels (10 dB) or the maximum measured ambient, for any period of time.

C. If the measured indoor ambient level exceeds that permissible within any of the first two (2) noise limit categories in this Section, the allowable noise exposure standard shall be increased in five decibel (5 dB) increments in each category as appropriate to reflect the indoor ambient noise level. In the event the indoor ambient noise level exceeds the third noise limit category, the maximum allowable indoor noise level under said category shall be increased to reflect the maximum indoor ambient noise level.

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 responsibilities 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.
EXISTING
NOISE DISTRICT MAP

Amendment from District One to District Two

* Noise at Long Beach Airport is regulated by State & Federal Laws. It is the responsibility of the Noise Control Officer to address complaints filed against aircraft noise, report all violations to proper enforcing agencies and the Long Beach City Council.

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Proposed Noise District Map with PlaceTypes

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**

Map Generated: 10/17/2019

Document Path: P:\GIS\Advance_Planning\Project_Files\NoiseContours.mxd

Attachment D