

CC J1
6/21/2022

21 June 2022

Re: Title 10, Chapter 2, Section 10-2.1522(g)

I would like to comment on proposed changes to residential side setbacks regarding mechanical and plumbing equipment.

Air conditioners, water softener machines and tankless water heaters can all add to the enhancement and quality of life and in some cases, may be medically necessary.

All of these types of equipment, however, do detract from the enhancement and quality of life from neighbors as they do generate disturbing noises. In the dead quiet of night, the noises from these types of equipment are more heightened and are aggravatingly disruptive to the environment.

Fortunately, all of these types of equipment can be thoughtfully placed in areas that will aid in satisfying everyone. Such as allowing air conditioners to be placed in the rear setback, setbacks between buildings as is already allowed by code or on the roof. Water softener machines are easily placed inside garages where they will not disturb next door neighbors. And tankless water heater ventilation exhaust fans can be vented to the roof instead of into the residential side setback.

That neighbors be burdened with having to resort to using decibel readers or suing one another is not a reasonable dispute resolution. The residential side setback is an area that is vulnerable to magnifying the most amount of noise due to its condensed space and echo chamber properties. If several of these types of mechanical and plumbing equipment were all placed together in the residential side setback, there would be an inordinate and immense amount of noise and disturbances that a neighbor would have to endure for 24 hours a day. Is that equitable, reasonable and considerate?

Mental health issues are often discussed these days. Mental health always involves, among many other things, quality of sleep. Any one of these types of equipment can have multiple detrimental effects on one's quality of sleep resulting in anxious or depressive mood changes, impaired cognition and negative social behaviors, just to name a few.

If this ordinance is changed to where all these types of equipment will be allowed into the residential side setback, Redondo Beach will be going backwards, not forwards. Having neighbors feuding with one another, filing lawsuits against each other, and resorting to decibel readers with the red tape that it would entail, is all backward thinking. This Council has an opportunity to thwart all of that by focusing on common sense solutions that honor and respect all neighbors, especially those who might be adversely affected.

Residents who want or need these types of equipment have a myriad of other locations besides the residential side setback to choose from in their placement, however, residents who live next door to the residential side setback may have no options but to have their sleep disrupted and to lose the quiet use and enjoyment of their home resulting in irritability, agitation and overall mental distress.

Residents who choose to have these types of equipment do have a right to operate and enjoy them. Residents who live next door also have a right to be able to keep their windows open up at night and to have peace and the quiet use and enjoyment of their home. Keeping mechanical and plumbing equipment located in the variety of areas that do the least harm to those who may be adversely impacted by them is always a good choice.

Elaine Sieker

MEMORANDUM

TO: Planning Staff

FROM: William Meeker, Chief of Planning

DATE: June 21, 1998

SUBJECT: Interpretation of Section 10-2.1522(a)(1) of the Zoning Regulations
Re: Air conditioning compressor units in side setbacks

Standard

Section 10-2.1522(a)(1) permits cornices, eaves, water heaters, fireplace chimneys, and other similar architectural features to project into required setbacks. Such architectural features may project into the side setback 30 inches or half the required side setback (whichever is less), and may project into the required front yard, rear yard, or space between buildings by up to 30 inches.

Issue

Requests have been made to place air conditioner compressor units within required setbacks. The issue is whether such units fall under the category of "similar architectural feature" in Section 10-2.1522(a)(1), and whether such units should be permitted to project into the required setback areas.

Interpretation

Air conditioner compressor units may be permitted to project into the required rear setback and setbacks between buildings, but may not project into the required side and front setbacks.

Technically, air conditioner compressor units should not be considered an "architectural feature" subject to the provisions of Section 10-2.1522(a)(1). This section is designed to increase the aesthetic character of buildings by permitting features that help soften building mass and add architectural interest. The only "feature" listed in this section which has any similarity are water heaters. However, unlike air conditioner compressor units, water heaters would be expected to be architecturally enclosed. Furthermore, unlike air conditioner compressor units, water heaters do not have noise impacts.

Although air conditioner compressor units are not an "architectural feature", it would be reasonable and acceptable for air conditioning compressor units to be located within the required rear setback or in the required space between buildings, where noise and aesthetic impacts are not as severe. Such an interpretation would not be inconsistent with the intent of this section.

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Good Evening

I want to comment on upcoming proposed ordinance changes concerning what kinds of mechanical and plumbing equipment that may be allowed in residential side setbacks.

Regarding the side setback placement of any mechanical or plumbing equipment, let it be known that our city does not have the decibel monitoring equipment to enforce any decibel limit. Nor does the city have much leeway in its budget for buying said equipment, much less the annual cost for personnel training and certification. These are critically important reasons, among many others, not to allow any noise making mechanical or plumbing equipment into residential side setbacks.

A recent suggestion that enforcement of a decibel noise limit for mechanical and plumbing equipment placed in residential side setbacks be the responsibility of city residents through civil litigation is extremely counterproductive. There are enormous costs to litigation, money, time, as well as the damaging physical and psychological stresses of battling with a neighbor and the ill will that ultimately may ensue.

This City Council can avoid these pitfalls by not allowing any noise making mechanical or plumbing equipment in residential side setbacks when there are viable options for their placement into areas such as, front setbacks, setbacks between buildings, rear setbacks, inside garages and on rooftops.

Research studies have proven that even the slightest change in night time decibel fluctuations causing sleep disruptions can and do have deleterious health impacts on humans such as decreased overall well-being, irritability, depression, anxiety, and an increased risk of cardiovascular disease, diabetes and hypertension just to mention a few.

The residential side setback is generally where more living room and bedroom windows are most likely to be impacted by direct or echoed mechanical and plumbing noise. Any mechanical or plumbing equipment that produces noise of any decibel level is prone to malfunctioning thus causing unpredictable and wild variations that will ultimately leave a burden upon neighbors to scramble to find solutions where a problem should never have been allowed to develop.

One final note: the state legislature in Sacramento is hell bent in forcing higher density housing in every California city, which translates into more people and more noise. In light of this, let's keep our residential side setback as corridors of peace and quiet.

Thank you,

Douglas Sieker