

Noise Related Issues in Contra Costa County Community Forum

SEPTEMBER 19, 2024

INTRODUCTORY MEETING

Agenda

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Welcome/Introductions

Background presentation

Survey results and discussion of noise issues

Follow up questions

Overview of next steps/Future meetings

Background

Why are we here?

- ▶ Noise concerns are frequently raised with the County by members of the public, including at Municipal Advisory Council (MAC) meetings.
- ▶ Noise issues were expressed at community meetings convened by the Supervisors and DCD as part of the Envision Contra Costa Process to gather input for the ongoing update to the County's General Plan.
- ▶ The County has existing regulations to address noises.

Summary of Current Regulations

Timeline for some key policies/actions:

- ▶ County General Plan includes noise standards appropriate for various land use designations. Land use permits must be consistent with these standards, 1991
- ▶ Temporary Events Ordinance, 2005
 - ▶ Established limitations on excessive noise for certain events.
- ▶ Increased fine amounts for violations of temporary event ordinance, Ordinance No. 2022-16
- ▶ Urgency Interim Ordinance No. 2022-23, 2022
 - ▶ Modified temporary event regulations to close down “loopholes”
 - ▶ DCD staff and Sheriff’s Office collaborated to increase enforcement efforts.
- ▶ Revised Temporary Events Ordinance No. 2024-07, 2024
 - ▶ Incorporated the regulations established in Ordinance No. 2022-23 into the permanent ordinance.
- ▶ Draft General Plan Noise Related Action Item HS-A14.1, 2023
- ▶ Board of Supervisors direct staff to conduct community outreach and develop recommendations on noise issues, 2024

Summary of Current Regulations, cont.

Temporary Events Ordinance

- ▶ Applies to temporary events that are outdoor assemblages and exceed 75 people in a residential or agricultural zoned district or exceed 150 people at any other venue or location.
- ▶ Includes the following limitations on noise:

Cumulative Duration of Noise	9 a.m. - 8 p.m.	8 p.m. - 10 p.m.
30 minutes per hour	60 dBA	55 dBA
15 minutes per hour	65 dBA	60 dBA
5 minutes per hour	70 dBA	65 dBA
1 minute per hour	75 dBA	70 dBA
Level not to be exceeded at any time	80 dBA	75 dBA

Summary of Current Regulations cont.

Temporary Events Ordinance

- ▶ Amplified sound by any device prohibited after 8:00pm Sundays through Thursdays and after 10:00pm Fridays, Saturdays, and holidays. Temporary events permits do not allow for amplified sound after these hours.
- ▶ Temporary events require an application to be submitted 45 days prior to the proposed event.
- ▶ Remedies may include administrative fines, infraction citations or abatement orders.
- ▶ Exemptions to the requirement to seek a temporary event permit include: weddings, birthday parties or other family events at private residences provided no more than four are held within a twelve-month period. Recent modifications are intended to prevent commercial events from posing as family events.
- ▶ All events, whether or not a permit is required are subject to the noise restrictions of the Ordinance (including limitations on amplified sound).

Summary of Current Regulations cont.

Construction Noise

- ▶ The following construction noise restriction conditions of approval are typically applied to planning entitlement projects that require discretionary or ministerial approval.
 - ▶ Internal combustion engines are to be fitted with mufflers and stationary noise-generating equipment are to be located as far away from existing residences as possible.
 - ▶ Construction activities are limited to the hours of 8:00am to 5:00pm, Monday through Friday, and prohibited on State and Federal holidays.
 - ▶ Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00am to 4:00pm.
- ▶ The County's Grading Ordinance also limits the work hours for grading activity.
- ▶ Projects that only require a building permit are not subject to noise limitations.

Draft General Plan Action Item

Published October 17, 2023:

HS-A14.1: Study the feasibility of adopting a noise ordinance establishing maximum exterior noise levels at sensitive receptors for noise generated by permanent and temporary stationary, non-transportation sources and construction sources.

Board of Supervisors Direction to Further Evaluate

On March 5, 2024, the Contra Costa Board of Supervisors authorized the Department of Conservation and Development to evaluate whether additional regulation of noise is necessary and practical and report back to the Board with its findings and recommendations.

The scope of the process includes four tasks:

- ▶ Initial outreach to Municipal Advisory Committees (MACs) including a request to fill out a follow up survey with noise-related questions
- ▶ Extend invitations to host in person meetings related to noise concerns
- ▶ Invite MAC members and other interested people to join a countywide work group
- ▶ Report the findings of the outreach survey, in person meetings and community feedback to the Board of Supervisors

Constraints on Existing and Proposed Regulations

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Challenges with Enforcement of Regulations (these challenges were discussed in the March 2024 Board action to evaluate)

- ▶ Excessive sounds or vibrations occurring outside of typical working hours when DCD staff may not be available, or Sheriff's staff resources may be limited.
- ▶ Some sounds and vibrations occur intermittently or irregularly.
- ▶ Establishing and upholding a threshold for an unreasonable level of noise can be challenging to measure.
- ▶ The cost of enforcing such an ordinance, primarily with respect to increased demand for staff time, is not currently known but could be significant.

Outreach Thus Far

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- ▶ Memo sent to all MACs on June 14, 2024.
- ▶ Included with the memo was a link to a survey on noise related issues.
- ▶ Multiple requests to be part of a Work Group Task Force received.
- ▶ Follow-up memo sent to MACs on August 23, 2024.
- ▶ Corresponding email sent to individuals requesting to be included on Work Group Task Force.

Noise Issue Survey Results

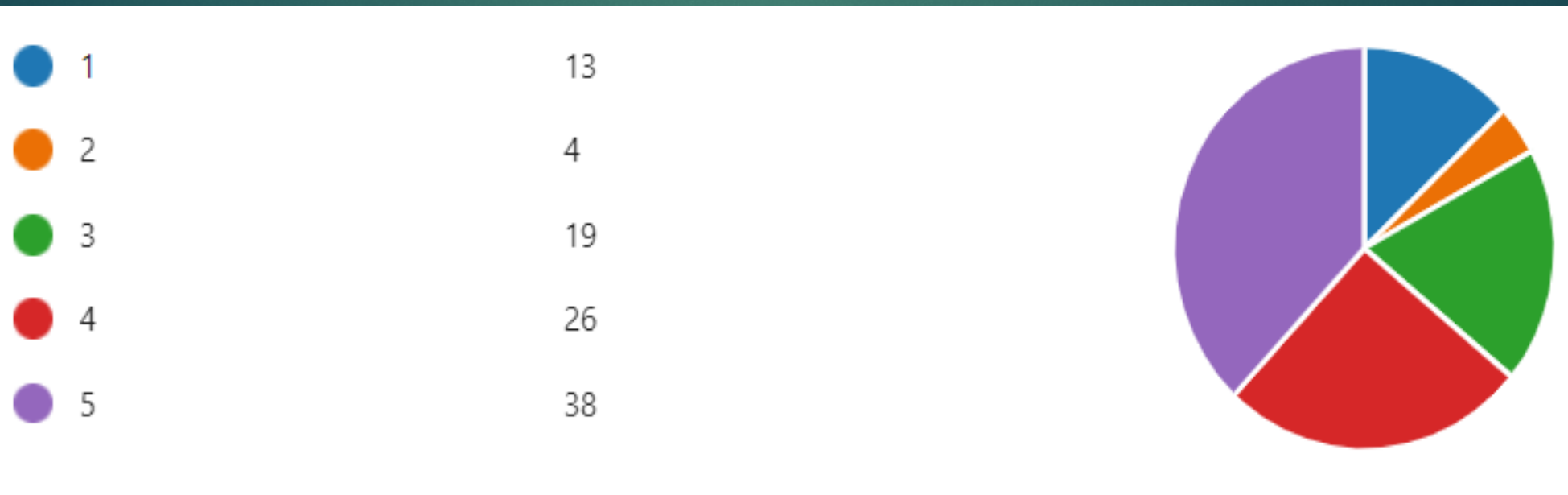
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- ▶ Survey on Noise Related Issues in Contra Costa County sent to all Municipal Advisory Committees for distribution to members/constituents
- ▶ Survey sent on June 23, 2024
- ▶ 100 responses received

Noise Issues Survey Results cont.

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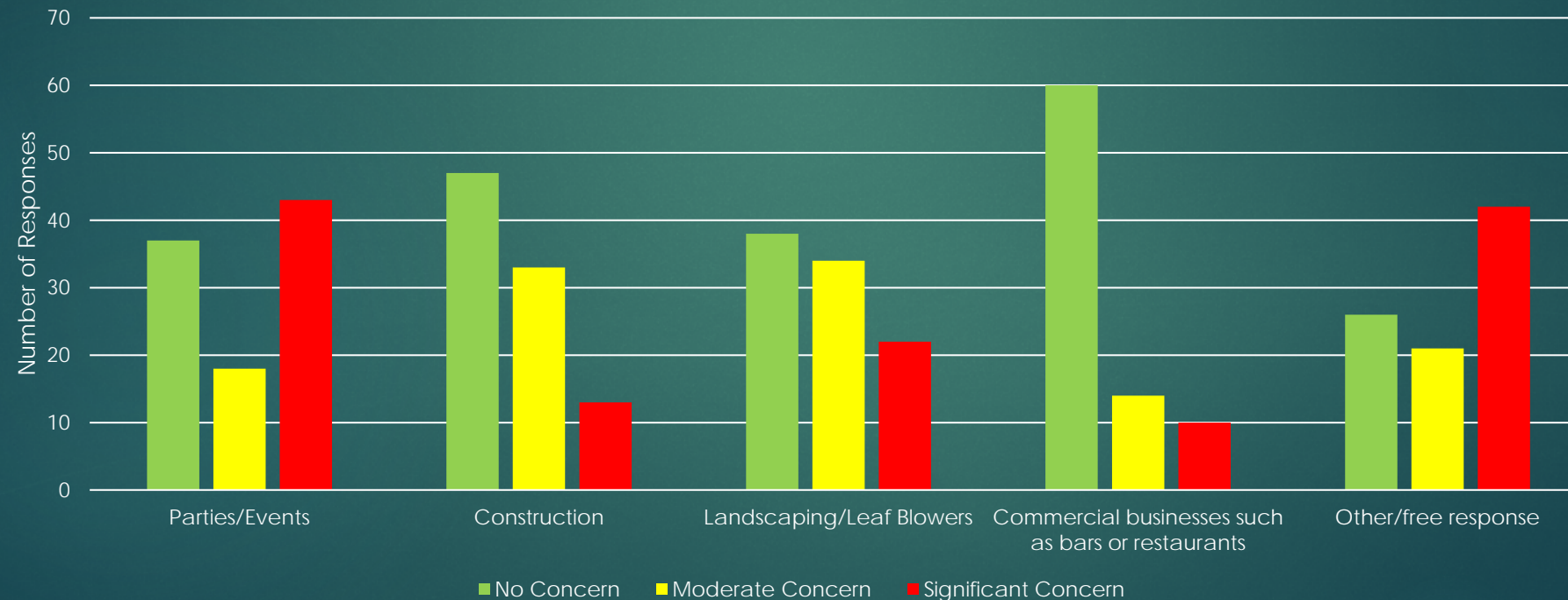
On a scale of 1-5, with 1 being the lowest concern and 5 being the highest, how concerned are you with noise issues in the community?



Noise Issues Survey Results cont.

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Below is a list of common sources of noise found within communities in Contra Costa County. Please indicate if these noise sources are a significant concern to you, a moderate concern or no concern at all.



Noise Issues Survey Results cont.

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If you selected other noise sources that are a significant or moderate concern, can you please provide any specific instances of noise concerns (activities, source of noise, etc.)?

67 responses

- ▶ Vehicular Noise
- ▶ Fireworks
- ▶ Gunshots
- ▶ Additional transportation noise (airplanes, helicopters, trains, etc.)

Noise Issues Survey Results cont.

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Are there types of noise regulations that you would be concerned about when applied to your home or business? For example, limitations and associated fines for violating standards in the following areas: construction hours, leaf blowers and other loud landscaping tools, amplified music and other noise at outdoor gatherings and parties (large and small) and commercial establishments such as bars, restaurants, repair shops, etc.

79 responses

- ▶ 40 "No" responses
- ▶ Leaf blower regulation concerns
- ▶ Concerns about enactment of a new ordinance

Noise Issues Survey Results cont.

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Noise regulations can be difficult to enforce because nuisances occur during nights and weekends when limited enforcement staff are either off work or busy protecting public safety. Do you have input to share on how these constraints should be addressed as the County considers its options in this area?

73 responses

- ▶ Hiring additional staff and extended working hours for staff
- ▶ More methods for reporting noise complaints
- ▶ Follow the practices of other municipalities that have a noise regulations
- ▶ Public outreach through signage, flyers and other methods

Noise Issues Survey Results cont.

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Are there any additional noise related concerns or questions specific to your community that have not been previously addressed in this survey?

61 responses

Loud oversized logistics vehicles (semi-trailers, etc.)

Excessive and consistent animal noise

Industrial business noise

Next Steps

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- ▶ Continue to discuss and characterize noise related issues (tonight).
- ▶ Schedule additional meetings of this forum.
- ▶ Consult with other jurisdictions that have adopted noise ordinances to understand common issues, responses and enforcement.
- ▶ Coordinate with the Sherriff's Office and other Departments to evaluate options for additional regulations, including enforcement capabilities.
- ▶ Consider potential approaches that may be addressed a future meeting
- ▶ Collect the findings and concerns expressed from MAC members, stakeholders and other interested persons within the County and draft a report on noise related issues raised to be presented to the Board at a later date.

Questions?

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