


COUNCIL COMMUNICATION

	Number:	21-440	Meeting:	October 18, 2021
	Agenda Item:	61	Roll Call:	21-1619
	Submitted by:	Chris Johansen, Neighborhood Services Department Director		

AGENDA HEADING:

Amendments to Chapter 42 establishing noise control areas to allow the issuance of sound permits.

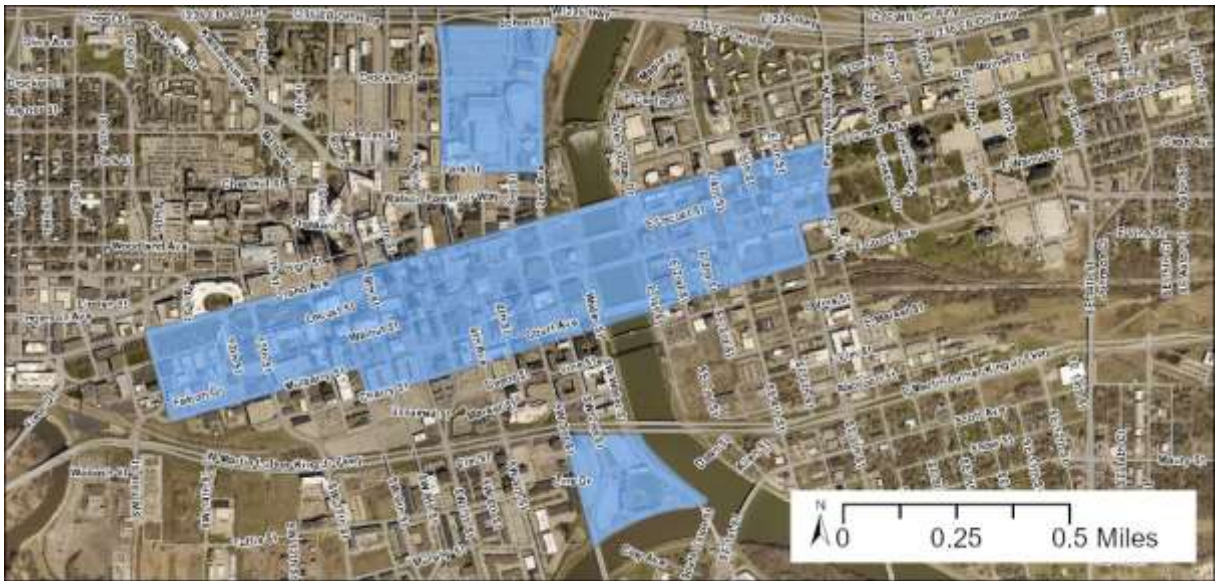
SYNOPSIS:

Due to the rezoning of the City December 16, 2019, the noise control ordinance must be amended to define noise control areas to allow the issuance of sound permits. The amendment will further define the number of permits that can be issued for a venue.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The sound limits for the downtown area were based on the zoning being C-3, C-3A, C-3B and DR zoned areas. Those zoning districts were retired in December or 2019. The new zoning districts in the downtown are also zoning districts that are utilized outside the downtown. Amplified music or events would not be appropriate in all similarly zoned districts throughout the City.
- To allow the sound permits for Type “A” permits, Type “E” and Type “G” permits in designated areas of the downtown and East Village. Type “A” permits allow amplified noise on patios eight (8) times a month. Type “E” permits allow background sound in an outdoor area. Type “G” permits allow amplified noise in an area with a street closure.
- The proposed areas are mapped showing designated areas where permits will be allowed. The mapped areas are roughly the same as the areas previously designated by zoning districts.



Downtown areas designated for Type “A” and Type “G” sound permits.

- The Historic East Village has different expectations for noise control. The East Village desires to have more restrictions on sound and thereby reduce the adverse impacts of noise. The mapped areas will allow amplified sound until 10:00 p.m.



East Village area designated for Type “G” sound permits with street closure. Allows street closures with amplified sound between the hours of 9:00 a.m. and 10:00 p.m.



East Village noise control area prohibits Type “A” sound permits on patios within 250 feet of a residential use. Permits for background sound on a patio, Type “E” permit, will be limited to the time the business opens until 10:00 p.m.

- The Botanical Gardens and the Riverview Amphitheater are being added to set noise control limits for each venue and will allow Type “A” permits to be issued.
- Amendments are being proposed that will standardize the number of live events to eight (8) days in a month for all venues requesting a permit of amplified music. This will be imposed on the Blank Park Zoo, Des Moines Water Works, Simon Estes Riverfront Amphitheater, Riverview Amphitheater, Botanical Gardens, and Lauridsen Amphitheater.

PREVIOUS COUNCIL ACTION(S):

Date: January 27, 2020

Roll Call Number: [20-0168](#)

Action: [Amending](#) Chapter 42 of the Municipal Code regarding the noise ordinance. Moved by Gatto that this ordinance do now pass, [#15,853](#). Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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