File #:	Ordinance 03-2021	**Name:**	
Type:	Ordinance	**Status:**	Passed
File created:	2/10/2021	**In control:**	City Council
On agenda:	3/2/2021	**Final action:**	3/2/2021
Title:	Ordinance 03-2021: An ordinance on second reading amending Sections 7-3-3 and 7-3-6 of the city code pertaining to noise control		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. 1. Ordinance No. 03-2021, 2. 2. Presentation_Ord. 03-2021, 3. 3. Citizen Comments		

Date	Ver.	Action By	Action	Result
3/2/2021	3	City Council	approved	Pass
2/16/2021	2	City Council	approved on first reading	Pass

Agenda Date: 03/02/2021

Subject:
Ordinance 03-2021: An ordinance on second reading amending Sections 7-3-3 and 7-3-6 of the city code pertaining to noise control

Prepared by:	Jennifer Q Henninger, Community Development Director

PURPOSE:
To modify the City's existing Noise Control Ordinance to create a Downtown District and assign specific decibel levels permitted in this District.

PRESENTATIONS:
   Staff Presenter(s):   Reid Betzing, City Attorney and Jennifer Henninger, Community Development Director
   Additional Presenter(s):   N/A

SUMMARY:
The proposed amendments to Title 7 Section 3 "Noise Control" have two actions. One, to add a definition and define the Downtown District and two, to add sound pressure levels (decibels) during specific times and days of the week in the Downtown District to allow flexibility for sound pressure levels related to Downtown businesses.

The proposed definition of Downtown District is:

The pedestrian-oriented Downtown of Littleton bounded on the west by South Santa Fe Drive, on the north by West Belleview Avenue, on the east by the Railroad Tracks and on the south by West Church

Avenue

The sound pressure levels associated with the Downtown District are reflected in the following proposed table:

USE DISTRICT	MONDAY-WEDNESDAY, SUNDAY		THURSDAY-SATURDAY	
BUSINESSES WITHIN DOWNTOWN DISTRICT	7:00 A.M.-7:00 P.M.	7:00 P.M.-7:00 A.M.	7:00 A.M.-10:00 P.M.	10:00P.M.-7:00AM
	60	55	80	55

PRIOR ACTIONS OR DISCUSSIONS:
During Weekends on Main in 2020, there were several complaints from residents regarding noise coming from different restaurants along Main Street. When researching the best practice noise levels permitted from typical restaurants and live music associated with the restaurants, it was determined the Littleton's current codes pertaining to noise needed to be updated. In particular, in downtown with the mix of residential and business uses and each having their own levels of sound pressure (decibels) limits, there was confusion as to which set of decibel levels to follow and when to follow them.

The ordinance passed on first reading on February 16, 2021.

ANALYSIS:
Staff Analysis
Currently in residential districts a maximum of 55 decibels are permitted during the day and 50 at night. In business districts, 60 decibels are permitted during the day and 55 at night. The proposed creation of a Downtown District and associated decibel levels do not impact any of the existing residential or business district decibel levels. Creation of a Downtown District and assigning industry-standard norms for a mixed-use area like the Downtown District will address the complaints that staff has tried to address over the last several years.

Council Goal, Objective, and/or Guiding Principle
Council's Goal 1: Quality Community Objective 2: Additional Code Enhancements

Fiscal Impacts
N/A

Alternatives
Council can choose not to create a Downtown District as it pertains to noise, and the City will continue to receive complaints and not be in compliance with industry standards for accepted noise levels.

STAFF RECOMMENDATION:
Staff recommends approval of modifications to Littleton's noise control ordinance.

PROPOSED MOTION:

I move to approve Ordinance 03-2021 on second reading amending sections 7-3-3 and 7-3-6 of the city code pertaining to noise control.