

Appendix D Noise Analysis

Appendices

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LOCAL REGULATIONS AND STANDARDS

Noise and Vibration

Noise is defined as unwanted sound—anything from a barking dog to the clatter of a jackhammer—and can disrupt the way people live and work. Many sources of excessive noise—such as freeways—also produce excessive vibration, which can adversely affect health and well-being. Based on the known effects of noise and vibration, local, state, and federal government agencies have established noise thresholds to protect public health and safety.

The greatest source of noise throughout Westminster is vehicle traffic on the I-405 and SR-22 freeways and the City's high-volume corridors, including Beach Boulevard (SR-39), Westminster Boulevard, McFadden Avenue, and Magnolia Street. Other major noise sources are trains passing through the City, stationary equipment at commercial and industrial uses, and parks with active sports fields.

Certain land uses are more sensitive to higher levels of noise and vibration. Residential uses, schools, health care centers, libraries, churches, senior homes, and recreational areas are much more sensitive to noise than commercial and industrial uses. Siting new development of any of these sensitive receptors in the vicinity of substantial traffic or noise-intensive industrial uses can adversely affect sensitive receptors and is considered a land use conflict. The goals and policies in this element promote a healthy noise environment in Westminster for sensitive receptors and commercial and industrial uses.

Noise Environment

Noise sources throughout Westminster include roadways, commercial and industrial uses, and construction. The three types of noise sources are mobile sources, stationary sources, and neighborhood sources.

Mobile Sources

The most common mobile noise source in Westminster is automobile and truck traffic. Noise from motor vehicles is generated by engine vibrations, the interaction between tires and the road, and vehicle exhaust systems. Since traffic will likely increase with new development in the City's mixed-use areas, so will the noise levels in surrounding areas. *Figure 2-4, Future Roadway Noise Contours*, illustrates potential noise impacts of buildout of the Land Use Plan.

In addition, a rail line runs north-south through the City adjacent to Hoover Street. This line is used by the Southern Pacific Railroad and the Union Pacific Railroad, both of which carry freight trains. Any increase in rail traffic on this line would increase noise levels and could impact existing and future noise-sensitive land uses (residential, schools, hospitals, convalescent homes, libraries, churches).

Measuring Noise

Sound is a pressure wave that travels through the air. It is described in terms of loudness, frequency or pitch, and duration.

The standard measurement unit for loudness is the decibel (dB). Changes of 1 to 3 dB are detectable under quiet, controlled conditions, and changes of less than 1 dB are usually indiscernible. A change of 5 dB is readily discernible to most people in an exterior environment.

The human ear is not equally sensitive to all frequencies. In the context of community planning and environmental noise, the A-weighted decibel, or dBA, is used to adjust sound levels to reflect the way humans hear.

Because people are more sensitive to noise during the evening and at night, state law requires additions to the measured noise levels during these times for planning purposes. The Community Noise Equivalent Level (CNEL) averages sound level over 24 hours, with 5 dB added from 7 pm to 10 pm and 10 dB added from 10 pm to 7 am.



Schools are considered sensitive facilities and should be protected from noise-generating uses.



Construction could generate noise impacts that must be mitigated so adjacent uses are not significantly impacted.

Stationary Sources

All types of land uses may have stationary sources of noise. In residential areas, neighborhood noise is generated by human activity throughout the community, and sources include air conditioners, lawn mowers, leaf blowers, pool equipment, radio/stereo/television, schools, sports arenas, and other entertainment venues. Noise from these sources can become excessive and pose a nuisance to City residents. Commercial uses generate noise from HVAC systems, loading docks, and other sources. Industrial uses generate noise from HVAC systems, loading docks, and machinery, and may generate continual noise depending on the specific type of industry.

Construction equipment is considered a stationary noise source. However, construction activities are usually temporary, occurring in any one location for a relatively limited period of time. Both construction noise and industrial noise can adversely affect sensitive receptors if they are close by and/or not properly regulated.

Noise/Land Use Compatibility

Westminster is responsible for protecting its residents and visitors from unacceptable noise and vibration and controls noise through local, state, and federal programs and policies. Best practices in land use planning require that incompatible uses be separated and cases of incompatibility be mitigated. The California Department of Health Services' Office of Noise Control has adopted a land use compatibility matrix (Table 2-3) that defines ranges of acceptability. The matrix illustrates noise/land use compatibility guidelines for making land use decisions and shows a range of noise standards for various land use categories.

Noise Standards

Chapter 8.28, Noise Control, of the Westminster Municipal Code regulates noise at its source (except transportation sources), protects noise-sensitive land uses, regulates vibration levels, and specifies permitted periods for construction and grading. The City regulates noise levels based on two noise zones. The entire City is designated Noise Zone 1, except multifamily properties, which are designated Noise Zone 2. These zones protect noise-sensitive areas (residential) without excessively inhibiting nonsensitive areas (industrial). Chapter 8.28 also defines how noise is measured as well as special uses that are exempt from the City's noise regulations. The goal and associated policies, below, should be used in tandem with the direction provided in the municipal code.

TABLE 2-3 LAND USE COMPATIBILITY WITH COMMUNITY NOISE ENVIRONMENTS

LAND USES	ENERGY AVERAGE (CNEL) in dB						
	<55	55	60	65	70	75	80+
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

Source: Governor’s Office of Planning and Research, Appendix C: Noise Element Guidelines, in *General Plan Guidelines*, October 2003.

Notes: Compatibility zones indicate the degree to which the land uses listed are compatible with the noise levels (CNEL) shown in the table.

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.

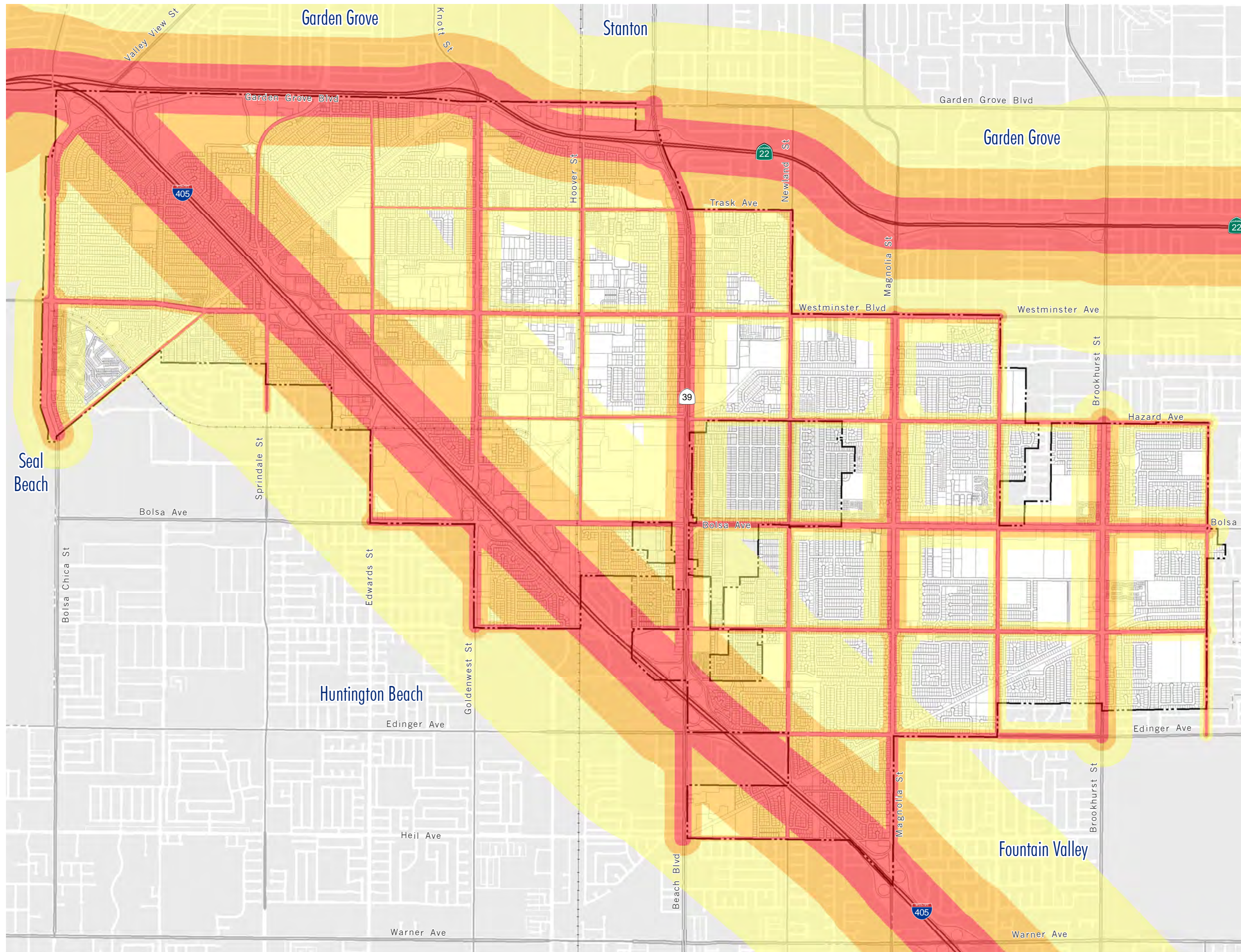
Zone D. Clearly Incompatible. New construction or development should generally not be undertaken.

GOAL LU-7: NOISE

Community noise and vibration levels that balance the need for peaceful environments for sensitive land uses with the needs of local businesses and regional land uses.

Policies

- LU-7.1 Land Use Noise Compatibility.** Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.
- LU-7.2 Noise Insulation and Vibration Standards.** Require new projects to comply with noise insulation and vibration standards of local, regional, and state building code regulations.
- LU-7.3 Sensitive Facilities.** Locate sensitive facilities such as schools, hospitals, libraries, churches, and convalescent homes away from sources of excessive noise unless proper mitigation measures are in place.
- LU-7.4 Noise Control.** Utilize noise abatement, design techniques, and other mitigation strategies—including staggered operating hours, insulation, building setbacks, noise barriers, insulation, placement of parking and utility areas, and building orientation—to ensure that noise levels do not exceed the limits in the Westminster Municipal Code.
- LU-7.5 Roadway Noise.** Encourage nonmotorized transportation alternatives for local trips and the implementation of noise sensitivity measures, including traffic-calming road design, lateral separation, natural buffers, and setbacks to decrease excessive motor vehicle noise along major arterials.
- LU-7.6 Highway Noise.** Continue to coordinate with the California Department of Transportation (Caltrans) to achieve maximum noise abatement in the design of new highway projects or improvements along 1-405 and SR 22; abatement techniques could include alignment, barriers, lateral separation, or other techniques.
- LU-7.7 Railroad Noise.** Continue to coordinate with railroad companies to support and maintain reasonable limits on rail traffic, the use of bells and whistles, and the speed and hours of rail operation in affected areas of the City, and maintain adequate setbacks and buffer zones along rail lines to reduce adverse noise impacts on sensitive receptors.
- LU-7.8 Interjurisdictional Coordination.** Coordinate with Orange County and the cities of Seal Beach, Huntington Beach, Garden Grove, and Fountain Valley to minimize noise conflicts between land uses along the City's boundaries.

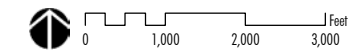


Land Use

Figure 2-4
Future Roadway Noise Contours

- City of Westminister Boundary
- City of Westminister Sphere of Influence
- Other City Boundaries
- 70 CNEL
- 65 CNEL
- 60 CNEL

Source: Input information from Fehr & Peers, FINAL Transportation Impact Analysis, City of Westminister General Plan Update, March 2016.
 Associated noise contour analyses by PlaceWorks, 2016.



Westminster, California Municipal Code

Title 8 HEALTH AND SAFETY

Chapter 8.28 NOISE CONTROL

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8.28.070 Noise level measurement.

8.28.080 Noise variance board.

8.28.010 Declaration of policy.

A. In order to control unnecessary excessive and annoying noise and vibration in the city, it is declared to be the policy of the city to prohibit such noise and vibration generated from or by all sources, as specified in this chapter. It shall be the policy of the city to maintain quiet in those areas which exhibit low noise levels and to implement programs aimed at reducing noise in those areas within the city where noise levels are above acceptable values.

B. It is determined that certain noise levels and vibrations are detrimental to the public health, welfare and safety, and are contrary to public interest. Therefore, the city council of the city does ordain and declare that creating, maintaining, causing or allowing to be created, caused or maintained, any noise or vibration in a manner prohibited by or not in conformity with the provisions of this chapter, is a public nuisance and shall be punishable as such. (Ord. 1851 § 1, 1978; prior code § 3800)

8.28.020 Definitions.

The following words, phrases and terms, as used in this chapter, shall have the meaning as indicated below:

- A. "Ambient noise level" means the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made. Reference is made to the city's adopted noise element for acceptable ambient noise-level standards.
- B. "Cumulative period" means an additive period of time composed of individual time segments, which may be continuous or interrupted.
- C. "Decibel (dB)" means a unit which denotes the ratio between two quantities which are proportional to power: the number of decibels corresponding to the ratio of two amounts of power is ten times the logarithm to the base ten of this ratio.
- D. "Dwelling unit" means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- E. "Emergency machinery, vehicle or work" means any machinery, vehicle or work used, employed or performed in an effort to protect, provide or restore safe conditions in the community or for the citizenry, or work by private or public utilities when restoring utility service.
- F. "Fixed noise source" means a stationary device which creates sounds while fixed or motionless, including, but not limited to, industrial and commercial machinery and equipment, pumps, fans, compressors, generators, air conditioners and refrigeration equipment.
- G. "Grading" means any excavating or filling of earth material, or any combination thereof, conducted at a site to prepare said site for construction or other improvements thereon.
- H. "Impact noise" means the noise produced by the collision of one mass in motion with a second mass which may be either in motion or at rest.
- I. "Mobile noise source" means any noise source other than a fixed noise source.
- J. "Noise level" means the "A" weighted sound-pressure level in decibels obtained by using a sound-level meter at slow response with a reference pressure of twenty microNewtons per square meter. The unit of measurement shall be designated as dB (A).
- K. "Person" means a person, firm, association, copartner ship, joint venture, corporation, or any entity, public or private in nature.
- L. "Residential property" means a parcel of real property which is developed and used either in part or in whole for residential purposes, other than transient uses such as hotels and motels.
- M. "Simple tone noise" means a noise characterized by a predominant frequency or frequencies so that other frequencies cannot be readily distinguished.
- N. "Sound level meter" means an instrument meeting American National Standards Institute's Standard S1.4-1971 for Type 1 or Type 2 sound level meters, or an instrument and the associated recording and analyzing equipment which will provide equivalent data.

O. "Sound-pressure level" of a sound in decibels means twenty times the logarithm to the base ten of the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be explicitly stated. (Ord. 1851 § 1, 1978: Prior code § 3800.1)

8.28.030 Noise zone designated.

A. The entire territory of the city is designated as "Noise Zone 1" except for those properties specifically designated as "Noise Zone 2." (Ord. 2033 § 1, 1985; Ord. 1851 § 1, 1978: Prior Code § 3800.2)

B. All properties designated as being within land use districts R2, R3, R4 and R5 as shown on the sectional district maps adopted pursuant to Title 17 of this code are designated as "Noise Zone 2." (Ord. 2033 § 1, 1985)

8.28.040 Standards—Exterior noise.

A. The following noise standards, unless otherwise specifically indicated, shall apply to all residential property within a designated noise zone:

EXTERIOR NOISE STANDARDS		
Noise Zone	Noise Level	Time Period
1	55 dB(A)	7:00 a.m.-10:00 p.m.
	55 dB(A)	10:00 p.m.- 7:00 a.m.
2	60 dB(A)	7:00 a.m.-10:00 p.m.
	55 dB(A)	10:00 p.m.- 7:00 a.m.

(Ord. 2033 § 1, 1985; Ord. 1851 § 1, 1978; prior code § 3800.3)

B. In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by 5dB(A).

C. It is unlawful for any person at any location within the incorporated area of the city to create any noise, or to allow the creation of any noise, on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, to exceed:

1. The noise standard for a cumulative period of more than thirty minutes in any hour; or
 2. The noise standard plus 5dB(A) for a cumulative period of more than fifteen minutes in any hour;
- or
3. The noise standard plus 10dB(A) for a cumulative period of more than five minutes in any hour;

or

4. The noise standard plus 15dB(A) for a cumulative period of more than one minute in any hour; or
5. The noise standard plus 20dB(A) for any period of time.

D. In the event the ambient noise level exceeds any of the first four noise limit categories above, the cumulative period applicable to said category shall be increased to reflect the ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level. (Ord. 1851 § 1, 1978; prior code § 3800.3)

8.28.050 Standards—Interior noise.

A. The following noise standards, unless otherwise specifically indicated, shall apply to all residential property within a designated noise zone:

INTERIOR NOISE STANDARDS		
Noise Zone	Noise Level	Time Period
1	55 dB(A)	7:00 a.m.-10:00 p.m.
	45 dB(A)	10:00 p.m.- 7:00 a.m.
2	60 dB(A)	7:00 a.m.-10:00 a.m.
	50 dB(A)	10:00 p.m.- 7:00 a.m.

(Ord. 2033 § 3, 1985: Prior code § 3800.4)

B. In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by 5dB(A).

C. It is unlawful for any person at any location within the incorporated area of the city to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level, when measured within the boundaries of the city, to exceed:

1. The interior noise standard for a cumulative period of more than five minutes in any hour; or
2. The interior noise standard plus 5dB(A) for a cumulative period of more than one minute in any hour; or
3. The interior noise standard plus 10dB(A) for any period of time.

D. In the event the ambient noise level exceeds either of the first two noise limit categories above, the cumulative period applicable to said category shall be increased to reflect the ambient noise level. In the event the ambient noise level exceeds the third noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level. (Prior code § 3800.4)

8.28.060 Exemptions.

The following activities shall be exempted from the provisions of this chapter:

- A. Activities conducted on the grounds of any public or private nursery, elementary, intermediate or secondary school or college;
- B. Outdoor gatherings, public places and shows, provided said events are conducted pursuant to a permit issued by the city pursuant to this code;
- C. Activities conducted on any park or playground, provided such park or playground is owned and operated by a public entity;
- D. Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicles or work;
- E. Noise sources associated with construction repair, remodeling, or grading of any real property, provided said activities do not take place between the hours of eight p.m. and seven a.m. on weekdays, including Saturday, or at any time on Sunday or a federal holiday;
- F. All mechanical devices, apparatus or equipment which are utilized for the protection or salvage of agricultural crops during periods of potential or actual frost damage or other adverse weather conditions;
- G. Mobile noise sources associated with agricultural operations, provided such operations do not take place between the hours of eight p.m. and seven a.m. on weekdays, including Saturday, or at any time on Sunday or a federal holiday;
- H. Mobile noise sources associated with agricultural pest control through pesticide application; provided, that the application is made in accordance with restricted material permits issued by or regulations enforced by the Agricultural Commissioner;
- I. Noise sources associated with the maintenance of real property, provided said activities take place between seven a.m. and eight p.m. on any day except Sunday or a federal holiday;
- J. Any activity to the extent regulation thereof has been preempted by state or federal law;
- K. Existing air conditioners on residential property shall be exempt from the provisions of this chapter for a period of five years after its adoption. (Prior code § 3800.5)

8.28.070 Noise level measurement.

The location selected for measuring exterior noise levels shall be at any point on the affected property. Interior noise measurements shall be made within the affected dwelling unit. The measurement shall be made at a point at least four feet from the wall, ceiling or floor nearest the alleged offensive noise source, and may be made with the windows of the affected unit open. (Prior code § 3800.6)

8.28.080 Noise variance board.

A. The noise variance board established by the county shall be the noise variance board for the city, and the procedural rules established by the county shall be followed by applicants for variance within the city.

B. Any variance granted by the board shall be by resolution, and shall be transmitted to the city and the health officer for enforcement. Any violation of the terms of said variance shall be unlawful. Appeal from the decision of the variance board may be made to the city council in accordance with the rules established for zone variances. (Prior code § 3800.7)

Contact:

City Clerk: 714-898-3311

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Garden Grove Municipal Code

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[Title 8 PEACE, SAFETY AND MORALS](#)

Chapter 8.47 NOISE CONTROL

Note

* **Prior ordinance history:** Ord. Nos. 1949, 1950, and 2258.

8.47.020 Definitions

The following words, phrases, and terms as used in this chapter shall have the meaning as indicated below:

“Actual measured ambient noise level” shall mean that noise level existing in the general area of the noise problem, excluding the noise generated by the noise source being evaluated.

“Ambient base noise level” shall mean the maximum loudness level normally found to be acceptable for given land uses and that serves as the basis for determining loudness noise violations pursuant to the provisions of Section [8.48.040](#) of this chapter.

“Ambient noise level” shall mean the all-encompassing background noise associated with a given environment, being usually a composite of sounds from many sources near and far.

“Commercial use” shall mean any enterprise whose principal endeavor is the sale of goods and/or services.

“Decibel (dB)” shall mean a unit that denotes the ratio between two quantities that are proportional to power: the number of decibels corresponding to the ratio of two amounts of power is 10 times the logarithm to the base 10 of this ratio. The commonly used unit for measuring sound pressure levels.

“Emergency” means operations made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.

“Industrial use” means any facility or operations involved in the manufacturing, repairing, testing, processing, warehousing, wholesaling, researching, and treatment of products.

“Institutional use” means an establishment maintained and operated by a society, church, corporation, individual, foundation, or public agency for the purpose of providing religious, charitable, social, educational, fraternal, or similar services.

“Noise” means any sound that exceeds the appropriate actual or presumed ambient noise level, that annoys or tends to disturb humans, or that causes or tends to cause an adverse psychological or physiological effect on humans of normal sensitiveness.

“Office-professional use” means any enterprise engaged in providing business or professional services.

“Residential use” means any structure utilized principally for human habitation, excluding hotels, motels, and recreational vehicle parks.

“Sound amplifying equipment” means any device for the amplification of the human voice, music, or any other sound and does not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed or devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

“Sound level in decibels (dB)” means the sound measured utilizing the A-weighting scale and the slow needle response by a sound level meter.

“Sound level meter” means an instrument meeting American National Standard Institutes Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an equivalent standard. (2802 § 1, 2011; 2660 § 2, 2005)

8.47.030 Noise Level Measurement

All noise level measurements made pursuant to the provisions of this chapter shall be performed using a sound level meter as defined in Section [8.47.020](#), using a fast needle response, utilizing the dB(A) scale. (2802 § 1, 2011; 2660 § 2, 2005)

8.47.040 Ambient Base Noise Levels

The ambient base noise levels contained in the following chart shall be utilized as the basis for determining noise levels in excess of those allowed by this chapter unless the actual measured ambient noise level occurring at the same time as the noise under review is being investigated exceeds the ambient base noise level contained in the chart. When the actual measured ambient noise level exceeds the ambient base noise level, the actual measured ambient noise level shall be utilized as the basis for determining whether or not the subject noise exceeds the level allowed by this section. In situations where two adjoining properties exist within two different use designations, the most restrictive ambient base noise level will apply. This section permits any noise level that does not exceed either the ambient base noise level or the actual measured ambient noise level by 5 dB(A), as measured at the property line of the noise generation property.

USE CATEGORIES	USE DESIGNATIONS	AMBIENT BASE NOISE LEVELS	TIME OF DAY
Sensitive	Residential Use	55 dB(A)	7:00 a.m.—10:00 p.m.
		50 dB(A)	10:00 p.m.—7:00 a.m.
Conditionally Sensitive	Institutional Use	65 dB(A)	Any Time
	Office-Professional Use	65 dB(A)	Any Time
	Hotels & Motels	65 dB(A)	Any Time
Non-Sensitive	Commercial Uses	70 dB(A)	Any Time
	Commercial/ Industrial Uses within 150 feet of Residential	65 dB(A)	7:00 a.m.—10:00 p.m.
		50 dB(A)	10:00 p.m.—7:00 a.m.
	Industrial Use	70 dB(A)	Any Time

(2802 § 1, 2011; 2660 § 2, 2005)

8.47.050 General Noise Regulation

A. **NOISE DISTURBANCE CRITERIA.** It shall be unlawful for any person to willfully make, continue, or cause to be made or continued, any loud, unnecessary, or unusual noise that disturbs the peace or quiet of any neighborhood, or that causes discomfort or annoyance to any person of normal sensitiveness.

B. The criteria that shall be utilized in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

1. The level of the noise.
2. The frequency of occurrence of the noise.
3. Whether the nature of the noise is usual or unusual.
4. The level and intensity of the background noise, if any.
5. The proximity of the noise to residential sleeping facilities.
6. The nature and zoning of the area within which the noise emanates.
7. The density of the inhabitation of the area within which the noise is received.
8. The time of day or night the noise occurs.
9. The duration of the noise.

C. DURATION OF NOISE. The following criteria shall be used whenever the noise level exceeds:

1. The noise standard for a cumulative period of more than 30 minutes in any hour;
2. The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour;
3. The noise standard plus 10 dB(A) for a cumulative period of more than five minutes in any hour;
4. The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour; or
5. The noise standard plus 20 dB(A) for any period of time.

D. In the event the ambient noise level exceeds any of the first four noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level. (2802 § 1, 2011; 2660 § 2, 2005)

8.47.060 Special Noise Sources

A. RADIOS, TELEVISION SETS, AND SIMILAR DEVICES.

1. USE RESTRICTED. It shall be unlawful for any person within any residential area of the City to use or operate any radio receiving set, musical instrument, stereo equipment, television set, or other machine or device for the producing or reproducing of sound between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day in such a manner as to disturb the peace, quiet, and comfort of any person of normal sensitiveness residing in the area, as determined utilizing the criteria established in Section [8.47.050\(A\)](#).

2. PRIMA FACIE VIOLATION. Any noise level exceeding the ambient base level at the property line of any property (or, if a condominium or apartment house, within any adjoining apartment) by more than five decibels shall be deemed to be prima facie evidence of a violation of the provisions of this section.

B. MUSICAL INSTRUMENTS—USE RESTRICTED. It shall be unlawful for any person to use any drum or other instrument or device of any kind for the purpose of attracting attention by the creation of noise within the City. This section shall not apply to any person who is a participant in a duly licensed parade or who has been otherwise duly authorized to engage in such conduct.

C. MACHINERY, EQUIPMENT, FANS, AND AIR CONDITIONING. It shall be unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise that would cause the noise level at the property line of any property to exceed either the ambient base noise level or the actual measured ambient noise level by more than five decibels.

D. CONSTRUCTION OF BUILDINGS AND PROJECTS. It shall be unlawful for any person within a residential area, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a person of normal sensitiveness, as determined utilizing the criteria established in Section [8.47.050\(B\)](#), is caused discomfort or annoyance unless such operations are of an emergency nature.

E. VEHICLE REPAIRS. It shall be unlawful for any person within any residential area of the City to repair, rebuild, or test any motor vehicle in such a manner that a person of normal sensitiveness residing in the area is caused discomfort or annoyance, as determined utilizing the criteria established in Section [8.47.050](#), unless such operations are of an emergency nature.

F. MOTOR DRIVEN VEHICLES. It shall be unlawful for any person to operate any motor driven vehicle within the City in such a manner that a person of normal sensitiveness residing in the area is caused discomfort or annoyance, as determined utilizing the criteria established in Section [8.47.050\(B\)](#), unless such operations are of an emergency nature; provided, however, any such vehicle that is operated upon any public highway, street, or right-of-way shall be excluded from the provisions of this section.

G. AMPLIFIED SOUND.

1. PURPOSE. While recognizing the constitutional rights of freedom of speech and assembly, the City nevertheless feels obligated to reasonably regulate the use of sound amplifying equipment in order to protect the rights of the citizens of the City to privacy and freedom from excessively loud and unnecessary noise.

2. **REGISTRATION.** It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use, or operate within the City a loudspeaker or sound amplifying equipment mounted upon any vehicle for the purposes of warnings, giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons without first filing a registration statement at least seven days prior to the date on which the sound amplifying equipment is intended to be used and obtaining approval from the Zoning Administrator.

3. **APPROVAL.** The Zoning Administrator shall return to the applicant an approved copy of the registration statement unless he or she finds that:

a. The conditions of the motor vehicle movement are such that use of the equipment would constitute a detriment to traffic safety; or

b. The conditions of pedestrian movement are such that use of the equipment would constitute a detriment to traffic safety.

4. **DISAPPROVAL.** In the event the registration statement is disapproved, the Zoning Administrator shall endorse upon the statement the reason for disapproval and return it to the applicant.

5. **APPEALS.** Any decision by the Zoning Administrator may be appealed to the City Council within seven days of action of the Zoning Administrator by filing a notice of appeal with the City Clerk.

H. WASTE HAULERS/COMMERCIAL SWEEPERS AND LEAF BLOWERS. It shall be unlawful for any person within any commercial, industrial, or office complex area of the City to operate any refuse compacting, processing or collection vehicle, parking lot sweeper or leaf blower within 150 feet of residential property between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day.

I. LOADING/UNLOADING. It shall be unlawful for any person in any commercial or industrial area of the City that abuts or is located adjacent to any residential property between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day to load or unload any vehicle, or operate any dollies, carts, forklifts, or other wheeled equipment that causes any noise that disturbs the peace or quiet of the residential neighborhood. (2802 § 1, 2011; 2660 § 2, 2005)

8.47.070 Exemptions

A. EMERGENCY ACTIVITIES. The provisions of this chapter shall not preclude the operation, maintenance, and repair of equipment, apparatus, or facilities of essential public services, including those of governmental agencies and public utilities providing those activities are of an emergency nature or are necessary to maintain the health, safety, and welfare of the citizenry.

B. COMMUNITY ACTIVITIES. Community events, as described in Section [8.08.060](#) of the Municipal Code, outdoor gatherings, school bands, dances, shows, and athletic events are hereby exempted from the provisions of this chapter provided such activities are conducted pursuant to a duly authorized license or permit.

C. STATE AND FEDERAL PREEMPTIONS. Motor vehicle and aircraft operations and any other activity whose regulation has been preempted by state or federal law is hereby exempted from the provisions of this chapter. (2802 § 1, 2011; 2660 § 2, 2005)

8.47.080 Abatement

The City Manager or his or her designee and his or her duly authorized representatives are hereby directed to enforce the provisions of this chapter by requiring that the alleged offender correct violations and achieve compliance with the provisions of this chapter within a reasonable period of time.

A. The City Manager or his or her designee shall have the power and duty to enforce the following noise control provisions of this Code: Section [8.47.050](#), Section [8.47.060](#)(A)(2), (C), (H), and (I).

B. The Police Department shall have the power and duty to enforce the following noise control provisions of this Code: Section [8.47.060](#) (A)(1), (B), (E), (F), (G)(1) and (2).

C. The Building Official shall have the power and duty to enforce the following noise control provisions of this Code: Section [8.47.060](#)(D). (2802 § 1, 2011; 2660 § 2, 2005)

View the [mobile version](#).

CONSTRUCTION AND OPERATIONAL NOISE MODELING

GGSD La Quinta - Construction Noise Attenuation

Levels in dBA Leq

Phase	RCNM Reference	Residences to	Residences to
	Noise Level	South	West
	<i>Distance in feet</i>	50	25
			NA
Drill Rig	77	83	NA
Drill Rig with existing 6 1/2 foot wall	72	73	NA
	<i>Distance in feet</i>	50	NA
		NA	60
Concrete Saw	83	NA	81
Concrete Saw with existing 6 1/2 foot wa	78	NA	71

Attenuation calculated through Inverse Square Law: $L_p(R2) = L_p(R1) - 20\text{Log}(R2/R1)$

Roadway Construction Noise Model (RCNM), Version 1.1

Report date: 03/31/2022
 Case Description: GGSD La Quinta

**** Receptor #1 ****

Description	Land Use	Baselines (dBA)		
		Daytime	Evening	Night
Light Pole Installation	Residential	65.0	60.0	55.0

Description	Impact Device	Usage (%)	Equipment			
			Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Crane	No	16		80.6	50.0	0.0
Backhoe	No	40		77.6	50.0	0.0
Auger Drill Rig	No	20		84.4	50.0	0.0
Concrete Saw	No	20		89.6	50.0	0.0

Results

Equipment	Noise Limit Exceedance (dBA)					Noise Limits (dBA)			
	Day	Evening	Day	Night	Evening	Lmax	Leq	Lmax	
Crane		80.6	72.6	N/A	N/A	N/A	N/A	N/A	
Backhoe		77.6	73.6	N/A	N/A	N/A	N/A	N/A	
Auger Drill Rig		84.4	77.4	N/A	N/A	N/A	N/A	N/A	
Concrete Saw		89.6	82.6	N/A	N/A	N/A	N/A	N/A	
Total		89.6	84.4	N/A	N/A	N/A	N/A	N/A	

GGSD La Quinta - Vibration Damage Attenuation Calculations

Levels in in/sec PPV

<i>Distance in feet</i>	Vibration Reference Level at 25 feet	Residences to South 25
Large Bulldozer	0.089	0.089
Caisson Drilling	0.089	0.089
Loaded Trucks	0.076	0.076
Jackhammer	0.035	0.035
Small Bulldozer	0.003	0.003

GGSD La Quinta - Stationary Noise Attenuation Calculations

Reference Levels, Distances, and Receptor (residences)

Distances

	Softball/Baseball	Tennis Courts	Soccer Fields	Football
<i>Reference Distance in feet</i>	72	20	15	72
Reference Levels, dBA Leq	57	60	60	57
Distance and Direction	50 to S	115 to W	130 to W	140 to E
Distance Only	50	115	130	140

Levels in dBA Leq

	Softball/Baseball	Tennis Courts	Soccer Fields	Football
	<i>Attenuated Noise Levels</i>			
Attenuated Levels at Receptors	60	44	41	51
Attenuated With Existing 7-foot Wall	55			

Attenuation calculated through Inverse Square Law: $L_p(R2) = L_p(R1) - 20\text{Log}(R2/R1)$

Normalized Levels and Distances

	Softball/Baseball	Tennis Court	Soccer
	56.9	59.5	59.8
Reference Distance	72	20	15
Normalized Distance	50	50	50
Normalized Level dBA Leq	60	52	49