

## CITY COUNCIL STUDY SESSION

Proposed Bellevue City Code Amendment (BCCA) to expand exemption days and hours for amplified sound to better support smaller events and activations consistent with the Economic Development Plan.

Liz Stead, Interim Co-Director, 452-2725  
Nick Whipple, Planning Manager, 452-4578  
Kristina Gallant, Senior Planner, 452-6396  
*Development Services Department*

## DIRECTION NEEDED FROM COUNCIL

### DIRECTION

Staff will introduce the proposed BCCA to amend Chapter 9.18 Bellevue City Code (BCC), Noise Control, to expand exemption days and hours for amplified sound to better support smaller events and activations consistent with the Economic Development Plan.

Following discussion, staff is seeking Council direction to prepare the BCCA Ordinance for final action at a future meeting.

## RECOMMENDATION

Direct staff to prepare the BCCA Ordinance for final action at a future meeting.

## BACKGROUND & ANALYSIS

### Background

In November 2020, Council adopted an updated Economic Development Plan, which, in part, aims “to encourage more activities and events that enhance placemaking, community building, and promotion of Bellevue.” These activities and events include neighborhood gatherings and celebrations, multifamily courtyard gatherings, as well as activations on private plazas to highlight the City’s multi-cultural community and bring vibrancy to our public spaces.

While these events may benefit from using amplified sound equipment, the BCC places strict limits on sound amplification. The current Noise Control code, Chapter 9.18 BCC, requires a Noise Permit to use sound amplification equipment, unless already allowed through a special events permit (events for 500 people or more, including amplified sound, on public streets or properties) or through a Parks permit (amplified sound at City parks). Amplified sound equipment may be used from 8:00 a.m. to 5:00 p.m., Monday – Saturday. In other words, the BCC prohibits the use of amplified sound after 5.00 p.m., Monday – Saturday and all day on Sundays or legal holidays. The proposed BCCA is focused on expanding the days and hours when amplified sound may be permitted, while retaining other provisions to address potential negative neighborhood impacts.

## **Components of the Proposed BCCA**

The proposed BCCA will amend Chapter 9.18 BCC, Noise Control, to extend exemption days and hours for the use of sound amplification equipment with a Noise Permit. The expanded exemption days and hours will not be applicable to any other source of noise.

This BCCA will amend the time limit, differentiating between weekdays and weekends, and will remove the ban on amplified sound on Sundays and legal holidays, as follows:

- 8:00 a.m. – 8:00 p.m., Sunday through Thursday
- 8:00 a.m. – 10:00 p.m., Friday and Saturday

The BCCA will not change existing maximum permissible noise levels applicable to all sources of noise, including amplified sound. Maximum permissible noise levels, measured on the property receiving the noise, are established in BCC 9.18.030 and are consistent with State legal limits on environmental noise. In residential land use districts, the maximum noise level is 55 decibels (dBA), or 45 dBA from 10:00 p.m. to 7:00 a.m. In commercial land use districts, the maximum noise level is 60 dBA. These limits can increase by 10 dBA for the operation of sound amplification equipment with a Noise Permit. For comparison, 60 dBA is similar to conversation in a restaurant, while 70 dBA is similar to a vacuum.

Extending permitted hours for amplified sound will support after-work events and encourage employees to stay in the City beyond the typical workday hours. These events will also help support local businesses, increasing tax revenue and easing peak demand on the transportation system. These smaller events and activations are crucial toward the recovery from the impacts of COVID and successful return to the office.

This BCCA is being brought forward for Council consideration and potential adoption at this time to accommodate increased demand for events with planned use of amplified sound in the coming warmer months and as workers return to the office.

## **Engagement Process**

For this BCCA, staff followed a public engagement plan with three modes of outreach to ensure the public, stakeholders and interested parties can be informed and provide comments.

1. Broad Notification of Proposed Updates. Information on the proposed update was included in the March Neighborhood News and Cultural and Economic Development newsletter.
2. Direct Engagement and Feedback. Direct outreach to representatives of the resident, event, cultural organization, and business community by email in March.
3. Online Presence. A webpage was launched for this BCCA during the week of February 21. The webpage provides opportunities for the public to learn more about the BCCA including:
  - sections on frequently asked questions;
  - public information messages regarding the BCCA progression;
  - current version of the BCCA strike-draft; and
  - contact information for questions, comments, and feedback.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

The BCCA will advance strategies in the Economic Development Plan and Destination Development Plan.

### **Fiscal Impact**

There is no fiscal impact associated with implementing the BCCA change.

## **OPTIONS**

1. Direct staff to bring back the Ordinance as drafted for final action at a future meeting.
2. Provide alternative direction to staff.

## **ATTACHMENTS**

- A. Strike-Draft of Proposed BCCA
- B. Proposed Ordinance

## **AVAILABLE IN COUNCIL LIBRARY**

N/A