
SUBCHAPTER 153.140 – PERFORMANCE STANDARDS



Section	Contents:
§153.140.010	Intent and Purpose
§153.140.020	Applicability
§153.140.030	Hazardous Materials and Wastes
§153.140.040	Light and Glare
§153.140.050	Utilities
§153.140.060	Electrical Disturbance
§153.140.070	Noise
§153.140.080	Odor
§153.140.090	Vibration

§ 153.140.010 – Intent and Purpose

The performance standards in this subchapter are established to minimize public hazards, prevent the creation of nuisances and other conditions that are potentially harmful or discomforting, protect and improve the environment and the appearance of the community and deter blighting.

§ 153.140.020 – Applicability

The performance standards in this subchapter shall apply to all new construction, renovation and alteration of existing uses or structures in all zone districts. Buildings and land uses shall not be used or constructed if they create a dangerous, noxious, fire, explosive or other hazard; noise or vibration; smoke, dust, odor, air pollution or glare; or liquid or solid wastes in amounts that adversely affect surrounding areas. These standards shall be applied in addition to the development standards required for each zone.

§ 153.140.030 – Hazardous Materials and Wastes

- A. **Hazardous materials standards.** To protect the health and welfare of the residents and business community of the city, the use, storage, manufacturing or disposal of hazardous materials shall be regulated and monitored according to standards established by the United States Environmental Protection Agency (EPA), the California Department of Health Services (DHS), the California Department of Toxic Substances Control (DTSC) and others identify hazardous materials and prescribe handling, use and disposal practices.

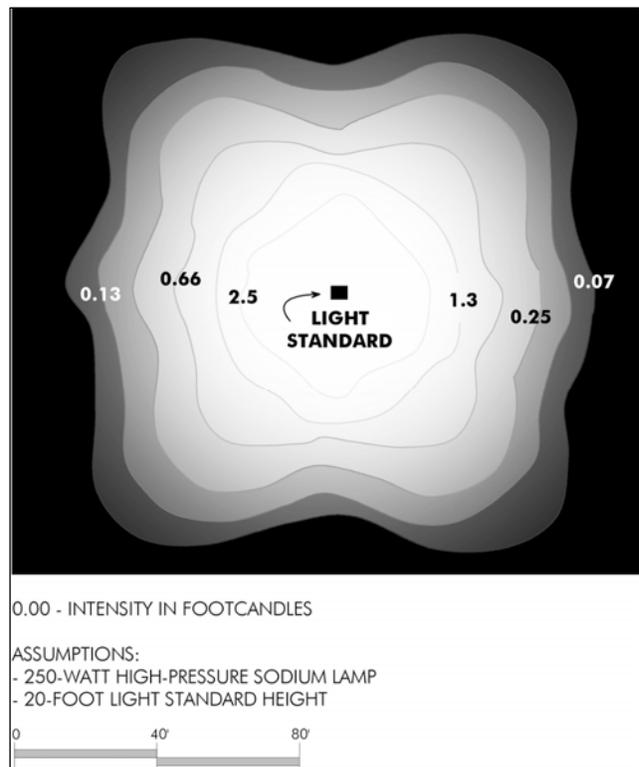
- B. **Risk management and prevention program.** A risk management and prevention program, together with an inventory statement that is in accordance with federal, state

and local laws, shall be prepared for all structures and land uses using materials identified as hazardous by the EPA, DHS, DTSC or other agency, as applicable.

- C. **Flammable materials and open fires.** The use and storage of flammable or explosive materials shall comply with the fire prevention code of the city and all applicable ordinances. No open burning is permitted unless a written permit for such activity has been issued by the South Coast Air Quality Management District.
- D. **Hazardous materials discharge.** No liquid or solid waste or similar material that may contaminate water supplies, interfere with bacterial processes in sewage treatment or otherwise cause the emission of dangerous or offensive elements shall be discharged into the public sewer or private disposal system, except in accordance with the requirements of Baldwin Parks' Public Works Code and other applicable regulations.
- E. **Radioactivity.** No activity that emits dangerous levels of radioactivity shall be permitted at any time.

§ 153.140.040 – Light and Glare

- A. **Safety lighting.** Lighting for safety purposes shall be provided at entryways, along walkways, between buildings and within parking areas.
- B. **Lighting support structure height.** Lighting support structures shall not exceed the maximum permitted building height for the zone in which they are located. However, in no event shall a lighting support structure exceed a height of 40 feet.
- C. **Candle-power.** The candle-power of all lights shall be the minimum required to accomplish the purpose of the light. The adjacent diagram shall be used as a guide for determining the lighting required.
- D. **Constant light.** Flickering or flashing lights shall not be permitted. All lights shall be constant and shall not change intensity or color more often than once every 30 minutes.



- E. **Buffer areas.** Light sources shall not be located in buffer areas, except those required to illuminate pedestrian walkways.
- F. **Lighting orientation and shielding.** All lights shall be directed, oriented and shielded to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct motorists' vision.
- G. **Advertising signs lighting.** Lighting for advertising signs shall not cause light or glare on surrounding properties.

§ 153.140.050 – Utilities

- A. **Utility service connections.** The developer or owner of a property shall be responsible for utility service connections, in cooperation with responsible utility companies.
- B. **Underground utilities.** To protect public safety and improve the appearance of the community, all new development shall be required to install all electrical distribution lines of 16 kilovolts or less, telephone, cable television and similar wires that provide customer services underground, except for the following:
 - 1. Utility poles within 6 feet of the rear lot line for terminating underground facilities;
 - 2. Temporary utilities while construction is ongoing;
 - 3. Risers and poles as provided by the developer or owner;
 - 4. Meter boxes, terminal boxes and similar equipment;
 - 5. Transformers, except that all transformers shall be located in underground vaults where possible; and
 - 6. Infill development in residential zones where existing overhead lines serve the area.

§ 153.140.060 – Electrical Disturbance

No activity shall be permitted if it causes electrical disturbance that affects the operation of equipment located beyond the property line. Radio, television and microwave transmitters shall be suitably wired, shielded and controlled so that they do not emit electrical waves or impulses that may affect other electronic devices or equipment.

§ 153.140.070 – Noise

- A. Standards applicable to all zones.** The regulations in this section aim to prohibit unnecessary, excessive and annoying noises from all sources, as certain noise levels are detrimental to the health and welfare of individuals. The standards apply to all land uses in all zones unless otherwise specified.
- B. Noise measurements.** Noise shall be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI Section S1.4-1979, Type 1 or Type 2). The unit of measure shall be designated as a decibel (dBA). Noise levels shall be measured in dBA at the property line of the receptor property, and at least 4 feet above the ground and 5 feet from the nearest structure or wall. Where a boundary or wall exists, the measurement shall be made on the receptor property. A calibration check shall be made of the instrument at the time any noise measurement is made.
- C. Exterior noise standards**
1. No person shall create or allow the creation of noise that causes the exterior noise level to exceed the noise standards set forth in Table 153.140.070 (C).

TABLE 153.140.070 (C) Noise Standards		
Zone	Time	Allowable Noise Level (dbA)
Residential	7 A.M. – 7 P.M. (Day)	55
Residential	7 P.M. – 10 P.M. (Evening)	50
Residential	10 P.M. – 7 A.M. (Night)	45
Commercial	7 A.M. – 10 P.M. (Day and Evening)	65
Commercial	7 P.M. – 7 A.M. (Night)	55
Industrial	Anytime	65

2. Increases in the allowable exterior noise levels listed in Table 153.140.070 (C) may be permitted in accordance with the standards outlined in Table 153.140.070 (D)

TABLE 153.140.070 (D) Permitted Increases in Noise Levels	
Permitted Increase (dbA)	Duration (cumulative minutes per 24 hour period)
5	15
10	5
15	1
20	Less than 1 minute

D. Interior noise standards.

1. No person shall create or allow the creation of noise that causes the interior noise level when measured within any dwelling unit to exceed 45 dbA at any time.
2. Increases in the allowable interior noise level may be permitted in accordance with the standards outlined in Table 153.140.070 (F).

TABLE 153.140.070 (F)	
Permitted Increases in Interior Noise Levels	
Permitted Increase (dbA)	Duration (cumulative minutes per 24 hour period)
5	1
10	Less than 1 minute

- E. Enclosed equipment.** Utilization of compressors or other equipment, including, but not limited, to vents, ducts and conduits, but excluding window or wall-mounted air-conditioners, which are located outside of the exterior walls of any building, shall be enclosed within a permanent, noncombustible, view-obscuring enclosure to ensure that the equipment will not emit noise in excess of the ANSI standards.

§ 153.140.080 – Odor

- A. Odor standards.** Any process that creates or emits and odors, gases or other odorous matter shall comply with standards set by the South Coast Air Quality Management District.
- B. Continuous, frequent or repetitive odorous gases.** No use shall be permitted to emit continuous, frequent or repetitive odorous gases such as to be detectable without the aid of instruments at or beyond the lot line of the site. An odor emitted no more than 15 minutes in any one day shall not be deemed as continuous, frequent or repetitive.

§ 153.140.090 – Vibration

Vibration may disturb the conduct of certain activities and create discomfort for some individuals. To minimize the disturbance and inconvenience from vibrations, no person or use shall create, maintain or cause ground vibration that is discernable without the aid of instruments to a person of normal sensitivity at any point on a property that is adjacent to the property of the vibration source. The ground vibration caused by moving vehicles, trains, aircraft or temporary construction or demolition is exempted.