

DATE: June 19, 2017

TO: Mayor Stokes and City Councilmembers

FROM: Carol Helland, Code and Policy Director  
Development Services Department

SUBJECT: Amplified Sound at Swim Meets

At the June 12 Council meeting, representatives of the Phantom Lake Bath and Tennis Club expressed concerns about limitations on their use of sound amplification equipment at swim meets. The pool president raised these concerns to Council after he was contacted by code compliance staff investigating a complaint about how the amplification system was being used during facility events. This memorandum describes the strategy that is being implemented by staff to enable the continued use of sound amplification equipment to announce swim league events at outdoor pools in Bellevue.

Noise complaints related to the use of sound amplification equipment at neighborhood pools are not isolated to the Phantom Bath and Tennis Club facility. There are nine outdoor pools in Bellevue that offer use of their facilities to support Mid Lakes Swim League events. At one time or another, operations of almost all the pools have generated noise-related complaints. All the pools are located in or adjacent to residential land use districts. The pools were all originally developed between 1958 and 1963, and all but one of the pools was constructed under King County regulations prior to annexation into the City.

The establishment of a new pool in a residential neighborhood, today, would require a Conditional Use Permit (CUP). However, Bellevue's pools are all over 50 years old and were established before permit review procedures were in place. As a result, the operation of these pools is considered to be grandfathered. However, the neighborhood pools have operated for a long time, and the face of the neighborhoods where they are located have changed around them. This can create understandable friction. In an effort to reduce the potential for conflict between neighbors and pool operators, staff has made a noise code exemption determination for sound amplification at pools, and identified steps for communicating this information to interested parties.

The Noise Control Code allows for sound amplification as a component of an approved CUP (BCC 9.18.020.A.14). Sound amplification of the swim meets has been an ongoing operational feature of these pools and is, therefore, also grandfathered. To provide clarity for the pool operators and the neighbors surrounding these pools, amplification of scheduled Mid Lakes Swim League events has been determined to be exempt from the provisions of the Noise Control Code during sanctioned meets. The meets are always

held on Tuesday and Thursday evenings, and each pool generally host a half dozen home events during the summer swim season.

This information was communicated to the Phantom Lake Bath and Tennis Club pool operator on Tuesday afternoon in time for its scheduled Mid Lakes Swim League home event on June 13<sup>th</sup>. The neighbor who expressed concern regarding the sound amplification was also notified regarding the Noise Control Code exemption for amplification equipment use during sanctioned swim meets. Both the pool operator and the neighbor expressed appreciation regarding the predictability that the staff determination provides. The pool operator knows the parameters within which he can operate the amplification equipment. The neighbors know when the sanctioned events will occur during the swim season and can plan accordingly.

To create this same predictability for the other eight neighborhood pools in the City, staff will be distributing the determination regarding the exempt use of sound amplification equipment to each pool operator. The Bellevue Police Department, and dispatch, has also been advised of the exemption to avoid unnecessary responses to noise complaints made when the pools are operating within allowable limits.

A code compliance staff person has also been assigned to this issue. The advantage of assigning a single point of contact is two-fold. First, the staff person will be responsible for providing a consistent response to any future complaints regarding sound amplification at neighborhood pools; this will help create predictability. Second, the staff person will be responsible for providing feedback to pool operators about the concerns that are being raised by neighbors of the pool. This will advance the code compliance mission of “helping to create a community of good neighbors.” Mediation can also be included in this feedback loop if a higher level of facilitation is necessary.

An example of the benefits associated with this feedback loop occurred this week during conversations with the Phantom Lake Bath and Tennis Club operators and the neighbor who was leveling complaints. In this case, the neighbor raised specific concerns about the practice of having kids tell jokes during lulls in the swim meet action. This was particularly frustrating for the neighbor, because it was not a necessary component of the swim meet event. The pool operator learned that there are cost-free measures to limit the impact that sound amplification has on neighbors.

Next year, staff plan to work with the pool operators to be proactive about their scheduled events, so the neighbors are not surprised. City staff also plan to place an article in It's Your City regarding the swim season, schedule of events, and brief history of the sound amplification use at neighborhood pools. It is our belief, based on the feedback we received this week that the current steps and longer term communication strategies will help ensure that these valuable neighborhood assets maintain a good relationship with the communities that they serve.