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Agenda Items: ID#19-11672 (2:00 P.M.)

Date: 12/12/2019

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CITY OF FRESNO
CITY CLERK'S OFFICE

FRESNO CITY COUNCIL



Additional Information

Item(s)

File ID19-11672 (2:00 P.M.) - Actions pertaining to noise regulations at the Woodward Park Amphitheater

1. BILL – (For introduction) Adding Section 10-112 to the Fresno Municipal Code relating to noise regulations at the Woodward Park Amphitheater
2. ***RESOLUTION – Regarding contracts for use of Woodward Park Amphitheater (Subject to Mayor's veto)

Contents: **Decibel Readings for Woodward Park** (Distributed during the Council Meeting By Councilmember Bredefeld)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

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May 7th: Amphitheater dB's

Kristina Chamberlin

From: Emily Toto
Sent: Wednesday, May 30, 2018 11:44 AM
To: Kristina Chamberlin
Cc: David Rodriguez
Subject: FW: Decibel Readings for Woodward Park - Monday, May 7, 2018

Below are the sound decibel readings taken at Woodward Park on **Monday, May 7, 2018**.

On Monday, the *Numbskull Papa Roach Concert* was held at the Rotary Amphitheater.

5:30pm	79.8db reading was taken at the front stage of Amphitheater
6:00pm	79.3db reading was taken at mid seating of Amphitheater
6:30pm	85.1db reading was taken at the Friant entrance
7:00pm	82.6db reading was taken at the Shinzen parking lot
7:30pm	76.3db reading was taken at the back parking lot of the Amphitheater
8:00pm	79.1db reading was taken at the top seating of Amphitheater
8:30pm	79.5db reading was taken at the front stage of Amphitheater
9:00pm	81.9db reading was taken at the Parks Maintenance Yard
9:30pm	78.2db reading was taken at the mid seating of Amphitheater

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May 24th: Amphitheater dB's

Kristina Chamberlin

From: Isabella Zaayer
Sent: Friday, May 25, 2018 8:10 AM
To: Kristina Chamberlin; Parvin Neloms; Francesca Eidson
Cc: Emily Toto; David Rodriguez
Subject: Decibel Readings for Woodward Park - Thursday, May 24, 2018

Below are the sound decibel readings taken at Woodward Park on Thursday May 24, 2018.

Thursday
On ~~Friday~~ the **KSKS Concert** was held at the Rotary Amphitheater.

4:30pm	78.5db reading was taken at the front stage of Amphitheater
5:00pm	78.8db reading was taken at the top seating of Amphitheater
5:30pm	82.7db reading was taken at the Friant entrance
6:00pm	76.8db reading was taken at the Mt. View parking lot
6:30pm	74.3db reading was taken at the Shinzen parking lot
7:00pm	78.9db reading was taken at the front stage of Amphitheater
7:30pm	77.5db reading was taken at mid seating of Amphitheater
8:00pm	73.9db reading was taken at the Gazebo Shelter
8:30pm	79.2db reading was taken at the Amphitheater entrance
9:00pm	82.1db reading was taken at the Friant entrance
9:30pm	77.6db reading was taken at the front stage of Amphitheater

Bella Zaayer

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Fresno Municipal Code

6/11/2016

Fresno, CA Code of Ordinances

ARTICLE 1 - NOISE REGULATIONS


SEC. 10-101. - TITLE.

This article shall be known as the "Noise Ordinance of the City of Fresno." (Orig. Ord. 1076; Rep. and Added Ord. 72-163, 1972).

SEC. 10-102. - DEFINITIONS.

(a) Unless the particular provision or the context requires, the definitions and provisions contained in this section shall govern the construction, meaning, and application of words and phrases used in this article, and, except to the extent that a particular word or phrase is otherwise specifically defined in this section, the definitions and provisions contained in Article 2 (commencing with Section 1-201) of Chapter 1 of this Code shall also govern the construction, meaning, and application of words and phrases used in this article. The definition of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derivative from it, or from which it is a derivative, as the case may be.

(b) **Ambient Noise.** "Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than that designated in this section, however, the noise level specified herein shall be deemed to be the ambient noise level for that location.

DISTRICT	TIME	SOUND LEVEL DECIBELS
Residential	10 pm to 7 am	50
Residential	7 pm to 10 pm	55 
Residential	7 am to 7 pm	60
Commercial	10 pm to 7 am	60
Commercial	7 am to 10 pm	65
Industrial	anytime	70

Fresno General Plan

6/2015

[There are numerous park and school uses within the city. Noise generated by these uses depends on the age and number of people utilizing the respective facility at a given time and the types of activities they are engaged in.] School playing field activities tend to generate more noise than those of neighborhood parks, as the intensity of school playground usage tends to be higher. At a distance of 100 feet from an elementary school playground being used by 100 students, average and maximum noise levels of 60 and 75 dB, respectively, can be expected. At organized events such as high-school football games with large crowds and public address systems, the noise generation is often significantly higher. As with service commercial uses, the noise generation of parks and school playing fields is variable.

Noise Control – Maximum Noise Level Standards

With the proposed intensification of land uses in the city, noise control will be an increasing consideration for infrastructure and new development, particularly for infill residential projects. Major cities in California commonly consider maximum noise levels of 65 dB to be considered “normally acceptable” for unshielded residential development including outdoor space in an urban environment. Suburban and rural jurisdictions tend to prefer a 60 dB or lower threshold for residential areas. Noise levels from 65 dB to 70 dB fall within the “conditionally unacceptable” range, and those in the 70 to 75 dB range are considered “normally unacceptable.”



The General Plan is consistent with noise control practice in urban areas, employing 60 dB as being a desirable level, but accepting 65 dB as being in the “normally acceptable” range for noise due to the number of transportation sources located in proximity to urban residential areas. This policy supports the development of infill residential projects, as well as non-residential infill projects by setting a realistic, achievable threshold of impact for new development.

Section 10-101 of the City’s Municipal Code contains the City’s Noise Ordinance, which establishes excessive noise guidelines and exemptions. Standards are set for ambient noise based on district type (residential, commercial, and industrial) and time of day. Upon adoption of the new noise limits and policies proposed in this General Plan Update, the City will commence an update of its Noise Ordinance to provide regulatory consistency with adopted policies.

Acceptable ranges for exterior noise levels in the Noise Ordinance will be updated to be consistent with this General Plan. This update will need to increase the threshold in residential districts to 65 decibels and adjust noise limits for other planned uses. The updated Noise Ordinance will also specify maximum hourly noise levels for outdoor activity areas and indoor spaces measurement standards; uniform guidelines for acoustical studies based on current professional standards; required noise mitigation

California Park Regulations

3.9 Noise

**TABLE 3.9-3
LAND USE COMPATIBILITY FOR COMMUNITY NOISE ENVIRONMENTS**

Land Use Category	Community Noise Exposure (dBA, CNEL)					
	55	60	65	70	75	80
Residential - Low Density Single-Family, Duplex, Mobile Homes	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Residential - Multi-Family	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Transient Lodging - Motels, Hotels	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Schools, Libraries, Churches, Hospitals, Nursing Homes	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Auditoriums, Concert Halls, Amphitheaters	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable
Sports Arena, Outdoor Spectator Sports	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable
Playgrounds, Neighborhood Parks	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Office Buildings, Business Commercial and Professional	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Industrial, Manufacturing, Utilities, Agriculture	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable

Normally Acceptable - Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

Conditionally Acceptable - New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice.

Normally Unacceptable - New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise reduction features included in the design.

Clearly Unacceptable - New construction or development should generally not be undertaken.

Source: *LA CEQA Thresholds Guide, 2006.*



Fresno Development Code

Part III: Regulations Applying to Some or All Districts

3. **C: Acoustic Study Required.** The project is required to perform an acoustic study (see Subsection A of this section) and incorporate the resulting noise attenuation measures to reduce noise exposure to a conforming level.
4. **D: Not Allowed.** The project shall not be permitted.
5. **E: Restricted.** Only the specified project types shall be permitted.

<i>Noise-Sensitive Land Use</i>	<i>Day/Night Average Sound Level (Ldn or CNL, dB)</i>	<i>Requirements and Limitations</i>
Residential; Transient Lodging; Medical Care Facility; Religious Assembly Facility; Meeting Hall; School, Library, Museum	Less than 65	A: Satisfactory
	65 to 70	B: Analysis and integration of noise reduction measures in project design
	70 to 75	C: Acoustic study and noise attenuation measures required
	Over 75	D: Not allowed
Theater, Auditorium, Concert Hall, Amphitheater	Less than 70	B: Analysis and integration of noise reduction measures in project design
	Over 70	D: Not allowed
Office Building	Less than 70	A: Satisfactory
	70 to 75	B: Analysis and integration of noise reduction measures in project design
	Over 75	C: Acoustic study and noise attenuation measures required
Industrial	Less than 75	A: Satisfactory
	Over 75	C: Acoustic study and noise attenuation measures required
Outdoor sports and recreation, parks	Less than 65	A: Satisfactory
	65 to 80	C: Acoustic study and noise attenuation measures required; avoid uses involving concentrations of people or animals
	Over 80	E: Limited to open space; avoid uses involving concentrations of people or animals



D. Stationary Noise Standards.

1. New or expanded development of noise-sensitive uses shall not be permitted if noise levels, due to existing stationary noise sources, would exceed the standards of Table 15-2506-D. Such projects shall be permitted with the incorporation of noise attenuation measures stipulated in an acoustic study per Subsection A to reduce the noise exposure to compliant levels.
2. New or expanded development of major noise-generating stationary uses shall not be permitted if noise levels impinging on existing adjacent noise-sensitive uses would exceed the standards of Table 15-2506-D. Such projects shall be permitted with the

Visalia General Plan

Visalia General Plan Draft Environmental Impact Report


A-Weighted Decibels

SPL alone is not a reliable indicator of loudness. The frequency of a sound also has a substantial effect on how humans respond. Although the intensity of the sound is a purely physical quantity, the loudness or human response is determined by the characteristics of the human ear.

Human hearing is limited in the range of audible frequencies as well as in the way it perceives the SPL in that range. To approximate the frequency response of the human ear, a series of SPL adjustments is usually applied to the sound measured by a sound level meter. The adjustments, referred to as a weighting network, are frequency-dependent.

The A-scale weighting network approximates the frequency response of the average young ear when listening to most ordinary sounds. Noise levels for environmental noise studies are typically reported in terms of A-weighted decibels (dBA). In environmental noise studies, A-weighted SPLs are commonly referred to as noise levels. Table 3.10-1 shows typical A-weighted noise levels.

Table 3.10-1: Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet flyover at 300 meters (1,000 feet)	110	Rock band 
Gas lawn mower at 1 meter (3 feet)	100	
Diesel truck at 15 meters (50 feet) at 80 kilometers per hour (50 miles per hour)	90	Food blender at 1 meter (3 feet)
Noisy urban area, daytime	80	Garbage disposal at 1 meter (3 feet)
Gas lawn mower, 30 meters (100 feet)	70	Vacuum cleaner at 3 meters (10 feet)
Commercial area	60	Normal speech at 1 meter (3 feet)
Heavy traffic at 90 meters (300 feet)	60	Large business office
Quiet urban daytime	50	Dishwasher next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime	30	Library
Quiet rural nighttime	20	Bedroom at night, concert
		Broadcast/recording studio

Clovis General Plan

Land Use and Noise Compatibility Matrix

5. Environmental Analysis

Figure 5.12-1

LAND USES	ENERGY AVERAGE (CNEL)						
	<	55	60	65	70	75	80>
Example Land Uses							
Amphitheater, concert hall, auditorium, meeting hall	B	B	C	C	D	D	D
Mobile home	A	A	B	C	C	D	D
Hospital, library, school, faith/religious uses	A	A	B	C	C	D	D
Hotel, motel, transient lodging	A	A	B	B	C	C	D
Single family, multifamily, faith/religious uses	A	A	B	B	C	D	D
Parks	A	A	A	B	C	D	D
Office building, research & development, professional office, city office building, and hotel	A	A	A	B	B	C	D
Amusement park, miniature golf, go-cart track, health club, equestrian center	A	A	A	B	B	D	D
Golf courses, nature centers, cemeteries, wildlife reserves, wildlife habitat	A	A	A	A	B	C	C
Commercial retail, bank, restaurant, movie theater	A	A	A	A	B	B	C
Automobile service station, auto dealer, manufacturing, warehousing, wholesale, utilities	A	A	A	A	B	B	B
Agriculture	A	A	A	A	A	A	A

Notes:

- Zone A. Clearly Compatible. Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.
- Zone B. Normally Compatible. New construction or development should be undertaken only after detailed analysis of the noise reduction requirements are made and needed noise insulation features in the design are determined. Conventional construction, with closed windows and fresh air supply systems or air conditioning, will normally suffice.
- Zone C. Normally Incompatible. New construction or development should normally be discouraged. If new construction or development does proceed, a detailed analysis or noise reduction requirements must be made and needed noise insulation features must be included in the design.
- Zone D. Clearly Incompatible. New construction or development should generally not be undertaken.

