DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

Referral
Early Consultation

Date: **September 4, 2020**

To: **Distribution List (See Attachment A)**

From: **Kristin Doud, Principal Planner**
Planning and Community Development

Subject: **GENERAL PLAN AMENDMENT APPLICATION NO. PLN2020-0057 AND AMENDMENT TO USE PERMIT APPLICATION NO. PLN2015-0130 – THE FRUIT YARD**

Respond By: **September 21, 2020**

****PLEASE REVIEW REFERRAL PROCESS POLICY****

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: **Joe Traina/The Fruit Yard Properties, LLC**

Project Location: **7824 Yosemite Boulevard (Hwy 132), at the southwest corner of Yosemite Boulevard and Geer Road, between the Cities of Modesto, Waterford, and Hughson.**

APN: **009-027-011**

Williamson Act Contract: **N/A**

General Plan: **Planned Development (PD)**

Current Zoning: **Planned Development - P-D (317)**

Project Description: **This is a request to amend the Stanislaus County Noise Element and to amend the Development Standards and Mitigation Measures for Use Permit (UP) Application No. PLN2015-0130 – The Fruit Yard Amphitheater, which approved the construction and operation of a 3,500 person capacity amphitheater on a 43.86 acre parcel located in the Planned Development (P-D) (317) zoning district. The project requests to amend Figure IV-2 – Normally Accepted Community Noise Environments, of the Stanislaus County Noise Element, to allow an increase of the allowable exterior A weighted noise exposure levels for amphitheater events of 2,000 or more, operating no more than 7 days per year, by 5 dB. Consistent with this change is a request to increase the C weighted standards, included in Mitigation Measure No. 4 of UP PLN2015-0130 – The Fruit Yard**

Amphitheater by 5 dB. These changes would allow the A and C weighted noise levels included in Mitigation Measures No. 5 and 6 UP PLN2015-0130 – The Fruit Yard Amphitheater, which requires noise to be measured 100 feet from the front of the amphitheater stage, to increase by 10 dBA. Additionally, this request would amend Mitigation Measures No. 5 and 6 to allow the Leq noise measurements for A and C weighted noise levels to be measured in hourly increments, rather than five-minute increments. A Noise Impact Assessment has been prepared for this project. An amendment to Development Standard No. 13(b) would also be required if the project is approved to reflect the revised Noise Study findings.

Full document with attachments available for viewing at:
http://www.stancounty.com/planning/pl/act-projects.shtm

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GENERAL PLAN AMENDMENT APPLICATION NO. PLN2020-0057 AND AMENDMENT TO USE PERMIT APPLICATION NO. PLN2015-0130 – THE FRUIT YARD
Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
X	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
X	CA STATE LANDS COMMISSION	X	STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: MODESTO AND WATERFORD	X	STAN CO PARKS & RECREATION
	COMMUNITY SERVICES DIST:	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SUPERVISOR DIST 1: OLSEN
X	FIRE PROTECTION DIST: CONSOLIDATED	X	STAN COUNTY COUNSEL
	GSA:	X	StanCOG
	HOSPITAL DIST:	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: MODESTO	X	STANISLAUS LAFCO
X	MOSQUITO DIST: EASTSIDE	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	SURROUNDING LAND OWNERS
	MUNICIPAL ADVISORY COUNCIL:	X	TELEPHONE COMPANY: AT&T
X	PACIFIC GAS & ELECTRIC	X	TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:	X	US ARMY CORPS OF ENGINEERS
	RAILROAD:	X	US FISH & WILDLIFE
	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462) (7 agencies)
X	SCHOOL DIST 1: EMPIRE	X	USDA NRCS
X	SCHOOL DIST 2: MODESTO	X	WATER DIST: MODESTO (DEL ESTE)
	WORKFORCE DEVELOPMENT		
X	STAN CO AG COMMISSIONER		
	TUOLUMNE RIVER TRUST		

STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM

TO: **Stanislaus County Planning & Community Development**
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: **GENERAL PLAN AMENDMENT APPLICATION NO. PLN2020-0057 AND AMENDMENT TO USE PERMIT APPLICATION NO. PLN2015-0130 – THE FRUIT YARD**

Based on this agency's particular field(s) of expertise, it is our position the above described project:

_____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

1.
2.
3.
4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

1.
2.
3.
4.

In addition, our agency has the following comments (attach additional sheets if necessary).

_____

_____

Response prepared by:

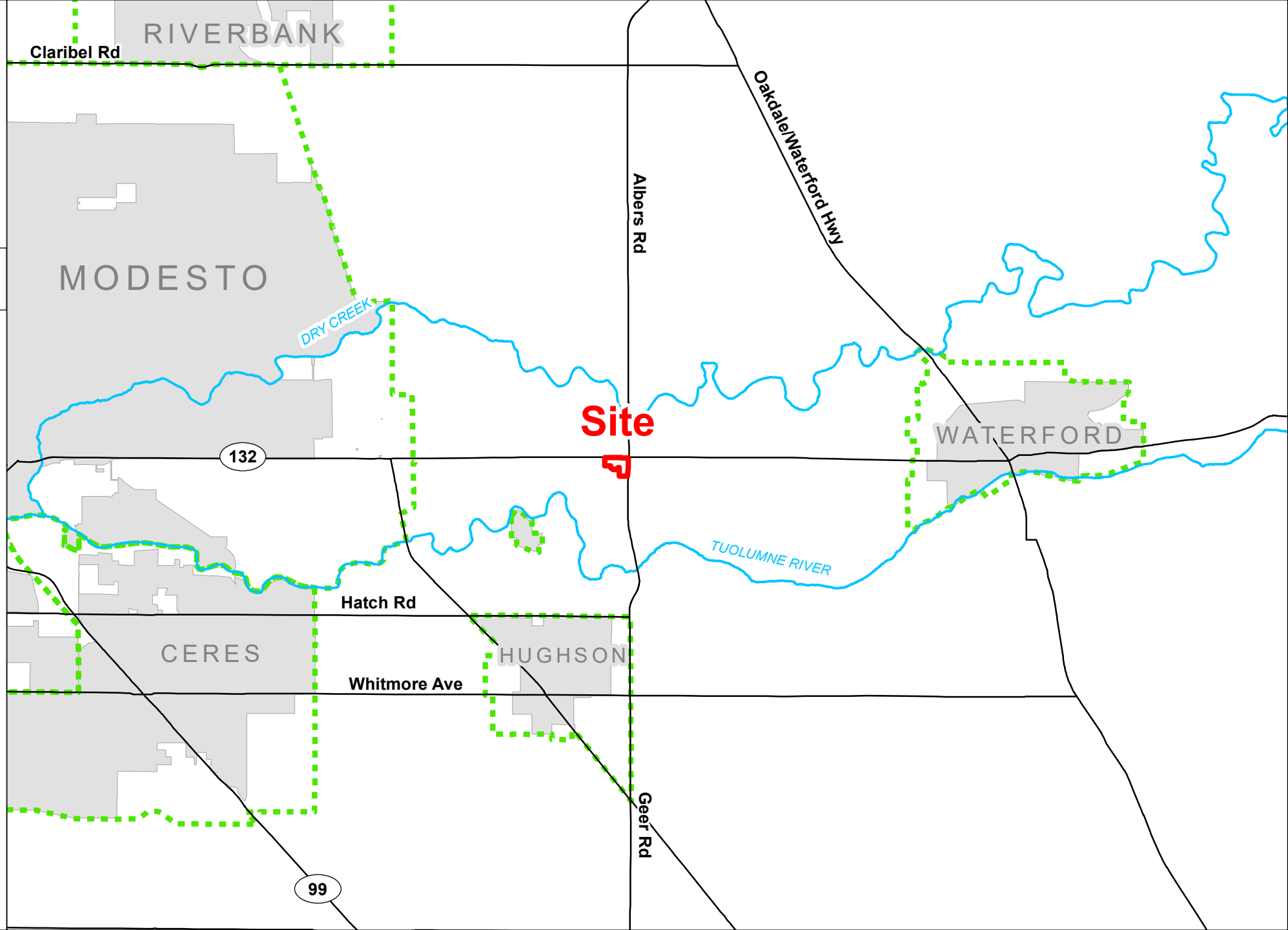
_____

Name Title Date

THE FRUIT YARD

GPA
PLN2020-0057

AREA MAP



LEGEND

- Project Site
- Sphere of Influence
- City
- Road
- River

N 0 2mi 0 2km

Source: Planning Department GIS

Date: 8/6/2020

THE FRUIT YARD

GPA PLN2020-0057

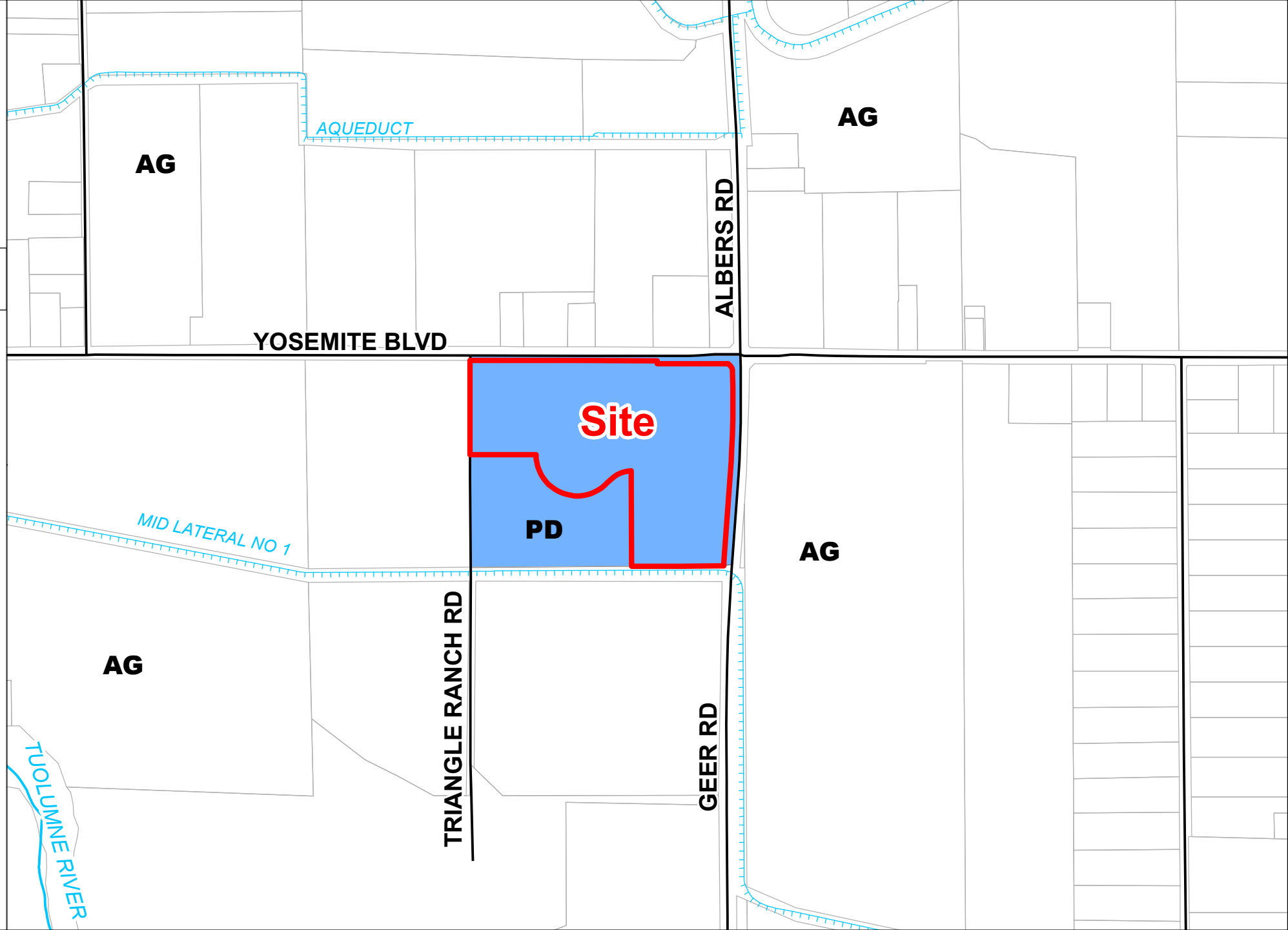
GENERAL PLAN MAP

LEGEND

- Project Site
- Parcel
- River
- Road
- Canal

General Plan

- Agriculture
- Planned Development



N

0 1,500 ft

0 300 m

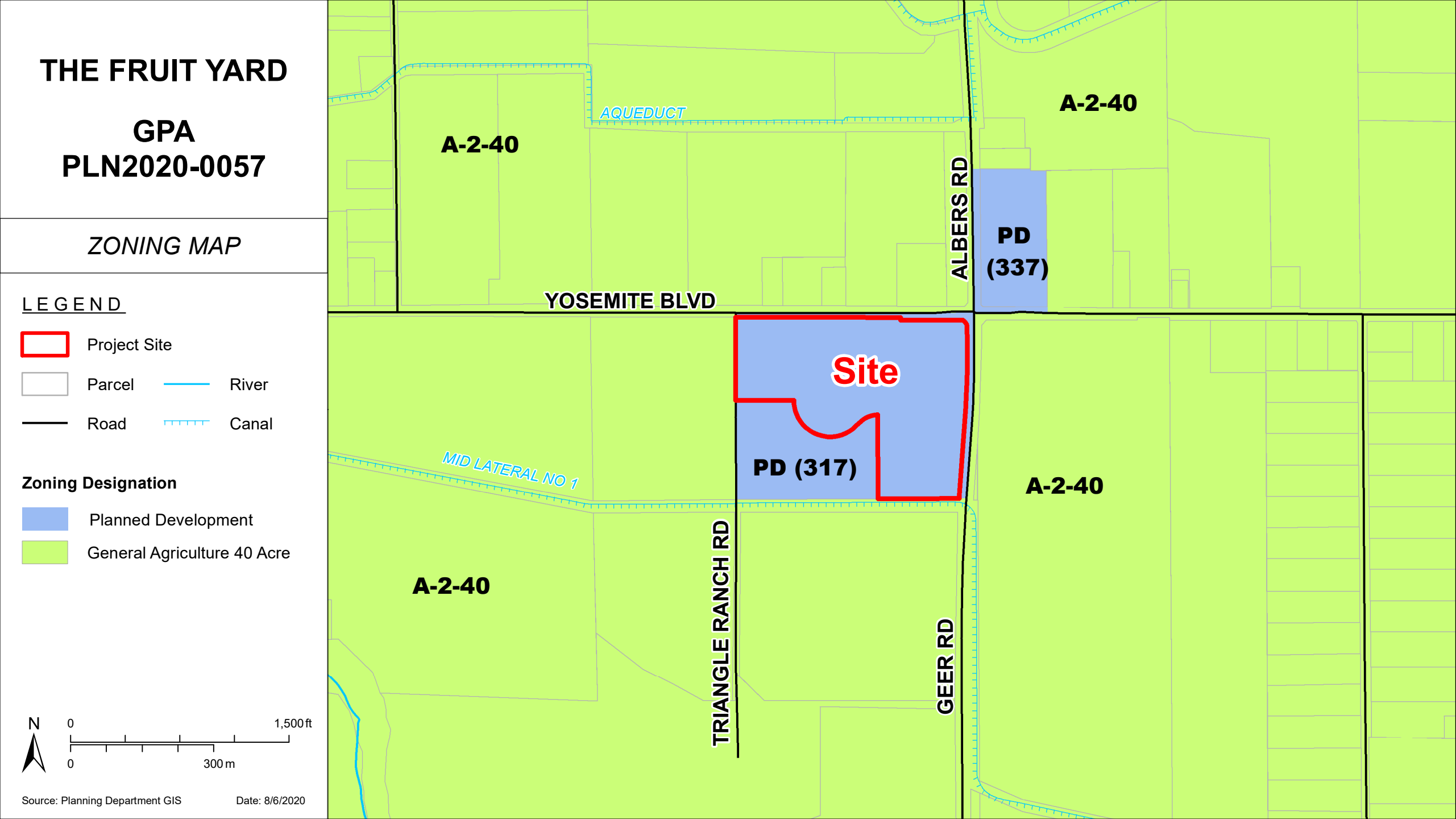
Source: Planning Department GIS

Date: 8/6/2020

THE FRUIT YARD

GPA PLN2020-0057

ZONING MAP



THE FRUIT YARD

GPA PLN2020-0057

ACREAGE MAP

LEGEND

- Project Site
- # Parcel/Acres
- Road
- River
- Canal

N

0 1,500 ft

0 300 m

Source: Planning Department GIS

Date: 8/6/2020

THE FRUIT YARD

GPA
PLN2020-0057

2017 AERIAL AREA MAP

LEGEND

- Project Site
- Road
- River
- Canal

N

0 1,500 ft

0 300 m

Source: Planning Department GIS

Date: 8/6/2020

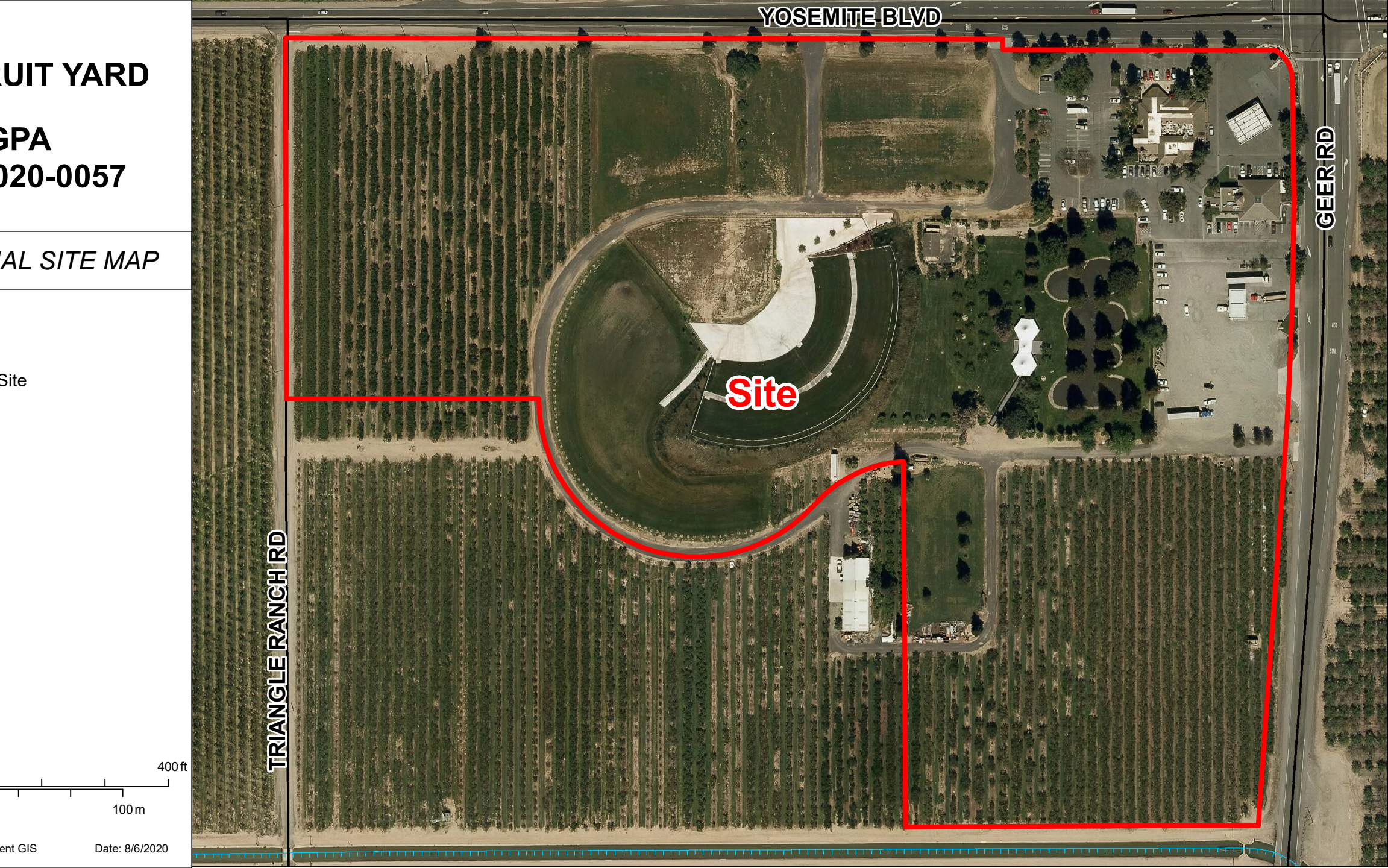
THE FRUIT YARD

GPA
PLN2020-0057

2017 AERIAL SITE MAP

LEGEND

- Project Site
- Road
- Canal



N

0 400 ft

0 100 m

Source: Planning Department GIS

Date: 8/6/2020

PARCEL 1
34-PM-85

PARCEL A
29-PM-146

PARCEL A
24-PM-98

APN 09-13-21

APN 09-13-07

APN 09-13-06

PARCEL B
18-PM-78

ALBERS ROAD

EXTEND EXISTING TURN LANE TO ACCOMMODATE EXISTING DRIVEWAY

EXISTING PYLON SIGN TO BE UPDATED AND PROPOSED ELECTRONIC READER SIGNED TO BE ADDED

YOSEMITE BOULEVARD (STATE HIGHWAY 132)

SEC. 27 SEC. 26
SEC. 34 SEC. 35

88'
50'
33'
55'
22'

EXISTING IRREVOCABLE OFFER DEDICATION

PARCEL LINE

PARCEL 1
56-PM-83

FUTURE TRACTOR SALES PER APPROVED PD 317

FUTURE FUELING STATION PER APPROVED PD 317

FUTURE BANQUET FACILITY PER APPROVED PD 317

EXISTING PARKING

THE FRUIT YARD
EX. RESTAURANT

EXISTING FUEL ISLAND & CANOPY

EXIST. STORE

PARCEL LINE
FUTURE ACCESS LANE

FUTURE FRUIT PACKING PER APPROVED PD 317

MAIN ENTRANCE

SECURITY FENCING TYP.

PROPOSED STORAGE BUILDING
100'
41,000 S.F.

PROPOSED SINGLE ROOF ONLY
5,000 S.F.
FF=134.0

MAINT. BLDG.

PROF. GAZEBO

PARCEL 12
56-PM-83

EXIST. ORCHARD

PARCEL 10
56-PM-83

CATCH POINT

BENCH = 131.5

BENCH = 140.7

TOP = 149.8

LAWN AREA

EX. POND

PROPOSED COVERED SEATING AREA

PROPOSED TEMPORARY EVENT PARKING AREA

EXISTING FUEL ISLAND & CANOPY

GEER ROAD

SCALE: 1"=40'

EXISTING STORM DRAIN BASIN

PROPOSED OVERFLOW PARKING
135 STALLS

24-S-42

EXTEND EXISTING TURN LANE TO ACCOMMODATE EXISTING DRIVEWAY

PARCEL 11
56-PM-83

PARCEL 7
56-PM-83

EXISTING IRREVOCABLE OFFER DEDICATION

PROPOSED AREA OF OVERFLOW PARKING PER APPROVED PD 317

NOTE: AS FUTURE OUTPARCELS ARE DEVELOPED AND EVENT PARKING IS DISPLACED ADDITIONAL PARKING AREA WILL BE MADE AVAILABLE WITHIN THIS PARCEL.

EXIST. ORCHARD

FUTURE RV / CAMPGROUND PER APPROVED PD 317

FUTURE STORAGE FACILITY PER APPROVED PD 317

EXIST. ORCHARD

PARCEL 8
56-PM-83

EXIST. MAINT. BLDG.

PARCEL 9
56-PM-83

5-S-82

EXIST. ORCHARD

62'
50'
112'

PARKING SUMMARY:

PROPOSED AMPHITHEATER MAXIMUM CAPACITY 3,500 PEOPLE

REQUIRED:
1/3 PEOPLE 1,167

PROVIDED:
SPECIAL EVENT PARKING 1,167
OVERFLOW PARKING 135
TOTAL: 1,302

NOTE:
THIS DRAWING IS DIAGRAMMATIC TO DEPICT POSSIBLE IMPROVEMENTS AND IS FOR ILLUSTRATIVE PURPOSES ONLY. THIS DRAWING IS NOT BINDING AND DOES NOT REPRESENT ANY REQUIRED IMPROVEMENTS.

REVISION	DATE	DESCRIPTION	BY

ASSOCIATED ENGINEERING GROUP
4206 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA 95356
PHONE (209) 545-3390 FAX (209) 545-3875 www.aseoeng.com

SITE PLAN TO ACCOMPANY USE PERMIT

PARK SITE DEVELOPMENT PLAN

THE FRUIT YARD

STANISLAUS COUNTY CALIFORNIA

RYAN CARREL, R.C.E. 61619
DAVE SKIDMORE, L.S. 7126

DRAWN BY: J.F.
DATE: 1/20/17 7:54
SCALE: 1"=40'
DWG: 496A UP_SITE
CHECKED:
JOB #: 496A-15

SHEET 1 OF 1

Stanislaus County

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759
Form Available Online: http://www.stancounty.com/planning/applications.shtm

APPLICATION QUESTIONNAIRE

Please Check all applicable boxes

APPLICATION FOR:

Staff is available to assist you with determining which applications are necessary

- ☒ General Plan Amendment
- ☒ Rezone
- ☒ Use Permit COA/MM/DS Amendment
- ☐ Variance
- ☐ Historic Site Permit
- ☐ Subdivision Map
- ☐ Parcel Map
- ☐ Exception
- ☐ Williamson Act Cancellation
- ☐ Other _____

PLANNING STAFF USE ONLY:

Application No(s): PLN2020-0057
Date: 6/25/2020
S 34 T 3 R 10
GP Designation: PD
Zoning: P-D (317)
Fee: $11,642
Receipt No. 555722
Received By: KLD
Notes: Fee submitted was for GPA only. $5,200 balance due

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

PROJECT INFORMATION

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).

See attached.

PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10th Street – 3rd Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): **Book** 009 **Page** 027 **Parcel** 011 & 012

Additional parcel numbers: _____

Project Site Address or Physical Location: 7948 Yosemite Blvd

Modesto, CA 95357

Property Area: Acres: 43.86 +/- or Square feet: _____

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

Restaurant, Service Station, Produce Market, Cardlock Facility, Banquet/Meeting Facility, and Amphitheater.

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

Planned Development for existing facilities; Use Permit for Amphitheater

Existing General Plan & Zoning: Agriculture (Ag)

Proposed General Plan & Zoning: Planned Development (PD)
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: AG

West: AG

North: AG, Church, Urban Development

South: AG, old Landfill

WILLIAMSON ACT CONTRACT:

Yes ☐ **No** ☒

Is the property currently under a Williamson Act Contract?
Contract Number: _____

If yes, has a Notice of Non-Renewal been filed?

Date Filed: _____

Yes ☐ No ☒ Do you propose to cancel any portion of the Contract?

Yes ☐ No ☒ Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: _____

_____

SITE CHARACTERISTICS: (Check one or more) Flat ☒ Rolling ☐ Steep ☐

VEGETATION: What kind of plants are growing on your property? (Check one or more)

Field crops ☐ Orchard ☒ Pasture/Grassland ☐ Scattered trees ☐

Shrubs ☐ Woodland ☐ River/Riparian ☐ Other ☐

Explain Other: _____

Yes ☐ No ☒ Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

GRADING:

Yes ☐ No ☒ Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) _____

Minimal amount, site is flat

STREAMS, LAKES, & PONDS:

Yes ☒ No ☐ Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes ☐ No ☒ Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) _____

_____

Yes ☐ No ☒ Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes ☐ No ☒ Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

Yes ☒ No ☐ Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.

Yes ☐ No ☒ Will structures be moved or demolished? (If yes, indicate on plot plan.)

Yes ☐ No ☒ Do you plan to build new structures? (If yes, show location and size on plot plan.)

Yes ☐ No ☒ Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) _____

PROJECT SITE COVERAGE:

Existing Building Coverage: N/A Sq. Ft. Landscaped Area: N/A Sq. Ft.

Proposed Building Coverage: N/A Sq. Ft. Paved Surface Area: N/A Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) N/A

Number of floors for each building: N/A

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) N/A

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary)

Existing Charter Communication Tower near the southwest corner of the site is approximately 100 feet high.

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) N/A

UTILITIES AND IRRIGATION FACILITIES:

Yes ☒ No ☐ Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: MID Sewer*: Septic

Telephone: AT&T Gas/Propane: PG7E

Water**: On-Site Irrigation: MID

***Please Note: A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.**

****Please Note: A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.**

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

_____

_____

_____

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes ☐ **No** ☐ Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes ☐ **No** ☐ Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes ☐ **No** ☐ Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes ☐ **No** ☒ Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots:_____ Total Dwelling Units:_____ Total Acreage:_____

Net Density per Acre: _____ Gross Density per Acre: _____

(complete if applicable)	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/ Townhouse
Number of Units:	_____	_____	_____	_____
Acreage:	_____	_____	_____	_____

COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): N/A

_____

Type of use(s): Approved Uses: Restaurant, Retail, Produce Market, Service Station and Card Lock Facility, Storage and RV Park, Tractor sales, and Amphitheater.

Days and hours of operation: 6 a.m. to 11 p.m. typical. Up to Midnight for Special Events and Weddings.

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: N/A

Occupancy/capacity of building: In addition to PD-317 the Amphitheater use allows a maximum 3,500 people.

Number of employees: (Maximum Shift): _____ (Minimum Shift): _____

Estimated number of daily customers/visitors on site at peak time: _____

Other occupants: _____

Estimated number of truck deliveries/loadings per day: _____

Estimated hours of truck deliveries/loadings per day: _____

Estimated percentage of traffic to be generated by trucks: _____

Estimated number of railroad deliveries/loadings per day: _____

Square footage of:

Office area: _____ Warehouse area: _____

Sales area: _____ Storage area: _____

Loading area: _____ Manufacturing area: _____

Other: (explain type of area) _____

Yes ☐ **No** ☐ Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

ROAD AND ACCESS INFORMATION:

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

Yes ☐ No ☐ Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)

Yes ☐ No ☐ Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)

Yes ☐ No ☐ Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) ☒ Drainage Basin ☐ Direct Discharge ☐ Overland

☐ Other: (please explain) Existing Storm Drainage Basin

If direct discharge is proposed, what specific waterway are you proposing to discharge to? _____

Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.

EROSION CONTROL:

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

Existing Active SWPPP

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

None provided.

Noise Element Amendment
Project Description

Background:

The Stanislaus County General Plan Noise Element establishes the Goals and Policies applied to County land use decisions regarding noise generated from projects.

Figure IV-2: Normally Accepted Community Noise Environments, as contained on Page IV-8 of the County General Plan sets forth that 60dBA is considered a "Normal Acceptable" noise level for the Residential Land Use Category (for generally low-density development), and identifies a range of 60dBA to 70dBA (Ldn or CNEL) in residential areas as "Conditionally Acceptable". The footnote to Table IV-2 of the General Plan also provides "[r]esidential development sites exposed to noise levels exceeding 60Ldn shall be analyzed following protocols in Appendix Chapter 12, Section 1208A, Sound Transmission Control, California Building Code." And, Table IV-2 also establishes that Land Use Category – Agriculture, has a "Normal Acceptable" noise environment of up to 75dBA.

Goal Two of the General Plan Noise Element establishes the policy and implementation measures to be considered when the County reviews projects. Goal Two; Implementation Measure 2 further provides "New development of industrial, commercial, or other noise generating land uses will not be permitted if resulting noise levels will exceed 60Ldn (or CNEL) in noise-sensitive areas."

And, the County General Plan, on Page IV-2 defines noise-sensitive areas as:

"Noise-sensitive areas to be considered in the Noise Element should include areas containing the following noise sensitive land uses:

1. Schools
2. Hospitals
3. Convalescent homes
4. Churches
5. Sensitive wildlife habitat, including the habitat of rare, threatened, or endangered species
6. Other uses deemed noise sensitive by the local jurisdiction"

While Implementation Measure 2 sets 60Ldn as the standard upper limit of noise in noise-sensitive areas, Table IV-2: Maximum Allowable Noise Exposure – Stationary Noise Sources actually applies a stricter standard of 55 dBA from 7:00 a.m. to 10:00 p.m., and further provides a five (5) dBA reduction for pure tone noises.

Amendment:

Outdoor entertainment provides a valuable service to the citizens of Stanislaus County. The County Fair is able to attract bands, comedians, and other types of events to an outdoor venue over its 10-day run in the summer. The County has historically allowed outdoor musical events at Woodward and Modesto Reservoirs. The Fruit Yard Amphitheater is an approved venue for outdoor concerts and events. All of these are open air venues, which somewhat limits their event season to the fair weather months.

The County also recognizes the importance of special entertainment events as witnessed by Stanislaus County Code Section 6.40 which provides that outdoor entertainment activities may be approved in the unincorporated area of the County. These approvals can last up to seven (7) days, and be allowed on a parcel up to six (6) times per year.

Since its approval for the amphitheater, The Fruit Yard has held concerts, these events have been monitored, and this monitoring shows, with empirical data, that The Fruit Yard compliance with its standards result in an acceptable noise environment around the site. It has also become apparent that some acts avoid The Fruit Yard venue due to its restrictive noise standard of 90dBA maximum at the sound board. A more typical standard for bands is 100dBA.

Based on past monitoring, The Fruit Yard could meet the current County's General Plan standards after an adjustment of The Fruit Yard's standards, as set forth in Mitigation Measures 5 and 6 of the Amphitheater Use Permit Mitigation Monitoring and Reporting Program, to 95dBA and 105dBC. These standards should also be applied over an hourly period, consistent with Table IV-2 of the General Plan.

Table IV-2 of the General Plan currently sets a standard for pure tone noises that is about 10dBA below what the General Plan states is a Normal Acceptable 60dBA standard in Figure IV-2 and the 60dBA standard articulated in Goal Two Implementation Measure 2. So, Table IV-2 can include an increase of up to 10 dBA (from 50dBA after a five dBA reduction, to 60dBA) and still remain consistent with General Plan standards.

Such an adjustment to Table IV-2, and to bring it current with Figure IV-2 and Goal Two Implementation Measure 2, is the purpose the General Plan Amendment request. The small increase proposed will fall within General Plan and accepted noise standards, while giving the Board flexibility, on a case by case and limited basis, to consider allowing some venues or events to hold entertainment activities near the upper end of the allowable standards, but only for up to a maximum of seven (7) events per year upon approval of the Board of Supervisors for a specific event, or at a specific venue. It is also proposed that this amendment applies only to outdoor venues or events where 2,000 or more attendees could be accommodated.

If the Board amends the General Plan, as requested, The Fruit Yard requests that its standard in Mitigation Measures 5 and 6 be increased to 100dBA and 110dBC, for up to seven (7) events per year, as such adjustment will be consistent with the amended General Plan, and still maintain off-site noise limitations at 60dBA or below.

While such an adjustment would provide additional flexibility to The Fruit Yard, it would also apply to other outdoor venues. To provide more County control and limit its reach, the proposed amendment would only apply to large venues (over 2,000 attendees), would limit the amount of times the 60dBA off-site limit could be applied to seven (7) times per year, and would only allow the increase to be applied upon Board of Supervisors approval.

Based on this adjustment, the Board of Supervisors would retain the authority to allow a few events to proceed with a 60dBA off-site standard at Woodward or Modesto Reservoir, for Outdoor Entertainment Permits, at The Fruit Yard Amphitheater, or at a future venue that could have 2,000 or more attendees. All, while staying at or under the 60dBA standard set in the General Plan as a "Normal Acceptable" standard.

GOAL TWO

Protect the citizens of Stanislaus County from the harmful effects of exposure to excessive noise.

POLICY TWO

It is the policy of Stanislaus County to develop and implement effective measures to abate and avoid excessive noise exposure in the unincorporated areas of the County by requiring that effective noise mitigation measures be incorporated into the design of new noise generating and new noise sensitive land uses.

IMPLEMENTATION MEASURES

1. New development of noise-sensitive land uses will not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the project design to reduce noise levels to the following levels:

    a. For transportation noise sources such as traffic on public roadways, railroads, and airports, 60 L_{dn} (or CNEL) or less in outdoor activity areas of single-family residences, 65 L_{dn} (or CNEL) or less in community outdoor space for multi-family residences, and 45 L_{dn} (or CNEL) or less within noise-sensitive interior spaces. Where it is not possible to reduce exterior noise due to these sources to the prescribed level using a practical application of the best available noise-reduction technology, an exterior noise level of up to 65 L_{dn} (or CNEL)with the windows and doors closed in residential uses.

    b. For other noise sources such as local industries or other stationary noise sources, noise levels shall not exceed the performance standards contained within Table IV-2.

Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

2. New development of industrial, commercial, or other noise generating land uses will not be permitted if resulting noise levels will exceed 60 L_{dn} (or CNEL) in noise-sensitive areas. Additionally, the development of new noise-generating land uses, which are not preempted from local noise regulation, will not be permitted if resulting noise levels will exceed the performance standards contained within Table IV-2 in areas containing residential or other noise sensitive land uses.

Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

TABLE IV-2

MAXIMUM ALLOWABLE NOISE EXPOSURE – STATIONARY NOISE SOURCES[1]

	Daytime 7 a.m. to 10 p.m.	Nighttime 10 p.m. to 7 a.m.
Hourly L_{eq}, dBA	55	45
Maximum level, dBA	75	65

Each of the noise level standards specified in Table IV-2 shall be reduced by five (5) dBA for pure tone noises, noise consisting primarily of speech or music, or for recurring impulsive noises. Each of the noise level standards specified in Table IV-2 may be increased by five (5) dBA for pure tone noises, noise consisting primarily of speech or music, at an outdoor venue with capacity of 2,000 attendees or greater for no more than seven (7) days per year upon Board of Supervisors approval. The standards in Table IV-2 should be applied at a residential or other noise-sensitive land use and not on the property of a noise generating land use. Where measured ambient noise levels exceed the standards, the standards shall be increased to the ambient levels.

3. Prior to the approval of a proposed development of noise-sensitive land uses in a noise-impacted area, or the development of industrial, commercial or other noise-generating land use in an area containing noise-sensitive land uses, an acoustical analysis shall be required. Where required, an acoustical analysis shall:
   a. Be the responsibility of the applicant.
   b. Be prepared by a qualified acoustical consultant experienced in the fields of environmental noise assessment and architectural acoustics.
   c. Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions.
   d. Include representative noise levels in terms of L_{dn} (or CNEL) and the standards of Table IV-2 (if applicable) for existing and projected future (10-20 years hence) conditions, with a comparison made to the adopted policies of the Noise Element.
   e. Include recommendations for appropriate mitigation to achieve compliance with the adopted policies and standards of the Noise Element.
   f. Include estimates of noise exposure after the prescribed mitigation measures have been implemented. If compliance with the adopted standards and policies of the Noise Element will not be achieved, a rationale for acceptance of the project must be provided.

   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

[1] As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.

4. Projects which go through the CEQA review process require an acoustical analysis shall include a monitoring program to specifically implement the recommended mitigation to noise impacts associated with the project.

Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

5. Noise level criteria applied to land uses other than noise sensitive uses shall be consistent with the recommendations of Figure IV-2: Normally Accepted Community Noise Environments.

Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

6. Stanislaus County shall enforce Sound Transmission Control Standards in the California Administrative Code, Title 25, Section 1092 concerning the construction of new multiple-occupancy dwellings such as hotels, apartments, and condominiums in areas where the existing or projected future noise environment exceeds 60 L_{dn} or CNEL.

Responsible Departments: Planning

7. Replacement of noise-sensitive land uses located in noise-impacted areas which are destroyed in a disaster shall not be considered in conflict with this element of replacement occurs within one year.

Responsible Departments: Environmental Resources, Planning

POLICY THREE

It is the objective of Stanislaus County to protect areas of the County where noise-sensitive land uses are located.

IMPLEMENTATION MEASURES

1. Require the evaluation of mitigation measures for projects that would cause the L_{dn} at noise-sensitive uses to increase by 3 dBA or more and exceed the normally acceptable level, cause the L_{dn} at noise-sensitive uses to increase 5 dBA or more and remain normally acceptable, or cause new noise levels to exceed the noise ordinance limits (after adoption).

Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

2. Actively enforce the Stanislaus County Noise Control Ordinance to reduce the number of incidents of excessive noise.

Responsible Departments: Sheriff, Environmental Resources, Planning, Planning Commission, Board of Supervisors

3. New equipment and vehicles purchased by Stanislaus County shall comply with noise level performance standards of the industry and be kept in proper working order to reduce noise impacts.

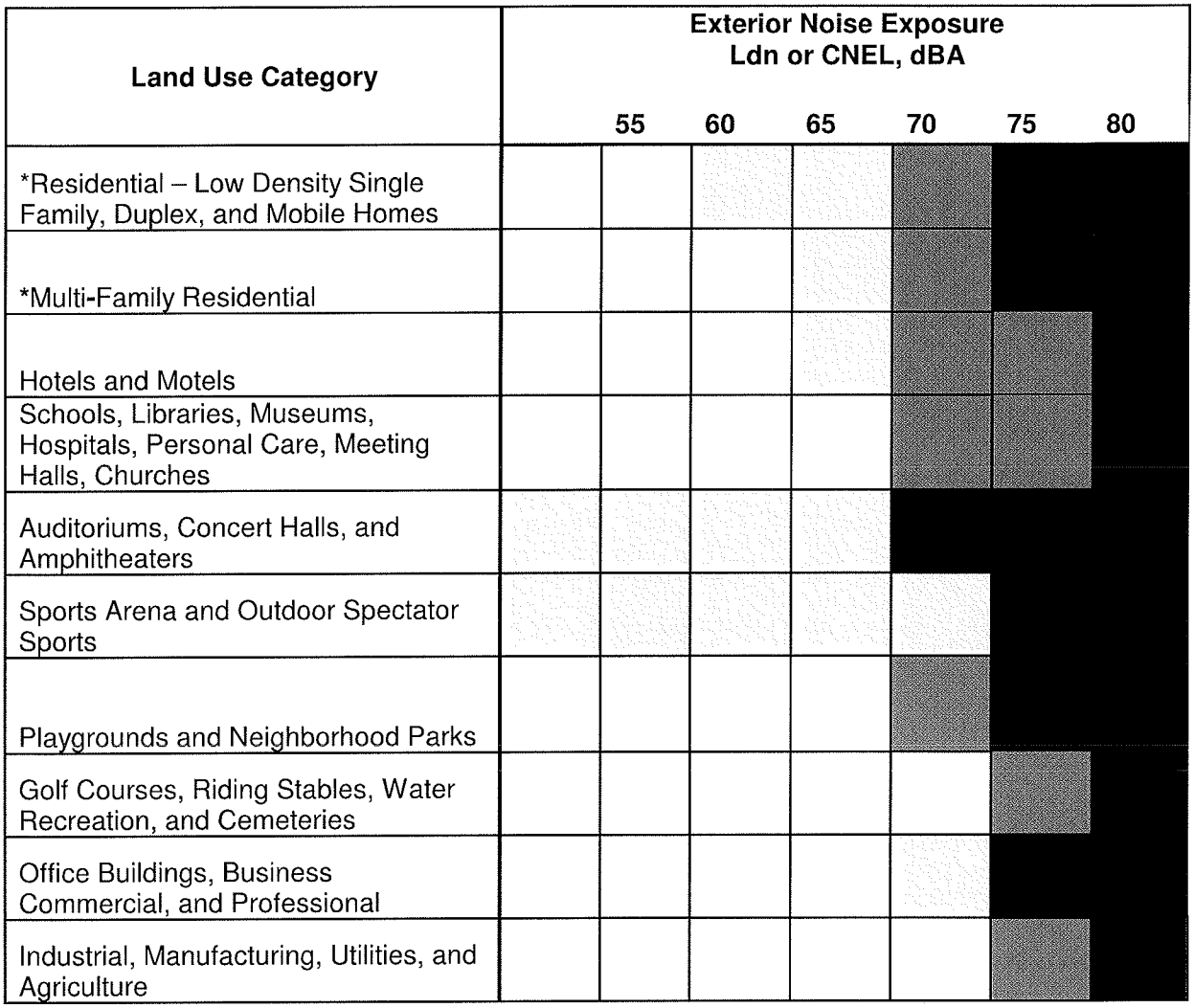
Responsible Departments: Chief Executive Office

4. Stanislaus County should encourage the California Highway Patrol and local law enforcement officers to actively enforce existing sections of the California Vehicle Code relating to excessive vehicle noise.

Responsible Departments: Board of Supervisors

[1] As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.

FIGURE IV-2: NORMALLY ACCEPTED COMMUNITY NOISE ENVIRONMENTS



Residential development sites exposed to noise levels exceeding 60 Ldn shall be analyzed following protocols in Appendix Chapter 12, Section 1208A, Sound Transmission Control, California Building Code.

NORMAL ACCEPTABLE
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special insulation requirements.

CONDITIONALLY ACCEPTABLE
Specified land use may be permitted only after detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

NORMALLY UNACCEPTABLE
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

CLEARLY UNACCEPTABLE
New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.

No. 5 Mitigation Measure: To ensure compliance with County noise standards, amphitheater sound system output shall be limited to an average of ~~90~~100 dBA Leq averaged over an ~~five minute~~hourly period and a maximum of ~~100~~110 dBA Lmax at a position located 100 feet from the front of the amphitheater.

Park and banquet hall sound system output shall be limited to an average of 75 dBA Leq averaged over an ~~5-minute~~hourly period and a maximum of 85 dBA Lmax at a position located 100-feet from the front of the sound system speakers for the park, and 100-feet from outside of the banquet hall. Sound levels up to 80 dBA Leq at the 100 foot reference distance would be acceptable provided the sound system speakers are oriented south or southwest.

Who Implements the Measure:	Operator/property owner
When should the measure be implemented:	On an on-going basis, when events are held.
When should it be complete:	On an on-going basis, when events are held.
Who verifies compliance:	Stanislaus County Planning and Community Development Department
Other Responsible Agencies:	Stanislaus County Department of Environmental Resources – Code Enforcement, and the Stanislaus County Sheriff's Department

No. 6 Mitigation Measure: To control low-frequency sound in the surrounding neighborhood during amphitheater events, C-weighted sounds levels shall be limited to ~~100~~110 dBC Leq averaged over an ~~five minute~~hourly period and a maximum of ~~110~~120 dBC Lmax at a position located 100 feet from the front of the Amphitheater stage.

To control low-frequency sound in the surrounding neighborhood during park events, C-weighted sound levels shall be limited to 85 dBC Leq averaged over an ~~five minute~~hourly period and a maximum of 95 dBC Lmax at a position located 100 feet from the front of the speakers for the park, and 100 feet from outside the banquet hall.

Who Implements the Measure:	Operator/property owner
When should the measure be implemented:	On an on-going basis, when events are held.
When should it be complete:	On an on-going basis, when events are held.
Who verifies compliance:	Stanislaus County Planning and Community Development Department
Other Responsible Agencies:	Stanislaus County Department of Environmental Resources – Code Enforcement, and the Stanislaus County Sheriff's Department

Chapter Four

NOISE ELEMENT

INTRODUCTION

The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. Local governments are required to analyze and quantify noise levels and the extent of noise exposure through field measurements or noise modeling, and implement measures and possible solutions to existing and foreseeable noise problems (California Governor's Office of Planning & Research, General Plan Guidelines, 2003). California Government Code Section 65302(f) requires that current and projected noise levels be analyzed and quantified for highways, freeways, primary arterials, and major local streets. Noise contours for current and projected conditions within the community are required to be prepared in terms of either the Community Noise Equivalent Level (CNEL) or the Day-Night Average Level (L_{dn}), which are descriptors of total noise exposure at a given location for an annual average day. CNEL and L_{dn} are generally considered to be equivalent descriptors of the community noise environment within plus or minus 1.0 dBA. An explanation of the acoustical terminology used in this document is included below.

It is intended that the noise exposure information developed for the Noise Element be incorporated into the General Plan to serve as a basis for achieving Land Use compatibility within the unincorporated areas of the County. It is also intended that the noise exposure information developed for the Noise Element be used to provide baseline levels for use in the development and enforcement of a local noise control ordinance to address noise levels generated by non-preempted noise sources within the County.

According to the Noise Element Requirements and Noise Element Guidelines, the following major noise sources should be considered in the preparation of a Noise Element:

1. Highways and freeways
2. Principal Arterials, Minor Arterials, or Major Collectors
3. Passenger and freight online railroad operations and ground rapid transit systems
4. Commercial, general aviation, heliport, helistop, and military airport operations, aircraft over flights, jet engine test standards, and all other ground facilities, and maintenance functions related to airport operation
5. Local industrial plants, including, but not limited to, railroad classification yards
6. Other ground stationary sources identified by local agencies as contributing to the community noise environment

Noise-sensitive areas to be considered in the Noise Element should include areas containing the following noise sensitive land uses:

1. Schools
2. Hospitals
3. Convalescent homes
4. Churches
5. Sensitive wildlife habitat, including the habitat of rare, threatened, or endangered species
6. Other uses deemed noise sensitive by the local jurisdiction

Relationship to Other Elements of the General Plan

The Noise Element is most related to the Land Use and Circulation Elements of the General Plan. Its relationship to the Land Use Element is direct in that the implementation of either element has the potential to result in the creation or elimination of a noise conflict with respect to differing land uses. The Land Use Element must be consistent with the Noise Element in discouraging the development of incompatible adjacent land uses to prevent impacts upon noise sensitive uses and to prevent encroachment upon existing noise-generating facilities.

The Circulation Element is linked to the Noise Element in that traffic routing and volume directly affect community noise exposure. For example, increased traffic volume may produce increased noise in a residential area so that noise control measures are required to provide an acceptable noise environment. Similarly, rerouting traffic from a noise-impacted neighborhood may provide significant noise relief to that area. Implementation of the Circulation Element should include consideration of potential noise effects.

Noise and Its Effects on People

A Technical Reference Document, prepared in 2005, that provides a discussion of the fundamentals of noise assessment, the effects of noise on people and criteria for acceptable noise exposure, is provided in Appendix IV-A of this element. It is intended that the Technical Reference Document serve as a reference for Stanislaus County when reviewing documents or proposals which refer to the measurement and effects of noise within the County.

Acoustical Terminology

"Ambient noise levels" means the composite of noise from all sources near and far. In this context it represents the normal or existing level of environmental noise at a given location for a specific time of the day or night.

"A-weighted sound level" means the sound level in decibels as measured with a sound level meter using the A-weighted network (scale) at slow meter response. The unit of measurement is referred to herein as dBA.

"CNEL" means Community Noise Equivalent Level. The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and after addition of ten decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.

"Decibel, dB" means a unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

"Equivalent Energy Level, L_{eq}" means the sound level corresponding to a steady state sound level containing the same total energy as time varying signal over a given sample period. L_{eq} is typically computed over 1, 8, and 24-hour sample periods.

"Impulsive Noise" means a noise of short duration, usually less than one second, with an abrupt onset and rapid decay.

"L_{max}" means the maximum A-weighted noise level recorded during a noise event.

"Day/Night Average Sound Level, L_{dn}" is a 24-hour measure of the cumulative noise exposure in a community, with a 10 dBA penalty added to nocturnal (10:00 p.m. - 7:00 a.m.) noise levels.

"Noise Exposure Contours" are Lines drawn about a noise source indicating constant energy levels of noise exposure. CNEL and L_{dn} are the descriptors utilized herein to describe community exposure to noise.

"Preempted Noise Source" means a noise source which cannot be regulated by the local jurisdiction due to existing state or federal regulations already applying to the source. Examples of such sources are vehicles operated on public roadways, railroad trains, and aircraft.

"Pure Tone Noise" means any noise which is distinctly audible as a single pitch (frequency) or set of pitches. For the purposes of this document, a pure tone shall exist if the one-third octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the two contiguous one-third octave bands by 5 dB for center frequencies of 500 Hz and above and by 8 dB for center frequencies between 160 and 400 Hz and 15 dB for center frequencies less than or equal to 125 Hz.

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EXISTING AND FUTURE NOISE ENVIRONMENT

Overview of Sources

There are a number of potentially significant sources of community noise within Stanislaus County, which have been identified and studied. These sources include traffic on state highways and major County roadways, railroad operations, airport operations, and industrial activities. Specific noise sources selected for study are described in the 2005 Technical Reference Document, provided in Appendix IV-A of this element.

Noise Exposure Maps

The California Department of Transportation (Caltrans) Noise Prediction Model LeqV2 was used in conjunction with field noise level measurements to develop L_{dn} contours for the state highways and major county roadways within the unincorporated areas of Stanislaus County. Annual average daily traffic volumes (AADT) and truck mixes for existing (2000) and future (2030) conditions were obtained from Caltrans and the Stanislaus County Department of Public Works. CNEL contours for operations at the Oakdale Municipal Airport and the Modesto City/County Airport were derived from existing Airport Master Plan reports.

Noise exposure contours for major transportation sources of noise within the unincorporated areas of Stanislaus County were identified within Appendix IV-A (Existing Noise Sources) and B (Future Noise Sources) of the 2005 Technical Reference Document. It should be noted that these contours were generally based upon annual average conditions, and were not intended to be site-specific where local topography, vegetation, or intervening structures may significantly affect noise exposure at a particular location. The noise contour maps were prepared to assist Stanislaus County with the implementation of the Noise Element through the project review and long range planning processes.

This element, as updated in 2016, incorporates the 2005 Technical Reference Document as a source for existing noise measurements; including a summary of long-term and short-term measurements and noise contour distances for major railroad. As part of the 2016 update, Figure IV-1- Predicted Year 2035 traffic noise levels has been incorporated. Updated airport noise contours for the Modesto City/County and the Oakdale Municipal airports are available in the Airport Land Use Compatibility Plan adopted by the Stanislaus County Airport Land Use Commission.

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COMMUNITY NOISE SURVEY

The 2005 Technical Reference Document (Appendix IV-A), incorporates the 2004 community noise survey**,** conducted to document noise exposure in areas of the County containing noise sensitive land uses. The following noise sensitive land uses have been identified within Stanislaus County:

1. Residential uses in Single-Family Residential, Medium-Density Residential and Multiple-Family Residential zones.
2. Schools
3. Long-term care medical facilities, such as hospitals, nursing homes, etc.

As part of the community noise survey, noise monitoring sites were selected to be representative of typical conditions in the unincorporated areas of the County where noise sensitive land uses are located. A combination of short-term and long-term (24-hour) noise monitoring was used to document existing noise levels at these locations during July and August of 2004. A total of 30 monitoring sites were selected, including 20 long-term noise measurements and 10 short-term noise measurements.

Long-term noise measurements were conducted to show the daily trend in noise levels throughout a 24-hour to 48-hour period. Noise level data collected during continuous monitoring included the Leq, maximum noise level and the statistical distribution of noise levels for each hour of the sample period.

Short-term noise measurements were conducted in simultaneous intervals with traffic volume and speed observations. L_{dn} noise levels at each receiver were calculated by adjusting for differences in traffic conditions during measurements and the loudest existing hourly traffic conditions (based on the existing AADT traffic volumes). The data collected during the short-term sampling program included the Leq, maximum noise level, minimum noise level, and a description of major sources of noise which were audible. Long and short-term measured noise level data collected during the community noise survey are summarized in the 2005 Technical Reference Document.

The quietest areas of unincorporated Stanislaus County are those which are removed from major transportation-related noise sources and local industrial or other stationary noise sources. Good examples of these quiet areas are rural areas such as Hickman, Valley Home, and La Grange. The noisier areas surveyed were those located near state highways (Salida), major county roadways (Westport and Shackelford), or railroads (Empire). Typically, maximum noise levels observed during the survey were generated by local automobile traffic or heavy trucks. Other sources of maximum noise levels included occasional aircraft over flights and, in some areas, railroad operations (especially horns). Background noise levels in the absence of the above-described sources were caused by distant traffic, wind in the trees, running water, birds, and distant industrial or other stationary noise sources.

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LAND USE COMPATIBILITY GUIDELINES

Figure IV-2 is provided as reference concerning the sensitivity of different land uses to their noise environment. It is intended to illustrate the range of noise levels which will allow the full range of activities normally associated with a given land use. For example, exterior noise levels in the range of 50-60 L_{dn} (or CNEL) are generally considered acceptable for residential land uses, since these levels will usually allow normal outdoor and indoor activities such as sleep and communications to occur without interruption. Industrial facilities, however, can be relatively insensitive to noise and may generally be located in a noise environment of up to 75 L_{dn} (or CNEL) without significant adverse effects. Specific noise compatibility criteria in terms of L_{dn} or CNEL for residential and noise sensitive land uses in Stanislaus County are defined in Section 5.0.

TABLE IV-1: NOISE CONTOUR DISTANCES FOR MAJOR RAILROAD LINES (2004)

Railroad Description*	Distance from Centerline from Roadway (in feet) Based on Traffic Noise Modeling			
	75-Ldn	70-Ldn	65-Ldn	60-Ldn
Union Pacific Railroad (UPRR)	70	150	320	680
Burlington Northern and Santa Fe (BN & SF) Railway	100	200	440	950
Sierra Railroad	**	**	**	80
Tidewater Southern Railroad	**	**	60	140

Noise contour distances for the Modesto and Empire Traction Company Railroad were not calculated due to a lack of specific information regarding train movements along this track.

****Distances of less than 50 feet are not included in this table.***

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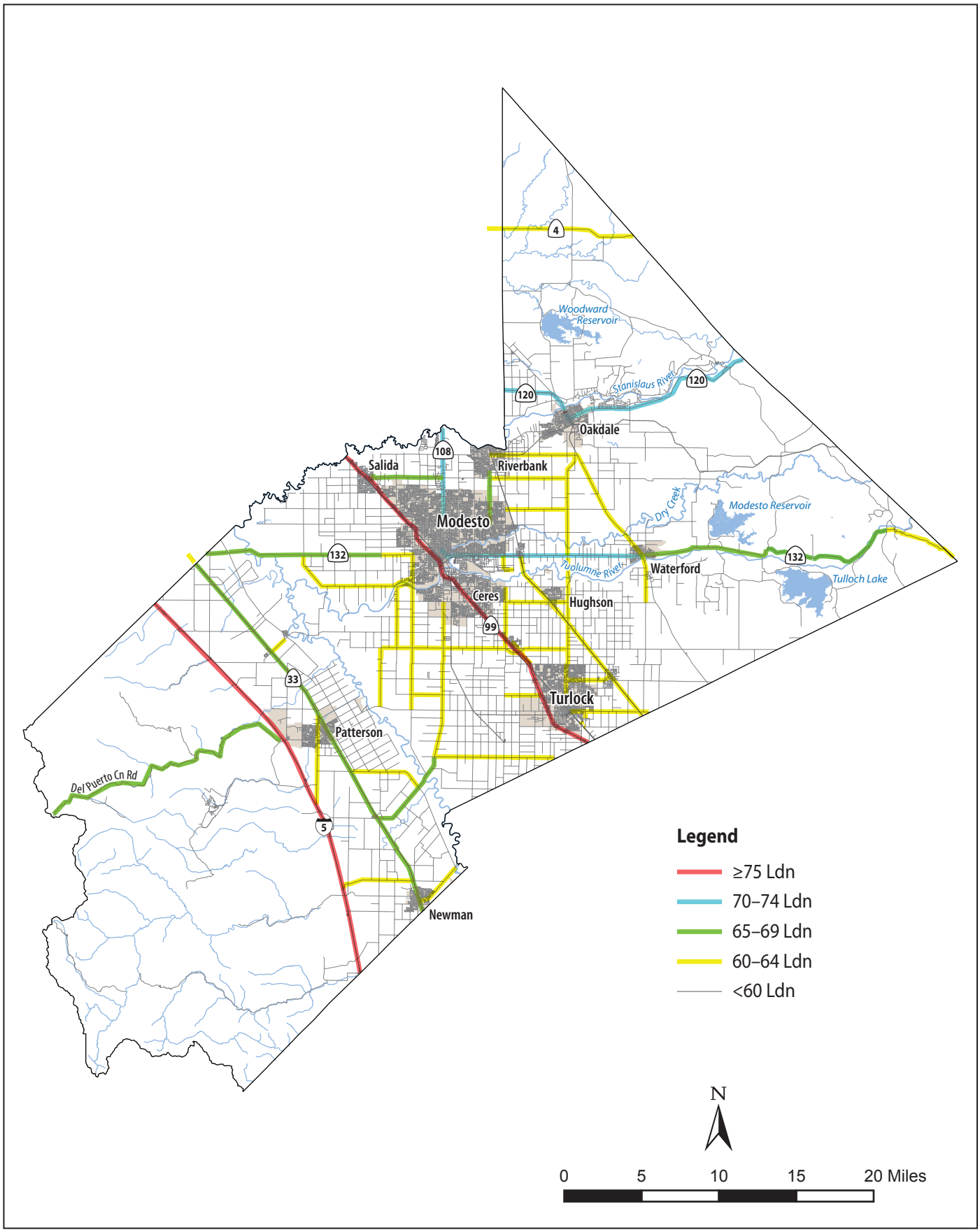

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Figure IV -1
Predicted Year 2035 Traffic Noise Levels
(Ldn, 75 feet from Roadway Centerline)

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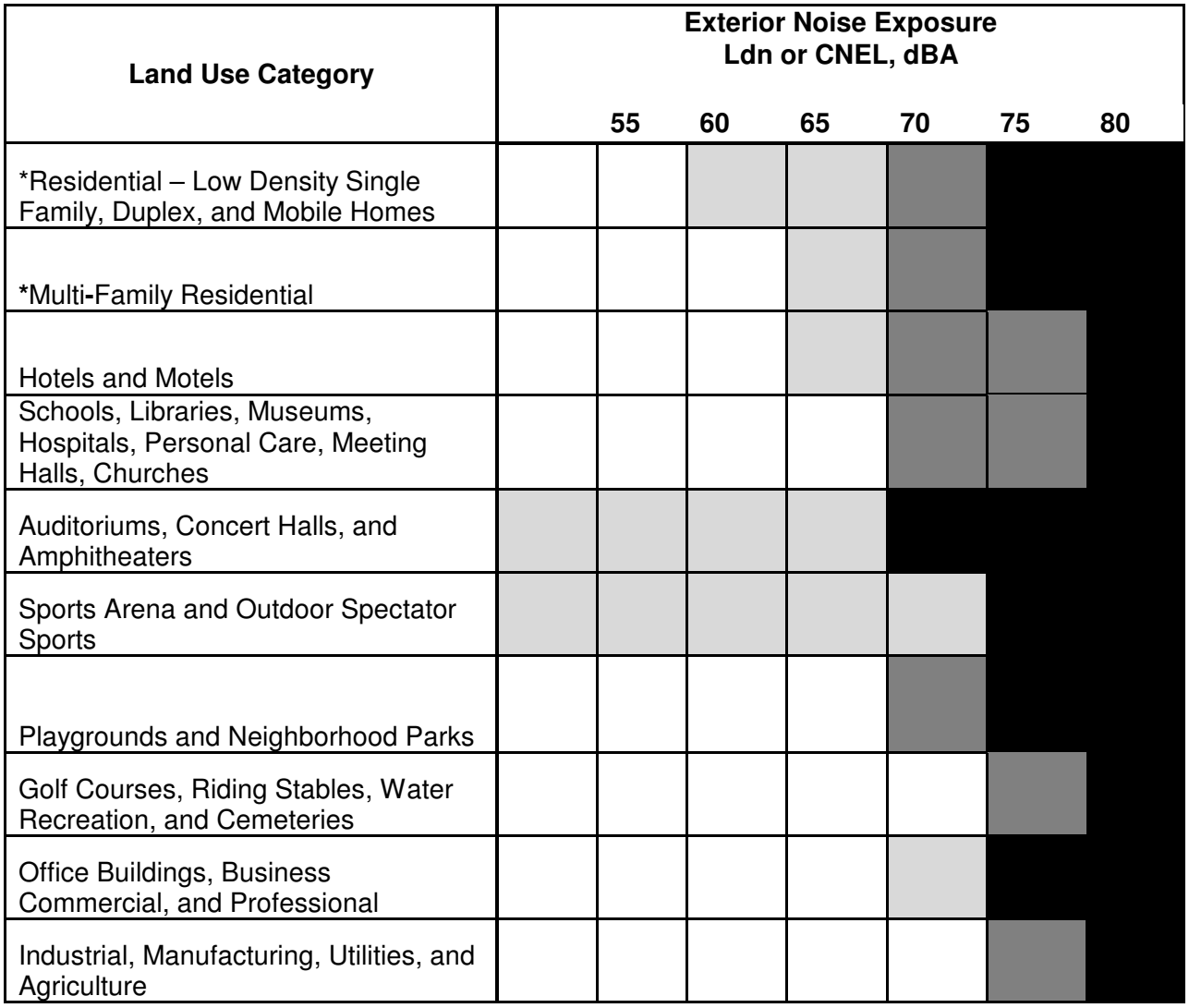
FIGURE IV-2: NORMALLY ACCEPTED COMMUNITY NOISE ENVIRONMENTS



**** Residential development sites exposed to noise levels exceeding 60 Ldn shall be analyzed following protocols in Appendix Chapter 12, Section 1208A, Sound Transmission Control, California Building Code.***

NORMAL ACCEPTABLE
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special insulation requirements.

CONDITIONALLY ACCEPTABLE
Specified land use may be permitted only after detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

NORMALLY UNACCEPTABLE
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

CLEARLY UNACCEPTABLE
New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.

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GOALS, POLICIES AND IMPLEMENTATION MEASURES

GOAL ONE

Prevent the encroachment of incompatible land uses near known noise producing industries, railroads, airports, and other sources to protect the economic base of the County.

POLICY ONE

It is the policy of Stanislaus County to utilize the noise exposure information contained within the General Plan to identify existing and potential noise conflicts through the Land Use Planning and Project Review processes.

IMPLEMENTATION MEASURE

1. Areas within Stanislaus County shall be designated as noise-impacted if exposed to existing or projected future noise levels exterior to buildings exceeding the standards in Figure IV-2 or the performance standards described by Table IV-2. Maps showing existing and projected future noise exposures exceeding 60 Ldn or CNEL for the major noise sources are depicted in Figure IV-1, and Table IV-1.

   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

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GOAL TWO

Protect the citizens of Stanislaus County from the harmful effects of exposure to excessive noise.

POLICY TWO

It is the policy of Stanislaus County to develop and implement effective measures to abate and avoid excessive noise exposure in the unincorporated areas of the County by requiring that effective noise mitigation measures be incorporated into the design of new noise generating and new noise sensitive land uses.

IMPLEMENTATION MEASURES

1. New development of noise-sensitive land uses will not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the project design to reduce noise levels to the following levels:

    a) For transportation noise sources such as traffic on public roadways, railroads, and airports, 60 L_{dn} (or CNEL) or less in outdoor activity areas of single-family residences, 65 L_{dn} (or CNEL) or less in community outdoor space for multi-family residences, and 45 L_{dn} (or CNEL) or less within noise-sensitive interior spaces. Where it is not possible to reduce exterior noise due to these sources to the prescribed level using a practical application of the best available noise-reduction technology, an exterior noise level of up to 65 L_{dn} (or CNEL) will be allowed. Under no circumstances will interior noise levels be allowed to exceed 45 L_{dn} (or CNEL) with the windows and doors closed in residential uses.

    b) For other noise sources such as local industries or other stationary noise sources, noise levels shall not exceed the performance standards contained within Table IV-2.

    Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

2. New development of industrial, commercial, or other noise generating land uses will not be permitted if resulting noise levels will exceed 60 L_{dn} (or CNEL) in noise-sensitive areas. Additionally, the development of new noise-generating land uses, which are not preempted from local noise regulation, will not be permitted if resulting noise levels will exceed the performance standards contained within Table IV-2 in areas containing residential or other noise sensitive land uses.

    Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

TABLE IV-2

MAXIMUM ALLOWABLE NOISE EXPOSURE - STATIONARY NOISE SOURCES[1]

	Daytime 7 a.m. to 10 p.m.	Nighttime 10 p.m. to 7 a.m.
Hourly L_{eq}, dBA	55	45
Maximum level, dBA	75	65

Each of the noise level standards specified in Table IV-2 shall be reduced by five (5) dBA for pure tone noises, noise consisting primarily of speech or music, or for recurring impulsive noises. The standards in Table IV-2 should be applied at a residential or other noise-sensitive land use and not on the property of a noise-generating land use. Where measured ambient noise levels exceed the standards, the standards shall be increased to the ambient levels.

3. Prior to the approval of a proposed development of noise-sensitive land uses in a noise-impacted area, or the development of industrial, commercial or other noise-generating land use in an area containing noise-sensitive land uses, an acoustical analysis shall be required. Where required, an acoustical analysis shall:

   a) Be the responsibility of the applicant.
   b) Be prepared by a qualified acoustical consultant experienced in the fields of environmental noise assessment and architectural acoustics.
   c) Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions.
   d) Include estimated noise levels in terms of L_{dn} (or CNEL) and the standards of Table IV-2 (if applicable) for existing and projected future (10-20 years hence) conditions, with a comparison made to the adopted polices of the Noise Element.
   e) Include recommendations for appropriate mitigation to achieve compliance with the adopted policies and standards of the Noise Element.
   f) Include estimates of noise exposure after the prescribed mitigation measures have been implemented. If compliance with the adopted standards and policies of the Noise Element will not be achieved, a rationale for acceptance of the project must be provided.

   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

4. Projects which go through the CEQA review process require an acoustical analysis shall include a monitoring program to specifically implement the recommended mitigation to noise impacts associated with the project.

   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

1 As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.

5. Noise level criteria applied to land uses other than noise sensitive uses shall be consistent with the recommendations of Figure IV-2: Normally Accepted Community Noise Environments.
   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

6. Stanislaus County shall enforce Sound Transmission Control Standards in the California Administrative Code, Title 25, Section 1092 concerning the construction of new multiple-occupancy dwellings such as hotels, apartments, and condominiums in areas where the existing or projected future noise environment exceeds 60 L_{dn} or CNEL.
   Responsible Department: Planning

7. Replacement of noise-sensitive land uses located in noise-impacted areas which are destroyed in a disaster shall not be considered in conflict with this element if replacement occurs within one year.
   Responsible Departments: Environmental Resources, Planning

POLICY THREE

It is the objective of Stanislaus County to protect areas of the County where noise-sensitive land uses are located.

IMPLEMENTATION MEASURES

1. Require the evaluation of mitigation measures for projects that would cause the L_{dn} at noise-sensitive uses to increase by 3 dBA or more and exceed the normally acceptable" level, cause the L_{dn} at noise-sensitive uses to increase 5 dBA or more and remain normally acceptable, or cause new noise levels to exceed the noise ordinance limits (after adoption).
   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

2. Actively enforce the Stanislaus County Noise Control Ordinance to reduce the number of incidents of excessive noise.
   Responsible Departments: Sheriff, Environmental Resources, Planning, Planning Commission, Board of Supervisors

3. New equipment and vehicles purchased by Stanislaus County shall comply with noise level performance standards of the industry and be kept in proper working order to reduce noise impacts.
   Responsible Department: Chief Executive Office

4. Stanislaus County should encourage the California Highway Patrol and local law enforcement officers to actively enforce existing sections of the California Vehicle Code relating to excessive vehicle noise.
   Responsible Department: Board of Supervisors

POLICY FOUR

It is the objective of Stanislaus County to ensure that the Noise Element is consistent with and does not conflict with other elements of the Stanislaus County General Plan or adopted Airport Land Use Compatibility Plan(s) (ALUCP).

IMPLEMENTATION MEASURES

1. The Noise Element shall be reviewed and updated as necessary to remain consistent with the Land Use and Circulation Elements of the General Plan.
   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

2. The Land Use and Circulation Elements of the General Plan shall be continually reviewed to ensure consistency with the findings and policies of the Noise Element as they relate to the prevention of future noise conflicts.
   Responsible Department: Planning

3. The Noise Element and Land Use Elements of the General Plan shall be reviewed and amended as necessary to ensure consistency with the policies of the Airport Land Use Compatibility Plan(s) (ALUCP) as they relate to the prevention of future noise conflicts.
   Responsible Departments: Planning, Planning Commission, Airport Land Use Commission, Board of Supervisors.

4. Update the Stanislaus County Noise Control Ordinance as necessary to be consistent with the General Plan and/or adopted Airport Land Use Compatibility Plan(s) (ALUCP).
   Responsible Departments: Environmental Resources, Planning, Planning Commission, Board of Supervisors

APPENDIX IV-A

Chapter IV

NOISE SUPPORT DOCUMENTATION

Prepared by
Illingworth & Rodkin, Inc.
Acoustics – Air Quality

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Stanislaus County General Plan Update
Technical Reference Document for Noise Analysis

November 25, 2005

◆ ◆ ◆

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A. *Introduction*

This Technical Reference Document is a supplement to the Noise Element of the General Plan, which provides background information concerning the methods and data used in preparation of the Noise Element. It is intended that this document be used by Stanislaus County as a resource when evaluating noise related implications of specific development proposals or long-range planning efforts. A brief discussion of acoustical fundamentals is presented to assist the reader in understanding the subsequent discussion. The discussion of the existing noise environment is based upon the results of a noise monitoring survey conducted in July and August 2004 and supplemented by the noise study report prepared by Illingworth & Rodkin, Inc. for the Ceres Southern Gateway Study. This study focuses on transportation noise sources such as vehicular traffic, railroad noise, and aircraft activities. Major industrial facilities in the County are also discussed.

B. *Fundamentals of Acoustics*

1. Measuring Noise

Noise may be defined as unwanted sound. Noise is usually objectionable because it is disturbing or annoying. The objectionable nature of sound could be caused by its pitch or its loudness. Pitch is the height or depth of a tone or sound, depending on the relative rapidity (frequency) of the vibrations by which it is produced. Higher pitched signals sound louder to humans than sounds with a lower pitch. Loudness is intensity of sound waves combined with the reception characteristics of the ear. Intensity may be compared with the height of an ocean wave in that it is a measure of the amplitude of the sound wave.

In addition to the concepts of pitch and loudness, there are several noise measurement scales which are used to describe noise in a particular location. A decibel (dB) is a unit of measurement which indicates the relative amplitude of a sound. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 decibels represents a ten-fold increase in acoustic energy, while 20 decibels is 100 times more intense, 30 decibels is 1,000 times more intense, etc. There is a relationship between the subjective noisiness or loudness of a sound and its intensity. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities. Technical terms are defined in Table 1.

There are several methods of characterizing sound. The most common in California is the A-weighted sound level or dBA. This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Representative outdoor and indoor noise levels in units of dBA are shown in Table 2. Because sound levels can vary markedly over a short period of time, a method for describing either the average character of the sound or the statistical behavior of the variations must be utilized. Most commonly, environmental sounds are described in terms of an average level that has the same acoustical energy as the summation of all the time-varying events. This energy-equivalent sound/noise descriptor is called Leq. The most common averaging period is hourly, but Leq can describe any series of noise events of arbitrary duration.

The scientific instrument used to measure noise is the sound level meter. Sound level meters can accurately measure environmental noise levels to within about plus or minus 1 dBA. Various computer models are used to predict environmental noise levels from sources, such as roadways and airports. The accuracy of the predicted models depends upon the distance the receptor is from the noise source. Close to the noise source, the models are accurate to within about plus or minus 1 to 2 dBA.

TABLE 1: DEFINITIONS OF ACOUSTICAL TERMS

Term	Definitions
Decibel, dB	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
Frequency, Hz	The number of complete pressure fluctuations per second above and below atmospheric pressure.
A-Weighted Sound Level, dBA	The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise. All sound levels in this report are A-weighted, unless reported otherwise.
L01, L10, L50, L90	The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Equivalent Noise Level, Leq	The average A-weighted noise level during the measurement period.
Community Noise Equivalent Level, CNEL	The average A-weighted noise level during a 24-hour day, obtained after addition of 5 decibels in the evening from 7:00 pm to 10:00 pm and after addition of 10 decibels to sound levels measured in the night between 10:00 pm and 7:00 am.
Day/Night Noise Level, Ldn	The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured in the night between 10:00 pm and 7:00 am.
Lmax, Lmin	The maximum and minimum A-weighted noise level during the measurement period.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

TABLE 2 TYPICAL SOUND LEVELS

Noise Generators (At a Given Distance from Noise Source)	A-Weighted Sound Level in Decibel	Noise Environments	Subjective Impression
	140		
Civil defense siren (100 feet)	130		
Jet take-off (200 feet)	120		Pain threshold
	110	Rock music concert	
Diesel pile drive (100 feet)	100		Very loud
Freight cars (50 feet)	90	Boiler room Printing press plant	
Pneumatic drill (50 feet)	80	In kitchen with garbage disposal running	Moderately loud
Freeway (100 feet) Vacuum cleaner (10 feet)	70		
	60	Data processing center	
Light traffic (100 feet) Large transformer (200 feet)	50	Department store	
	40	Private business office	Quiet
Soft whisper (5 feet)	30	Quiet bedroom	
	20	Recording studio	
	10		Threshold of hearing
	0		

Since the sensitivity to noise increases during the evening and at night -- because excessive noise interferes with the ability to sleep -- 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Community Noise Equivalent Level, CNEL, is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7:00 p.m. - 10:00 p.m.) and a 10 dB addition to nocturnal (10:00 p.m. - 7:00 a.m.) noise levels. The Day/Night Average Sound Level, Ldn, is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

2. Effects of Noise

This section discusses several effects of noise including hearing loss, sleep and speech interference and annoyance.

a. Hearing Loss

While physical damage to the ear from an intense noise impulse is rare, a degradation of auditory acuity can occur even within a community noise environment. Hearing loss occurs mainly due to chronic exposure to excessive noise, but may be due to a single event such as an explosion. Natural hearing loss associated with aging may also be accelerated from chronic exposure to loud noise.

The Occupational Safety and Health Administration (OSHA) has a noise exposure standard, which is set at the noise threshold where hearing loss may occur from long-term exposures. The maximum allowable level is 90 dBA averaged over eight hours. If the noise is above 90 dBA, the allowable exposure time is correspondingly shorter.

b. Sleep and Speech Interference

The thresholds for speech interference indoors are about 45 dBA if the noise is steady and above 55 dBA if the noise is fluctuating. Outdoors the thresholds are about 15 dBA higher. Steady noise of sufficient intensity (above 35 dBA) and fluctuating noise levels above about 45 dBA have been shown to affect sleep. Interior residential standards for multi-family dwellings are set by the State of California at 45 dBA L_{dn}.

The standard is designed for sleep and speech protection and most jurisdictions apply the same criterion for all residential uses. Typical structural attenuation is 12 to 17 dBA with open windows. With closed windows in good condition, the noise attenuation factor is around 20 dBA for an older structure and 25 dBA for a newer dwelling. Sleep and speech interference are therefore possible when exterior noise levels are about 57 to 62 dBA L_{dn} with open windows and 65 to 70 dBA L_{dn} if the windows are closed. Levels of 55 to 60 dBA are common along collector streets and secondary arterials, while 65 to 70 dBA is a typical value for a primary/major arterial. Levels of 75 to 80 dBA are normal noise levels at the first row of development outside a freeway right-of-way. In order to achieve an acceptable interior noise environment, bedrooms facing secondary roadways need to be able to have their windows closed; those facing major roadways and freeways typically need special glass windows.

c. Annoyance

Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that the causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The L_{dn} as a measure of noise has been found to provide a valid correlation of noise level and the percentage of people annoyed.

There continues to be disagreement about the relative annoyance of noise from aircraft and roadways. When measuring the percentage of the population highly annoyed, the threshold for ground vehicle noise is about 55 dBA L_{dn}. At an L_{dn} of about 60 dBA, approximately two percent

of the population is highly annoyed. When the L_{dn} increases to 70 dBA, the percentage of the population highly annoyed increases to about 12 percent of the population. There is, therefore, an increase of about one percent per dBA between an L_{dn} of 60 to 70 dBA. Between an L_{dn} of 70 to 80 dBA, each decibel increase results in about a two percent increase in population that is highly annoyed. People appear to respond more adversely to aircraft noise. When the L_{dn} is 60 dBA, approximately ten percent of the population is believed to be highly annoyed. Each decibel increase to 70 dBA adds about two percentage points to the number of people highly annoyed. Above 70 dBA, each decibel increase results in about a three percent increase in the percentage of the population highly annoyed.

C. *Existing Noise Environment*

1. Existing Noise Sources in Stanislaus County

The major noise sources in Stanislaus County are vehicular traffic on state highways and major county roadways, railroad operations, airport operations, and industrial activities. This document focuses on transportation noise sources. Roadway traffic generates noise throughout the county. Railroad trains intermittently generate noise levels that are significant along the railroad tracks. General aviation aircraft contribute to intermittent noise levels in the county. Noise is also generated on individual parcels whether industrial, commercial or residential. These noise sources do not affect the overall noise environment throughout the community. CNEL contours for operations at the Oakdale Municipal Airport, Patterson Airport, Turlock Airport, Modesto City / County Airport, and the Crows Landing Naval Auxiliary Landing Field were derived from the existing Airport Master Plan reports as available and are shown in Appendix A. Figure A-1 in Appendix A shows the generalized locations of long and short-term noise measurement sites for major ground transportation noise sources throughout Stanislaus County.

2. Long-term Noise Measurements

Daily noise levels were monitored at 11 locations in unincorporated Stanislaus County from July 20th to 22nd, 2004, at 4 locations in Ceres from May 18th to 21st, 2004, and at 4 additional locations in unincorporated areas and within the city of Hughson on August 31st-September 2nd, 2004. The noise measurement locations are shown on Figure A-1. The measured data are summarized in Table A-1 in Appendix A. The daily trends in noise levels measured at the 19 long-term sites are summarized in Figures A-2 through A-21 of Appendix A. The following discussion summarizes the long-term noise measurements.

a. Location LT-1 – Highway 219

Location LT-1 was selected to represent the noise exposure along Hwy 219. The measurement location was about 60 feet from the centerline of the roadway at the setback of the residence at 907 Kiernan Road, west of Highway 108. The data, shown in Figure A-2 of Appendix A, shows that the hourly daytime noise levels ranged from 66 to 68 dBA Leq and the hourly nighttime noise levels ranged from 56 to 66 dBA. The measured overall day/night noise level was 68 dBA L_{dn}.

b. Location LT-2 – Highway 108

This location was selected to measure the noise level along Highway 108, just north of Highway 219. The noise level approximately 50 feet from the centerline of Highway 108 was 76 dBA L_{dn}. Hourly daytime noise levels ranged from 71 to 74 dBA Leq and the hourly nighttime noise levels ranged from 64 to 71 dBA L_{eq}. The data are shown in Figure A-3 of Appendix A.

c. Location LT-3 – SR 99, Northern Stanislaus County

This noise measurement location was approximately 200 feet from the centerline of SR 99 near the northern county line and was selected to measure vehicular traffic noise along SR 99 in the northern portion of the county. The measured noise level was 78 dBA Ldn and also included some railroad noise from the Union Pacific Railroad. The hourly average noise levels typically ranged from 69 dBA during the nighttime with no train movements to 75 dBA during the peak hour. Maximum noise levels generated by train movements were typically 81 to 82 dBA. The data are shown in Figure A-4 of Appendix A.

d. Location LT-4 – Highway 132

Noise levels were measured approximately 30 feet from the centerline of Highway 132, near the eastern county line. The measured day/night noise level was 68 dBA Ldn. Hourly average noise levels typically range from 63 to 67 dBA during daytime hours and drop to 51 dBA during nighttime hours. One loud event took place between 2:00 and 3:00 am, raising the $L_{eq(hr)}$ by 6-9 dB above typical nighttime levels. This loud event is likely to have been a siren or loud vehicle along Highway 132. The measured data are shown on Figure A-5 of Appendix A.

e. Location LT-5 – Highway 120, Eastern Stanislaus County

Location LT-5 was selected to measure noise exposure along Highway 120 and was located approximately 50 feet from the centerline of the roadway near the eastern county line. The measured noise level was 75 dBA Ldn. The noise measurement data are shown in Figure A-6 of Appendix A. Hourly average noise levels typically ranged from 70 to 74 dBA during daytime hours and 62 to 72 dBA during nighttime hours.

f. Location LT-6 – Highway 4

Measurement Location LT-6 was located along Highway 4, east of Farmington. The noise environment at Location LT-6 was dominated by vehicular traffic along Highway 4. The measured noise level was 69 dBA Ldn. The noise measurement data are shown in Figure A-7 of Appendix A. Hourly average noise levels typically ranged from 63 to 67 dBA during daytime hours and dropped to 55 dBA during nighttime hours.

g. Location LT-7 – Central Avenue near Grayson Road

Location LT-7 was approximately 30 feet from the centerline of Central Avenue, south of Grayson Road. The measured noise level was 72 dBA Ldn. The noise measurement data are shown in Figure A-8 of Appendix A. Hourly average noise levels typically ranged from 65 to 70 dBA during daytime hours and dropped to 59 dBA during nighttime hours.

h. Location LT-8 – Interstate 5

Measurement Location LT-8 was approximately 65 feet from the near lane of Interstate 5 and was selected to characterize noise levels along Interstate 5. The measured noise level was 80 dBA Ldn. The data show a tight range of noise levels from the minimum sound level to the maximum sound level, which is typical of freeway traffic noise. To ensure the noise exposure in this location was dominated by Interstate 5 traffic noise, an additional measurement was made nearby (LT-16) in August/September 2004 and compared to the results of this measurement. Hourly average noise levels do not vary much day or night due to heavy truck traffic at night and heavy total traffic during the daytime. Hourly average noise levels typically ranged from about 73 to 75 dBA Leq. The day/night noise level at this location was 80 dBA Ldn. The noise measurement data are shown in Figure A-9 of Appendix A.

i. Location LT-9 – Highway 33

The measurement at Location LT-9 was approximately 50 feet from the centerline of Highway 33, just north of Crows Landing, and was selected to characterize the noise exposure along Highway 33. The measured noise level was 72 dBA Ldn. Hourly average noise levels ranged from about 65 to 70 dBA Leq during the daytime and drop to about 57 dBA Leq at night. The noise measurement data are shown in Figure A-10 of Appendix A.

j. Location LT-10 –BNSF Railroad, Santa Fe Avenue, North of Hughson

Two noise measurements were made at location LT-10, just north of Hughson at the intersection of Leedom Road and Santa Fe Avenue. The measurement location was used to characterize the noise environment along Santa Fe Avenue and the BNSF Railroad without interference from outside noise sources. The measurement location was about 150 feet east of the railroad tracks and about 50 feet east of the near lane of Santa Fe Avenue. Vehicular traffic along Santa Fe Avenue is a major contributing noise source at this location, with intermittent very loud noise events produced by train passbys. The measured day-night average noise level during the first measurement period, on July 21-22, 2004, was 78 dBA Ldn. Hourly average noise levels ranged from about 70 to 74 dBA Leq during the daytime and drop to about 62 dBA Leq at night.

The second measurement period took place on August 31 to September 2, 2004 and included exceedence data, which was correlated with exceedence data from LT-17 to estimate the number of train movements that took place during the measurement period. Review of exceedence data shows that 65 train movements took place during the two-day period with approximately 54% daytime operations (7:00 am to 7:00 pm), 11% evening operations (7:00 pm to 10:00 pm), and 35% nighttime operations (10:00 pm to 7:00 am). Train movements ranged from a few seconds up to more than two minutes in duration. The L_{dn} at this location was measured to be approximately 76 dBA, which includes both Railroad and Santa Fe Avenue traffic noise. Typical hourly average noise levels during the daytime ranged from 60 to 73 dBA Leq and with noise levels ranging from about 68 to 75 dBA Leq in the nighttime. The noise measurement data are shown in Figures A-11 and A-12 of Appendix A.

k. Location LT-11 –Hatch Road

Location LT-11 was 65 feet from the centerline of Hatch Road, north of Faith Home Road, and was selected to characterize existing noise levels along Hatch Road. The measured noise level was

74 dBA Ldn. The noise measurement data are shown in Figure A-13 of Appendix A. Hourly average noise levels ranged from about 66 to 71 dBA Leq during the daytime and drop to about 62 dBA Leq at night.

l. Location LT-12 – UPRR Railroad, State Route 99

Noise levels were monitored at this location to determine the noise levels and train frequency for the Union Pacific Railroad line. The measurement location was about 20 feet west of the railroad tracks in Ceres and about 105 feet east of the near lane of State Route 99. Vehicular traffic along SR 99 is a major contributing noise sources at this location, with intermittent very loud noise events produced by train passbys. The measured noise level over a three day measurement period ranged from 83 to 85 dBA Ldn. The range of noise levels was again narrow with typical hourly average noise levels during the daytime in the range of 76 to 80 dBA Leq and with noise levels dropping to about 71 dBA Leq in the middle of the night with no train passbys. Review of exceedence data shows that 48 train movements took place during the three-day period, with an average of about 16 trains per day with approximately 54% daytime operations (7:00 am to 7:00 pm), 13% evening operations (7:00 pm to 10:00 pm), and 33% nighttime operations (10:00 pm to 7:00 am). The L_{dn} at this location was measured to be approximately 83 to 85 dBA, which includes both Railroad and Highway noise. Based on additional measurements, it is estimated that SR 99 traffic noise generates an L_{dn} of approximately 82 dBA at this location and the rail operations generate an L_{dn} of approximately 80 to 83 dBA. The noise measurement data are shown in Figure A-14 of Appendix A.

m. Location LT-13 – Service Road, Ceres

Measurement location LT-13 was approximately 40 feet from the centerline of Service Road at the intersection of Service Road and Moffet Road in Ceres. This measurement location was selected to characterize the noise environment along Service Road and vehicular traffic along Service Road is the major contributing noise source at this location, with some local traffic noise generated along Moffet Road. The measured noise level was about 72 dBA Ldn. Train passbys along the western side of SR 99 were audible at times during passbys, but did not substantially contribute to the overall noise levels. Hourly average noise levels ranged from about 68 to 73 dBA Leq during the daytime and drop to about 61 dBA Leq at night. The noise measurement data are shown in Figure A-15 of Appendix A.

n. Location LT-14 –State Route 99

Noise levels were monitored at this location to determine the noise levels at residential areas along SR 99. The measurement location was about 270 feet east of the near lane of State Route 99 in Ceres, in the backyard of 2805 Evalee Lane. Vehicular traffic along SR 99 is a major contributing noise source at this location, with occasional local traffic noise produced along El Camino Avenue. The measurement was located behind a six-foot fence. The measured noise level was about 72 dBA Ldn. Train passbys along the western side of SR 99 were audible at times during passbys, but did not substantially contribute to the overall noise levels. Hourly average noise levels ranged from about 65 to 68 dBA Leq during the daytime and drop to about 60 dBA Leq at night. The noise measurement data are shown in Figure A-16 of Appendix A.

o. Location LT-15 –State Route 99

The noise environment at Location LT-15, located approximately 130 feet east of the near lane of State Route 99, was dominated by noise generated by State Route 99 traffic. Occasional local traffic noise produced along El Camino Avenue and local residential noise also contributed to the noise environment. The measured noise level was about 78 dBA Ldn. Train passbys along the western side of SR 99 were audible at times during passbys, but did not substantially contribute to the overall noise levels. Hourly average noise levels ranged from about 70 to 74 dBA Leq during the daytime and drop to about 64 dBA Leq at night. The noise measurement data are shown in Figure A-17 of Appendix A.

p. Location LT-16 – Interstate 5

Measurement Location LT-16 was approximately 60 feet east of the near lane of Interstate 5 (Northbound) in Westley and was selected to characterize noise levels along Interstate 5. The measured noise level was 80 dBA Ldn. The data show a tight range of noise levels from the minimum sound level to the maximum sound level, which is typical of freeway traffic noise and consistent with measurement LT-8. Hourly average noise levels do not vary much day or night due to heavy truck traffic at night and heavy total traffic during the daytime. Hourly average noise levels typically ranged from about 73 to 75 dBA Leq. The noise measurement data are shown in Figure A-18 of Appendix A.

q. Location LT-17 – BNSF Railroad, Santa Fe Avenue

Noise levels were monitored at this location to determine the noise levels and train frequency for the Burlington Northern and Santa Fe (BNSF) Railroad line. The measurement location was about 150 feet east of the railroad tracks in Hughson and about 25 feet east of the near lane of Santa Fe Avenue. Vehicular traffic along Santa Fe Avenue is a major contributing noise source at this location, with intermittent very loud noise events produced by train passbys. The Builders Choice Truss Company in Hughson is located near this location and industrial noise is audible when traffic along Santa Fe Avenue is light and there are no train movements. Typical hourly average noise levels during the daytime ranged from 68 to 78 dBA Leq and with noise levels ranging from about 59 to 80 dBA Leq in the nighttime. Review of exceedence data shows that 65 train movements took place during the two-day period with approximately 54% daytime operations (7:00 am to 7:00 pm), 11% evening operations (7:00 pm to 10:00 pm), and 35% nighttime operations (10:00 pm to 7:00 am). Train movements ranged from a few seconds up to more than two minutes in duration. The L_{dn} at this location was measured to be approximately 80 to 82 dBA, which includes both Railroad and Santa Fe Avenue traffic noise. The noise measurement data are shown in Figure A-19 of Appendix A.

r. Location LT-18 – Sierra Railroad

Noise levels were monitored at this location to determine the noise levels and train frequency for the Sierra Railroad line just east of Oakdale. The measurement location was about 50 feet north of the railroad tracks and about 25 feet north of the centerline of Sierra Road. Vehicular traffic along Sierra Road is light, but includes a high percentage of trucks. The measured noise level over a two-day measurement period was 72 dBA Ldn. Typical hourly average noise levels during the peak daytime hours ranged from 70 to 72 dBA Leq and with noise levels dropping to about 58 dBA Leq in the middle of the night with no train passbys. Review of exceedence data shows that 4

train movements took place during the two-day period, with 75% daytime operations (7:00 am to 7:00 pm) and 25% nighttime operations (10:00 pm to 7:00 am). The L_{dn} at this location was measured to be approximately 72 dBA, which includes both Railroad and Sierra Road traffic noise. The noise measurement data are shown in Figure A-20 of Appendix A.

s. Location LT-19 – Tidewater Railroad

Noise levels were monitored at this location to determine the noise levels and train frequency for the Tidewater Southern branch line of the Union Pacific Railroad line. Noise levels were measured along Saint John's Road, just south of Del Rio. The measurement location was about 35 feet from the railroad tracks and about 25 feet from the centerline of St. John's Road. Vehicular traffic along St. John's Road is the major contributing noise source at this location, with intermittent very loud noise events produced by train passbys. The measured noise level over the measurement period ranged from was 69 to 70 dBA Ldn. Typical hourly average noise levels during the peak daytime hours ranged from 64 to 70 dBA Leq and with noise levels dropping to about 43 dBA Leq in the middle of the night with no train passbys. Review of exceedence data shows that 1 train movement took place during the two-day period, during daytime hours. The L_{dn} at this location was measured to be approximately 69 to 70 dBA, which includes both Railroad and traffic noise. The noise measurement data are shown in Figure A-21 of Appendix A.

3. Short-Term Spot Measurements

Short-term spot measurements were made at ten locations throughout Stanislaus County in July of 2004 to characterize typical daytime noise levels and to collect traffic and noise data to be used subsequently in the computation of traffic noise contours for the General Plan. The noise measurement locations are shown in Figure A-1 in Appendix A. The measured data is summarized in Table A-2 in Appendix A. Vehicular traffic on the street network was the dominant noise source during measurements. There were small contributions from intermittent local noise such as distant dog barking or residential noise at a few of the locations. General aviation aircraft at Location ST-5 generated a maximum level of 54 dBA but automobiles and motorcycles were typically 10 to 20 dBA louder.

4. Roadways

The California Department of Transportation (Caltrans) Noise Prediction Model LeqV2 was used to develop L_{dn} contours for the state highways and major county roadways within the unincorporated areas of Stanislaus County. Annual average daily traffic volumes (AADT) and truck mixes for existing (2000) conditions were obtained from Caltrans and the Stanislaus County Department of Public Works. These data were input into the traffic noise model for calibration with noise measurements conducted during the noise monitoring survey. Existing noise levels along county streets and highways were then calculated with the calibrated traffic noise model. Noise levels were estimated at 75 feet from the centerline of major roadways throughout the county and 150 feet from the center of highways. A summary of calculated distances to L_{dn} contours for existing and future conditions along major community roadways are shown in Table B-1 in Appendix B. The distances reported in Table B-1 can be considered to be worst-case estimates of noise exposure throughout the county because calculations do not take acoustical shielding from buildings or topography into account. Existing roadway noise contours were not mapped because small changes in noise levels over time would not be distinguishable on a map of

the scale represented in this document. For planning purposes, noise contour maps of the future noise levels can be found in Appendix B.

5. Railroads

Railroad operations in Stanislaus County include high speed mainline operations on the Burlington Northern and Santa Fe (BNSF) Railway and Union Pacific Railroad and low speed mainline and switching operations on the AT&SF Railway, UPRR, Sierra Railroad, Modesto and Empire Traction Company Railroad, and Tidewater Southern Railroad. Existing noise contours for these rail lines can be found in Table A-3 of Appendix A.

a. Union Pacific Railroad (UPRR)

The UPRR in Stanislaus County includes operations on the main line which passes through Salida, Modesto, Ceres, Keyes, and Turlock and operations on the branch line on the west side of the county, which passes through Wesley, Patterson, Crows Landing, and Newman. Based on noise measurements in Ceres and near the northern county line, there are approximately 16 freight train movements per day on the main line. Trains are evenly distributed throughout the day and night, with approximately 54% daytime operations (7:00 am to 7:00 pm), 13% evening operations (7:00 pm to 10:00 pm), and 33% nighttime operations (10:00 pm to 7:00 am). The UPRR main line runs adjacent to SR 99 for the majority of its route through Stanislaus County. Based on measured noise levels along the tracks, the calculated distance from the center of the mainline to the 60 dBA Ldn railroad contour is approximately 680 feet for existing (2004) operations.

b. Burlington Northern and Santa Fe (BN & SF) Railway

Operations on the BNSF Railway in Stanislaus County occur on the mainline which runs through Riverbank, Hughson, Empire, and Denair, and on a branch line which connects the mainline at Riverbank with the with the Sierra Railroad in Oakdale. According to noise measurements made in and just north of Hughson, approximately 33 train movements take place each day with approximately 54% daytime operations (7:00 am to 7:00 pm), 11% evening operations (7:00 pm to 10:00 pm), and 35% nighttime operations (10:00 pm to 7:00 am). Train movements ranged from a few seconds up to more than two minutes in duration. Based on measured noise levels along the tracks, the calculated distance from the center of the mainline to the 60 dBA L_{dn} railroad contour is approximately 950 feet for existing (2004) operations.

c. Sierra Railroad

The Sierra Railroad operates between Oakdale and Standard and includes both freight and passenger trains. Freight trains are operated by Union Pacific and Burlington Northern Santa Fe and usually operate roughly three times per week. Passenger trips travel between Oakdale and the eastern Stanislaus County Line and include entertainment style railroad travel approximately 3 to 5 times per week with most trips occurring Thursday through Sunday. Additional trips are scheduled during holidays. Based on the noise measurement survey made east of Oakdale, 1 to 3 freight train movements take place each day with approximately 75% daytime operations (7:00 am to 7:00 pm) and 25% nighttime operations (10:00 pm to 7:00 am). Railroad and horn noise levels are clearly audible in areas of the county adjacent to the tracks, but they occur infrequently. The 60 dBA L_{dn} contour for this operation is approximately 80 feet from the centerline of the railroad for existing (2004) conditions located away from grade crossings.

d. Modesto and Empire Traction Company Railroad

The Modesto and Empire Traction Company is a short-line railroad which connects switching operations between the UPRR Railroad in Modesto and the AT&SF Railway in Empire. A typical train can vary from lone locomotives to 4-5 car trains, up to 60 car trains. Train speed is limited to a maximum of 20 mph, with an average speed of 1 mph. Train operations typically occur 24 hours per day from 11 pm on Sunday through 8 am on Saturday, with occasional train movements over the weekend. Operations are split into three shifts, with one crew working the 7 am to 3 pm shift, two crews working the 3 pm to 11 pm shift, and two crews working the 11 pm to 7 am shift. Train trips per day vary greatly, with lighter operations occurring during the daytime 7 am to 3 pm shift.

Source: Ken Beard, Modesto and Empire Traction Company, telephone interview, September 7, 2004.

e. Tidewater Southern Railroad

The Tidewater Southern Railroad is a branch line operation of the Union Pacific Railroad. The line runs in a general north-south route through Stanislaus County passing through Del Rio, Modesto, and Turlock. The portion of the line from just south of Bangs Avenue through Modesto to Bonniefair was abandoned in 2000 and sections were removed or paved over in 2003. North of Bangs Road, operations typically occur 3 days per week on Tuesday, Thursday and Saturday. However, service may be operated more or less frequently depending on demand. According to noise measurements made south of Del Rio, approximately 6 train movements take place each day, with occasional evening and nighttime movements. The southern end of the line is served out of Rogers Holding Yard in Ceres and by unit grain trains directly off the former Southern Pacific rail line from Fresno. The 60 dBA L_{dn} contour for this operation is approximately 140 feet from the centerline of the railroad for existing (2004) conditions located away from grade crossings.

Source: Jim Smith, Union Pacific Railroad, telephone interview, October 8, 2004.

6. **Airports**

Aircraft noise in California is described in terms of the community noise equivalent level (CNEL). As mentioned previously, CNEL is approximately equivalent to the day/night average noise level (Ldn) but includes a 5 dB weighting factor for the evening hours (7:00 PM to 10:00 PM). CNEL contours for operations at the Oakdale Municipal Airport, Patterson Airport, Turlock Airport, and Modesto City / County Airport were derived from the existing Airport Master Plan reports as available. Noise contours for the Crows Landing Naval Auxiliary Landing Field are not included in this report because, at the present time, the airfield is not in use and future plans for the airfield were unavailable.

a. Modesto City/ County Airport (Harry Sham Field)

The information for this portion of the report was compiled from the 2003 Airport Master Plan. The Modesto City/ County Airport serves as the primary commercial service airport for Stanislaus County and includes two runways in a 28L and R – 10L and R configuration. In 2001, the airport included 89,832 total operations, with 43,574 passengers, 591,518 lbs. total freight, and 177 based aircraft. Operations are predicted to increase to 141,180 by the year 2022. Approximately 84

percent of Modesto Airport operations in 2001 occurred during daytime hours (7:00 am to 7:00 pm), 15 percent occurred during evening hours (7:00 pm to 10:00 pm), and one (1) percent occurred during nighttime hours (10:00 pm to 7:00 am). The Modesto City/ County Airport includes air carriers, general aviation, and military operations. Itinerant general aviation accounts for approximately 62 percent of total general aviation operations, with 74 percent single engine aircraft, 9 percent multi-engine aircraft, 12 percent turboprops and jets, and 4 percent helicopters. The fleet mix transition over the past decade has been a move to high performance aircraft such as propjets and turbo fan aircraft and this is expected to continue into the future years. The 2001 Master Plan contours are shown in Figure A-22 in Appendix A.

Source: Modesto City-County Airport (Harry Sham Field) 2002 Airport Master Plan, prepared by Coffman Associates.

b. Oakdale Municipal Airport

The information for this portion of the report was compiled from the 2003 Airport Master Plan. The Oakdale Airport is composed of 117 acres of land with one paved runway. The east-west runway 10-28 is 3,020 feet long and can handle only small general aviation aircraft. The airport is located approximately two miles east of Oakdale City boundaries and the site is owned by the City of Oakdale. Land uses surrounding the airport are generally agricultural, with some rural residential uses. A few of these residences are located along Laughlin Road, the access road to the airport. The land surrounding the airport is currently zoned for agricultural uses and no residential uses fall within the 65 CNEL contour.

The airport is not considered particularly busy, except on summer weekends, and aircraft operations have not been counted on any continuing basis. The vast majority of operations are by single-engine aircraft, with approximately 60% local operations and 40% itinerant operations in 1995. Of these, approximately 4% of all operations were estimated to be by twin-engine aircraft and 0.5% by business jets. It was forecasted in 1995 that by the year 2015, there would be 80 based aircraft and 51,380 total operations, with a peak hourly runway demand of 39 under the runway-use configuration actually utilized and 5 under a single runway use configuration. It is assumed the single runway condition will occur for approximately 10% of the year and will not continue over a long period of time. A runway extension has been proposed to increase the existing runway to 4,400 feet, but has not been completed (as of August 2004). Future contours were calculated with and without the runway extension and it was found that there was an improvement in the CNEL contours with the extension, since the most active runway 28 will shift east away from developed areas. The 1996 Master Plan contours are shown in Figure A-23 in Appendix A with the runway extension.

Source: Oakdale Municipal Airport 1996 Airport Master Plan, prepared by Wadell Engineering Corporation.

c. Patterson Airport

The Patterson Airport is a small airport; built on approximately 30 acres with a runway (34/16) that is less than 2000 feet long. Small turbine-powered or reciprocal engine agricultural planes are the typical users, and planes of about 8,000 to 10,000 lbs gross weight are the largest that are able

to operate on this small runway. The majority of land use in the vicinity of the airport is agricultural, with the nearest noise sensitive areas located within the City of Patterson and more than a quarter mile from the airport. The 2001 Draft EIR for the City of Patterson does not include the airport as a significant noise source. Additionally, it is likely that the airport will be annexed to the City of Patterson by January 2005. Noise contours were not prepared for this airport. Based upon the airport size and operations, it is expected that the 60 dB CNEL contour for this airport is located very close to the airport so no noise sensitive land would be affected.

Sources: Patrick Bodin, City of Patterson, August 2004.

West Patterson Master Development Plan Draft EIR, prepared by Crawford Multari & Clark Associates.

d. Turlock Airpark

Turlock Airpark is a small, public use airport with a few based aircraft. The airport is located just south of State Route 99, with portions of the airport located in both the City of Turlock and unincorporated Stanislaus County. Within county lands, the land use is primarily agricultural. The limited runway length prevents large aircraft and jets from using the airport, so that the majority of airport use is by single engine aircraft and ultralight aircraft. Twenty single engine aircraft and twelve ultralight aircraft are based at the Turlock Airpark. Noise contours were not prepared for this airport. Based on the limited capacity of the airport, it is estimated that the 60 dB CNEL contour for this airport lies within the airport boundaries so that noise sensitive uses are not significantly impacted.

Source: Michael Cooke, Planning Department, City of Turlock, August 2004.

e. Former Crows Landing Naval Auxiliary Landing Field (NALF)

The former Crows Landing Naval Auxiliary Landing Field is completely surrounded by Stanislaus County land. The site contains approximately 1,500 acres of land between Patterson and Crows Landing. Much of the facility property and most of the surrounding area is used for agriculture. The former NALF Crows Landing was commissioned in May 1943 and served primarily as an auxiliary airfield for operations from Naval Air Station, Moffet Field. The Navy closed the facility in 1994 it was transferred to NASA on July 1, 1994. In October 1999, NASA was authorized by to transfer the facility to Stanislaus County. At this time, NASA is no longer using the airfield and the property should be transferred to the County by the end of 2004. Noise contours were not prepared for this airport. There no current plan for the air field at this time, but a new Master Plan may eventually be prepared if the county decides to operate a General Aviation airport at this location.

Source: Proposed Plan NASA Crows Landing, June 1999, prepared by the Navy, Engineering Field Activity West.

Debra Whitmore, Senior Planner, Planning and Community Development, Stanislaus County, August 2004.

7. Industrial and Other Stationary Noise Sources

Noise is inherent to many industrial processes, even with the best available noise control technology. Updated noise exposure information for major industries in the unincorporated areas of Stanislaus County was developed from operational information obtained from plant operators. The industrial areas represented in this document are intended to identify noise sources that are located near noise sensitive land uses. The industrial areas are grouped into three categories; (1) those which are outside of any sphere of influence, but near County development, (2) those located within a sphere of influence, and (3) those located in the County agricultural zone, away from development. The main focus of this section of the document is on industry located outside of any sphere of influence, but near County development. Facilities located within a sphere of influence and near noise sensitive uses would be included in the applicable City Noise Element document.

Outside City Spheres of Influence, Near County Development

a. Berry Feed and Seed Company, Keyes

The Berry Feed and Seed facility receives and processes grain products for seed and animal feeds. Products are received by truck and rail. Major on-site noise sources include material and air handling fans, hammermills, roller mills, and heavy truck movements. The majority of the equipment is located inside a steel structure. Operations are conducted 24-hours per day year round. Residences located south of the facility have been purchased by Berry Feed and Seed and are used as company offices, storage, and liquid feed containers. The 60 dBA L_{dn} noise contour for this facility is estimated to be approximately 1550 feet from the center of the plant as specified in the 1987 documentation.

Source: Bruce Pace, Director of Safety and Environmental Affairs, Berry Feed and Seed, Telephone Interview, February 16, 2005.

b. California Almond Growers Exchange, Salida

The California Almond Growers Exchange is an almond receiving, processing, and storage facility. Noise generating operations include an almond shelling process, heavy truck movements, elevators, dust collectors, and conveyers. The plant typically operates 5 to 6 days per week during the hours of 6:00 am and midnight during almond harvesting season (September through November). Based on noise measurements conducted in 1986 during the off-season (BBA, 1987) an elevator generates noise levels of approximately 65 to 66 dBA at a distance of 900 feet from the operations and the processing equipment generates noise levels of approximately 66 dBA at a distance of 200 feet from the receiving area of the plant. The almond shelling process (an addition since 1986) is not expected to be distinguishable above noise levels already generated on the site by the other equipment. Noise levels would be higher during peak season, when there are large numbers of trucks and all stationary equipment is in full operation.

Source: Bill Weaver, Plant Manager, California Almond Growers Exchange, February 2005.

c. Dompe Company Warehouse, Crows Landing

The Dompe Warehouse is located adjacent to the Grisez Warehouse and used mostly as a storage facility. There are no major noise sources at the facility. Bean cleaning and treatment is performed at this facility during harvest season. The 60 dBA L_{dn} noise contour for this facility is expected to be located entirely within the property boundaries. Nearby noise sensitive uses are not significantly impacted by this facility, but may be impacted by the adjourning Grisez facility.

Source: Barbara Troesch, Accounts Payable, Dompe Company Warehouse, Telephone Interview, January 20, 2005.

d. Flory Industries, Salida

Flory Industries is a manufacturing and fabrication plant located west of Salida. The facility manufactures equipment including nut harvesters and sweepers, sprayers, blowers, and agricultural implements. The shop operates in three shifts 5 to 6 days per week; a daytime shift from 7:00 am to 3:30 pm, a swing shift from 4:00 pm to 12:30 am, and a smaller graveyard shift from 11:30 pm to 8:00 am. Most manufacturing operations are located within buildings, but steam cleaning and heavy duty riveting are performed outdoors. Noise sources which were audible at the property line during the 1987 survey included forklifts, trucks, welding and grinding operations, steam cleaning, and the compressor and pump operations. The airstrip previously located on the property and used for operations has been removed. Based on the removal of the airstrip and the previous 1987 technical noise document findings, the 60 dBA L_{dn} noise contour for this facility is expected to be located entirely within the property boundaries.

Source: Rodney Flory, Senior Partner and Treasurer, Flory Industries, January 2005.

e. Grisez Warehouse, Crows Landing

The Grisez warehouse complex includes three mills enclosed in separate buildings. Only one of the three mills is currently in use, with the additional two buildings being used as storage. The facility stores, cleans, and treats lima, baby lima, and baby green beans, as well as black eyed peas. Major noise sources include the one operating mill, ventilation fans, deliveries, and forklift operation. Approximately two heavy truck deliveries take place each week. The facility is typically operated from 7:00 am to 5:00 pm during the off-season and from 7:00 am to 7:00 pm during harvest season. Operations have decreased from the 1987 (when all three mills were running), but could conceivable return to previous operations. The 60 L_{dn} contour during peak season mill operations is estimated to be approximately 830 feet from the center of the milling equipment as specified in the 1987 documentation.

Source: Barbara Troesch, Accounts Payable, Dompe Company Warehouse, Telephone Interview, January 20, 2005.

f. Modesto Sand and Gravel, Modesto

Modesto Sand and Gravel is a demolition and excavation company which operates noisy equipment off-site. Heavy trucks, excavators, and loaders are sent out during daytime hours to the location of the demolition or excavation site. Equipment is stored on site when not in use and the only on-site noise sources would be vehicle movements moving to and from the facility. The 60

dBA L_{dn} noise contour for this facility is expected to be located entirely within the property boundaries.

Source: Grace Azevedo, Administrative Assistant, Modesto Sand and Gravel, Telephone Interview, February 15, 2005.

Inside City Spheres of Influence

g. Beard Industrial Tract, Modesto

The Beard Industrial Tract includes a variety of industrial uses, including food processing plants and transportation sources. Primary noise sources include the Modesto and Empire Traction Company Railroad movements, Burlington Northern and Santa Fe (BN & SF) Railway movements, traffic along Yosemite Boulevard, and aircraft operations at the Modesto City/ County Airport (all discussed previously). South of the tract, the noise environment is generated primarily by industrial noise sources. It is likely that the 60 dBA L_{dn} noise contour for Beard Industrial Tract would be located within the tract boundaries. However, due to seasonal variations in operations and the many variables associated with the tract, it is recommended that detailed studies of current source operations be conducted whenever potentially noise sensitive land uses are proposed nearby.

h. Bonzi Landfill

The Bonzi Landfill operates from 6:00 am to 6:00 pm on 5-days per week with occasional Saturday operations and is not open to the public. Operations include the storage, recycling, and disposal of industrial wastes. Heavy trucks are used for waste handling and transportation to and from the site, with a limited number of nighttime truck activities (1-2). Nearby residences are approximately 150 yards from the working area and are acoustically shielded by berms and a block wall. The major noise source at these residences is heavy truck movements on Hatch Road.

Source: Steve Bonzi, General Manager, Bonzi Landfill, Telephone Interview, February 16, 2005.

i. Gallo Winery, Modesto

The Gallo Winery and Gallo Glass Company is a large industrial complex located east of Dry Creek, between Yosemite Boulevard and the Tuolumne River, and within the Modesto sphere of influence. No major changes in operations have occurred in the complex since 1986. Operations occur on a 24-hour per day basis, 365 days per year and include cooling towers, refrigeration equipment, and various types of small and large fans. In addition, heavy truck movements occur in some areas. Bottling operations are enclosed within the buildings. Based on noise measurements conducted in 1987 (BBA, 1987), noise levels at or near the plant boundaries typically range from approximately 55 to 70 dBA during periods of normal operations.

Source: Derrick Jarvis, Operations Manager, Gallo Winery, January 2005.

Agricultural Zone, Away From County Development

j. Santa Fe Aggregates, Inc, Waterford Plant

The Santa Fe Aggregates Waterford Plant is a sand and gravel extraction and processing plant, located approximately 5 miles east of Waterford. Extraction, crushing, and screening operations typically occur weekdays between the hours of 6:00 am and 11:00 pm during peak season (June through October), and 7:00 am to 5:00 pm during off season, with occasional Saturday operations during peak season. The asphalt plant typically operates 4 days per week in peak season with a start up time of 6:00 am and 2 days per week during off-season with a start up time of 7:00 to 8:00 am. The concrete batch plant is no longer in use and has not been used for many years. Extraction operations utilize a backhoe and a belt conveyer line to transport material between facilities. Crushing operations include two cone crushers and a vertical impact crusher. The plant is now on electric power and no longer uses a diesel generator. Based on the 1987 technical noise document findings and updated operations information and without taking acoustical shielding into account, the 'worst-case' 60 dBA L_{dn} noise contour for this facility is expected to be located approximately 600 feet from excavation and hauling activities and approximately 4500 feet from the center of the processing plant during asphalt plant operations. Shielding from the bluff along the river would be expected to reduce noise levels significantly in areas north of SR 132.

Source: Michelle Cunningham, Division Manager, Santa Fe Aggregates, Inc, Telephone Interview, February 15, 2005.

8. Key Findings

a. Roadways, freeways, and railroads are the primary source of noise in Stanislaus County, with SR-99 and Interstate 5, the Union Pacific Railroad (UPRR), and the Burlington Northern and Santa Fe (BN & SF) Railway having the highest noise levels.
b. Localized and intermittent noise impacts occur as a result of aircraft over flights and industrial noise sources.

D. *Future Noise Environment*

1. Roadways

Future (2030) L_{dn} noise levels were estimated based on traffic volume data provided by the Stanislaus County Department of Public Works. A tabulated summary of calculated distances to L_{dn} contours for existing and future conditions are shown in Tables B-1 and B-2 in Appendix B. The predicted future (2030) L_{dn} noise levels along state highways and major county roadways throughout Stanislaus County at a distance of 75 feet from the centerline of the roadway are mapped in Figure B-1 in Appendix B. Predicted L_{dn} values are "worst-case" estimates because they do not take acoustical shielding from buildings or terrain into account.

2. Railroads

Information on the future operations of the railroads was unavailable and future noise contours were not prepared. Existing noise contour distances can be found in Appendix A. These data are the best available to describe the existing and future noise environments along the rail corridors.

3. Airports

Predicted future CNEL contours for operations at the Oakdale Municipal Airport and Modesto City / County Airport were derived from the existing Airport Master Plan reports as available and can be found in Figure B-3 in Appendix B. The noise contour maps show the extent of airport noise for planning purposes in the vicinity of the airport.

4. Industrial and Other Stationary Noise Sources

Future operations at industrial facilities are dependant on many variables and information was unavailable to allow meaningful projections of noise. It is recommended that detailed studies of current source operations be conducted whenever potentially noise sensitive land uses are proposed for areas near existing industrial, commercial, or other stationary facilities which could generate significant noise levels.

References

The references listed here are in addition to those documented throughout the report.

Brown Buntin Associates, Inc., Technical Reference Document, Chapter 4: Noise, 1987.

Stanislaus County Year 2000 General Plan, Chapter 2: Circulation Element, 1987.

Stanislaus County Year 2000 General Plan, Chapter 4: Noise Element, 1987.

StanCOG, Program Environmental Impact Report, Regional Transportation Plan for Stanislaus County, Chapter 12 Noise, October 2001.

E. List of Preparers

Illingworth & Rodkin, Inc., an acoustics and air quality consulting firm, was contracted by Stanislaus County to conduct this noise study. The following individuals had substantial roles in conducting the noise study and in the preparation of this report:

- Richard Rodkin (Principal) developed study approach, provided oversight in field measurement locations, traffic noise modeling and report preparation tasks, and reviewed this document.
- Dana Lodico (Staff Consultant) directed field measurements, analyzed noise and traffic data, conducted traffic noise modeling, and was the author of the report.
- Clayton Anderson (Staff Consultant) conducted noise measurements.

Appendix A: Existing Noise Sources

Figure A-1: Noise Measurement Locations

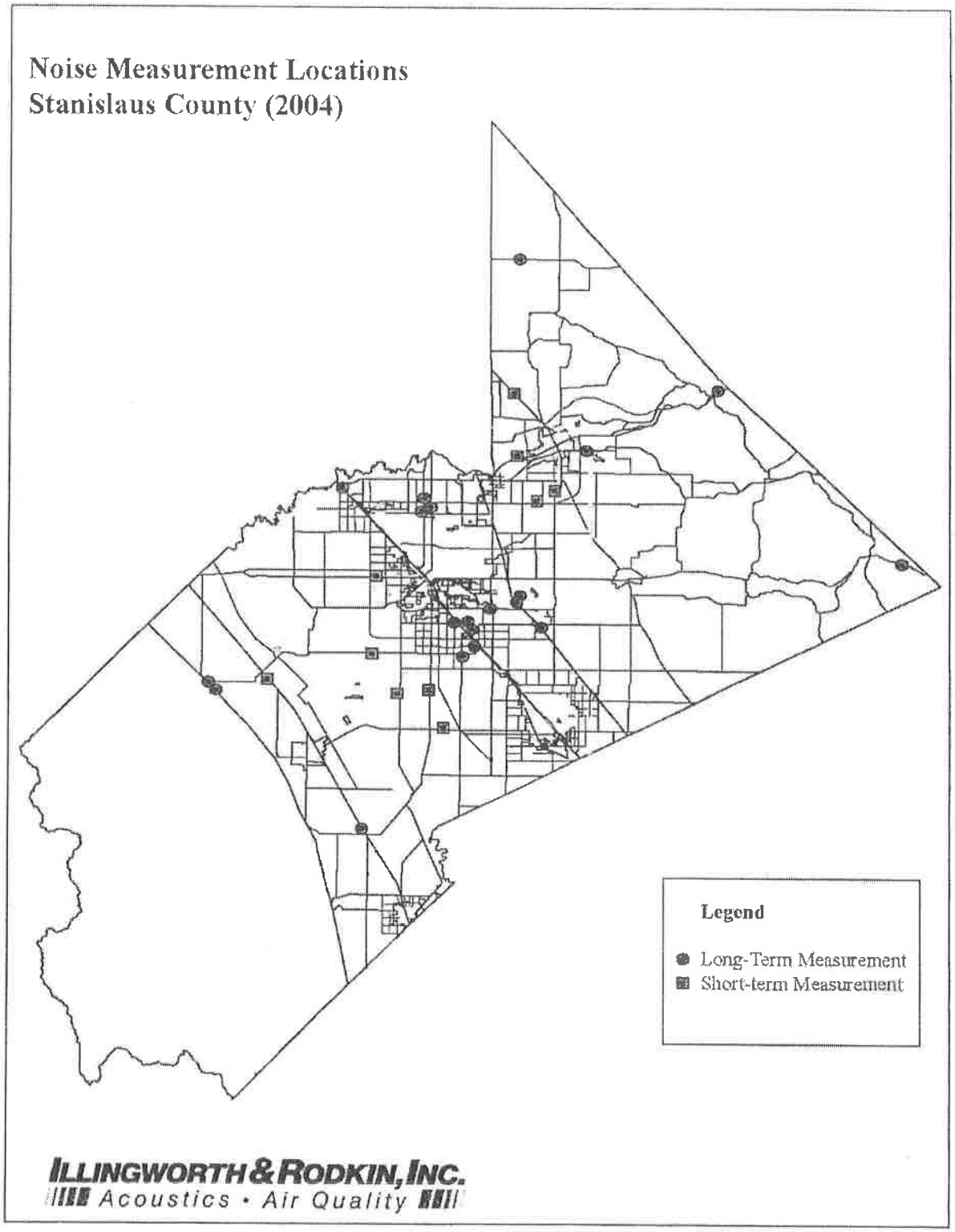


Table A-1: Summary of Long-Term Noise Measurements

Site	Location	Date	Time	Daytime Noise Levels	Nighttime Noise Levels	L_{dn}
Long-Term Measurements				**dBA**	**dBA**	**dBA**
LT-1	Residential Land Use, 907 Kiernan Road ~ 60 ft from the centerline of Hwy 219 /Kiernan Road	7/20/04 to 7/21/04	11:00 am to 1:00 pm	65-68	56-65	68
LT-2	~50 feet from the centerline of Hwy 108, near intersection with Hwy 219	7/20/04 to 7/21/04	11:30 am to 12:30 pm	71-74	64-73	76
LT-3	~200 feet to center of SR 99 near lane, ~350 feet toUPRR Rail line	7/20/04 to 7/22/04	12:20 pm to 2:30 pm	72-75	69-75	78
LT-4	~30 feet from centerline of 132, near county line	7/20/04 to 7/21/04	12:00 pm to 4:00 pm	62-66	51-66	68
LT-5	~50 feet from centerline of 120, near County line	7/20/04 to 7/21/04	1:00 pm to 5:00 pm	70-73	62-72	75
LT-6	~45 feet from centerline of Hwy. 4	7/20/04 to 7/21/04	2:00 pm to 7:00 pm	64-67	54-67	69
LT-7	~30 feet from centerline of Central Ave, south of Ceres near Grayson Road	7/20/04 to 7/22/04	6:00 pm to 2:00 pm	67-70	59-69	72
LT-8	~65 feet from near lane of I-5	7/21/04 to 7/22/04	11:00 am to 12:00 pm	73-75	73-75	80
LT-9	~50 feet from centerline of SR 33, north of Crows Landing	7/21/04 to 7/22/04	11:30 am to 1:00 pm	66-70	57-69	72
LT-10a	~50 feet from the centerline of Santa Fe Ave., near Leedom	7/21/04 to 7/22/04	3:30 pm to 4:00 pm	68-75	62-76	78
LT-10b	~50 feet from the centerline of Santa Fe Avenue at Leedom	8/31/04 to 9/2/04	2:00 pm to 2:00 pm	69-75	60-74	76
LT-11	3831 Hatch Road, ~65 feet from centerline of Hatch Road	7/21/04 to 7/22/04	3:30 pm to 4:00 pm	68-71	62-71	74
LT-12	~20 feet west of SPTCo Railroad and ~105 feet west of SR 99, in Ceres	5/18/04 to 5/21/04	12:30 pm to 2:00 pm	77-81	71-79	83
LT-13	~30 feet from the edge of Service Road, at Service and Moffet in Ceres	5/18/04 to 5/21/04	1:00 pm to 2:00 pm	69-73	62-73	75
LT-14	2805 Evalee Lane ~270 feet east of SR 99, in Ceres	5/18/04 to 5/20/04	1:30 pm to 3:00 pm	66-69	60-69	72
LT-15	Little Orchard Mobile Home Park ~130 feet east of SR 99, in Ceres	5/18/04 to 5/20/04	2:30 pm to 3:00 pm	72-74	64-73	78
LT-16	~60 feet from near lane of I-5 in Westley	8/31/04 to 9/2/04	10:30 am to 10:30 am	72-74	71-75	80
LT-17	~150 feet from AT&SF Railroad in Hughson	8/31/04 to 9/2/04	1:00 pm to 2:00 pm	69-80	59-80	81
LT-18	~50 feet from the Sierra Railroad tracks east of Oakdale	8/31/04 to 9/2/04	3:00 pm to 3:00 pm	66-71	58-70	72
LT-19	~35 feet from the Tidewater Railroad, south of Del Rio	8/31/04 to 9/2/04	4:00 pm to 4:00 pm	63-70	43-63	70

Table A-2: Summary of Short-Term Noise Measurements

Site	Location	Date	Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
Short-Term Measurements				**dBA**	**dBA**	**dBA**	**dBA**	**dBA**
ST-1	~75 feet from the centerline of Maze Blvd/ Hwy. 132 at Garrison	7/20/04	12:55 pm to 1:00 pm	71	81	76	66	50
ST-2	~75 feet from the centerline of Grayson Road, east of Jennings Road	7/20/04	1:48 pm to 1:58 pm	61	75	63	45	37
ST-3	~80 feet from the centerline of Carpenter Road, at Monte Vista Avenue	7/20/04	2:22 pm to 2:32 pm	64	74	68	54	44
ST-4	~60 feet from the centerline of West Main Street, west of Blaker Road	7/20/04	3:00 pm to 3:10 pm	68	77	72	62	49
ST-5	~60 feet from the centerline of Crows Landing Road, at Zeering	7/20/04	3:33 pm to 3:43 pm	67	78	70	60	48
ST-6	~40 feet from the centerline of SR 33, south of Westley	7/21/04	10:50 am to 11:00 am	71	81	75	60	47
ST-7	~50 feet from the centerline of Albers, between Patterson and Claribel	7/21/04	5:50 pm to 6:00 pm	72	82	76	67	54
ST-8	~50 feet from the centerline of Claribel, between Albers and Hwy. 108	7/21/04	6:15 pm to 6:25 pm	69	78	74	62	50
ST-9	~60 feet from the centerline of Hwy. 108, at Orchard Ave.	7/21/04	6:40 pm to 6:50 pm	70	77	74	69	56
ST-10	~60 feet from the centerline of Valley Home Rd, at 12542 Valley Home Road	7/21/04	7:10 pm to 7:20 pm	65	76	71	52	42

Figure A-2: Daily Trend in Noise Levels at LT-1

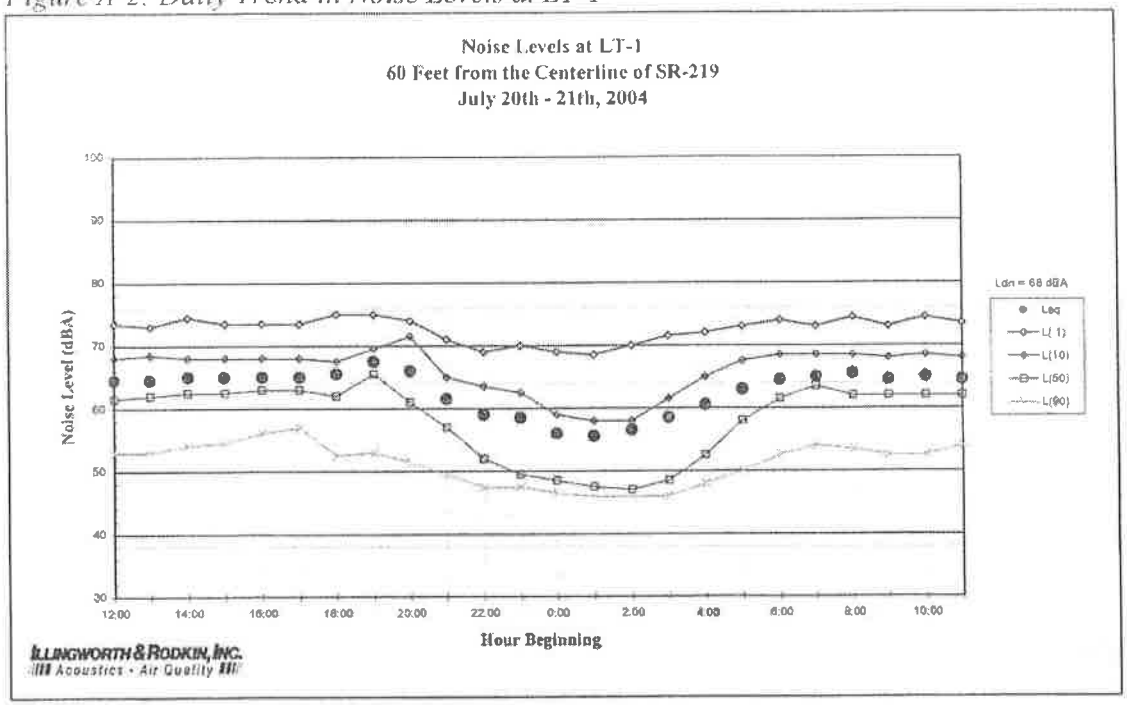


Figure A-3: Daily Trend in Noise Levels at LT-2

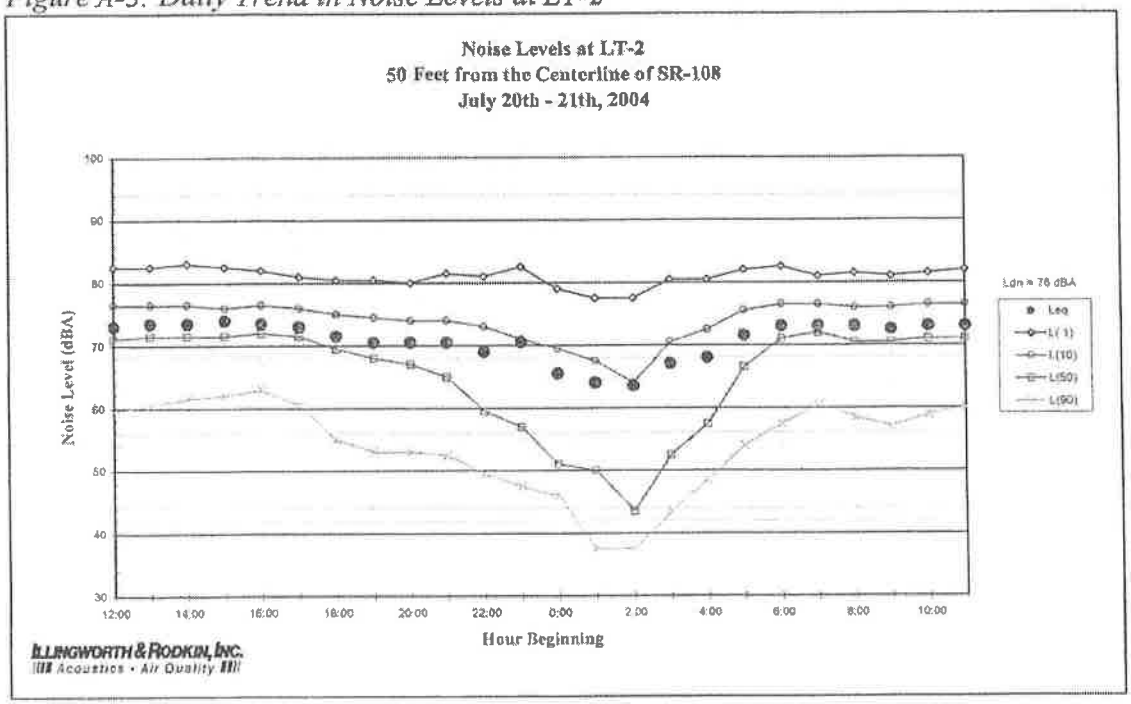


Figure A-4: Daily Trend in Noise Levels at LT-3

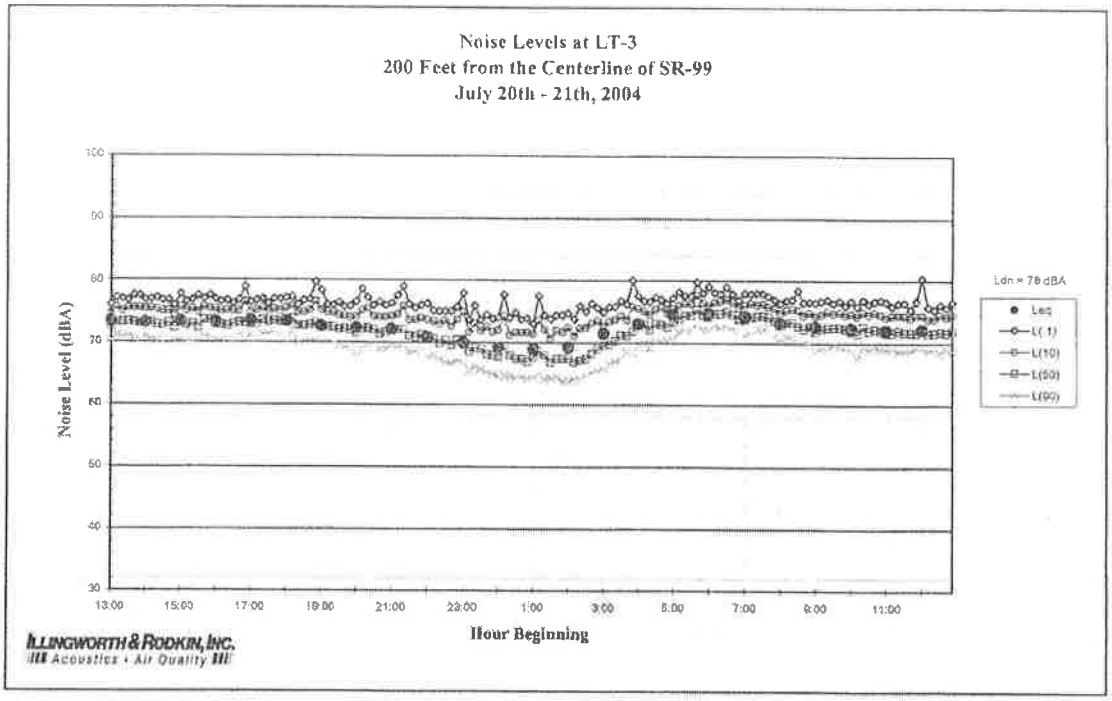


Figure A-5: Daily Trend in Noise Levels at LT-4

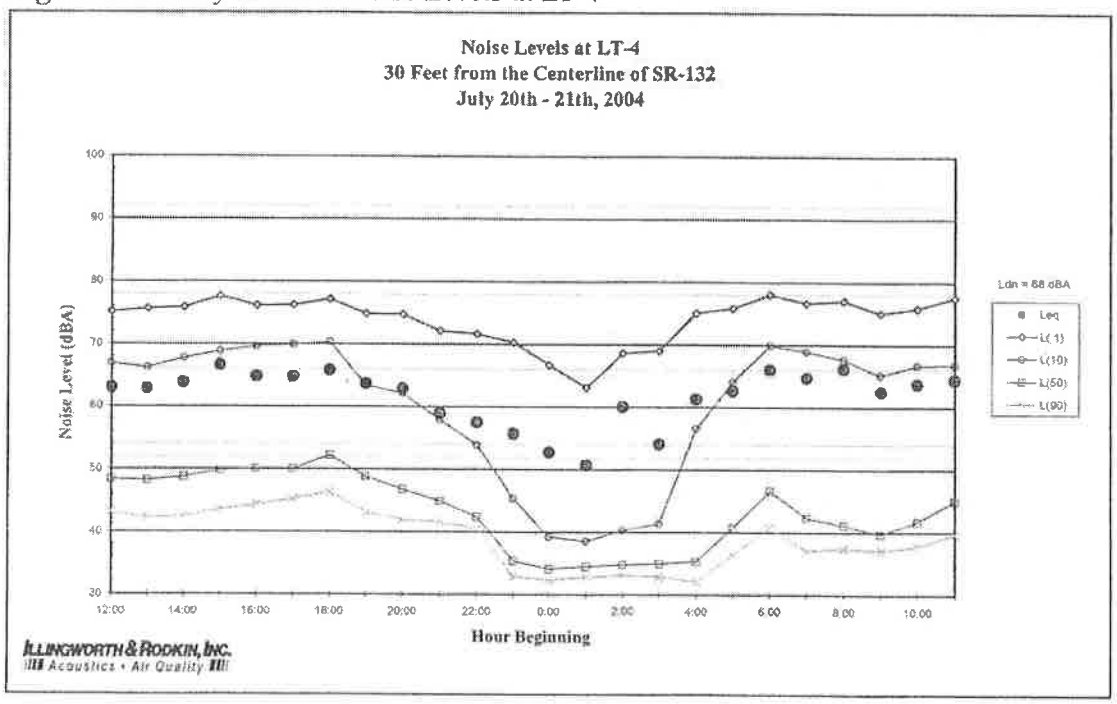


Figure A-6: Daily Trend in Noise Levels at LT-5

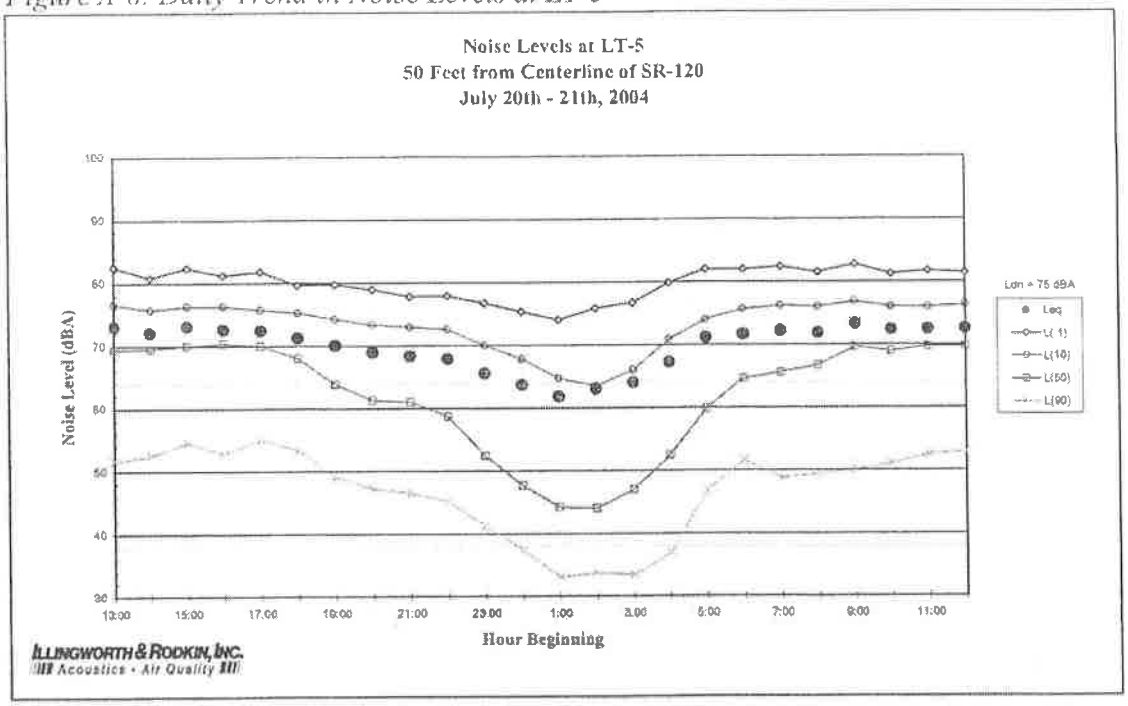


Figure A-7: Daily Trend in Noise Levels at LT-6

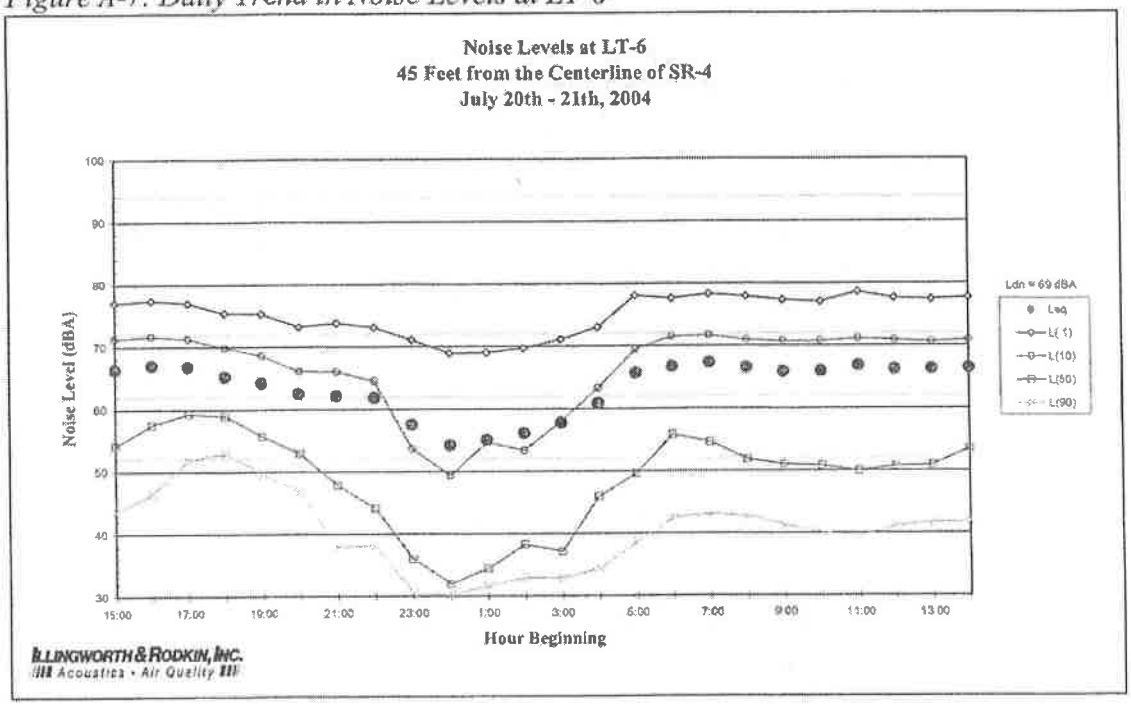


Figure A-8: Daily Trend in Noise Levels at LT-7

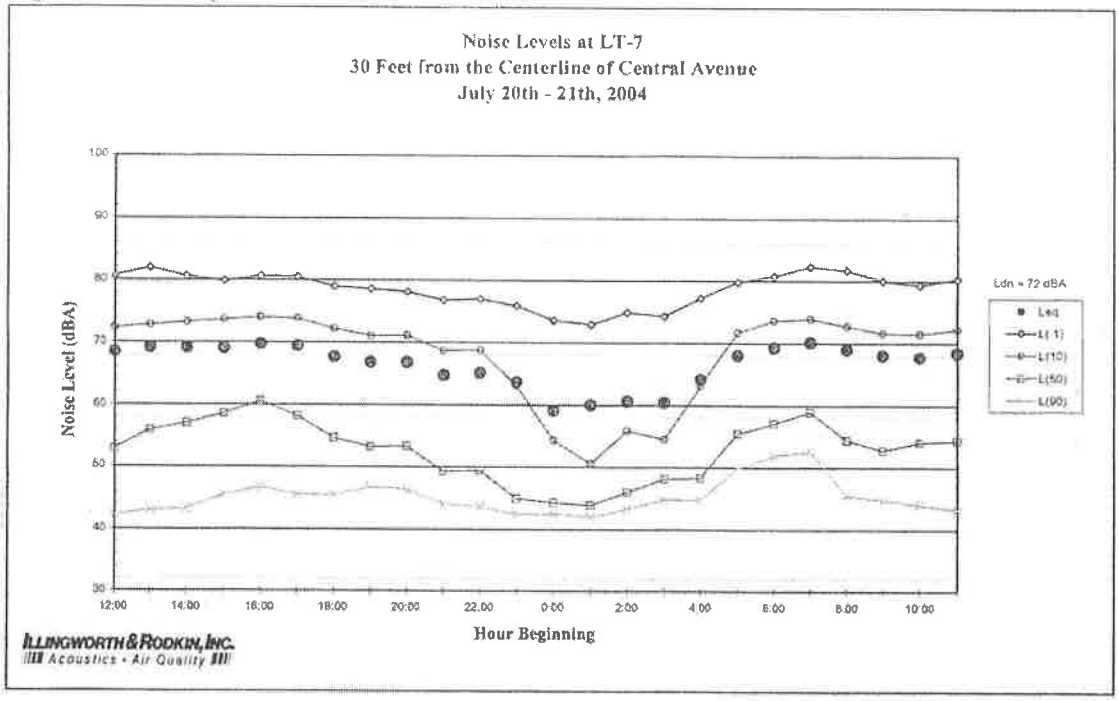


Figure A-9: Daily Trend in Noise Levels at LT-8

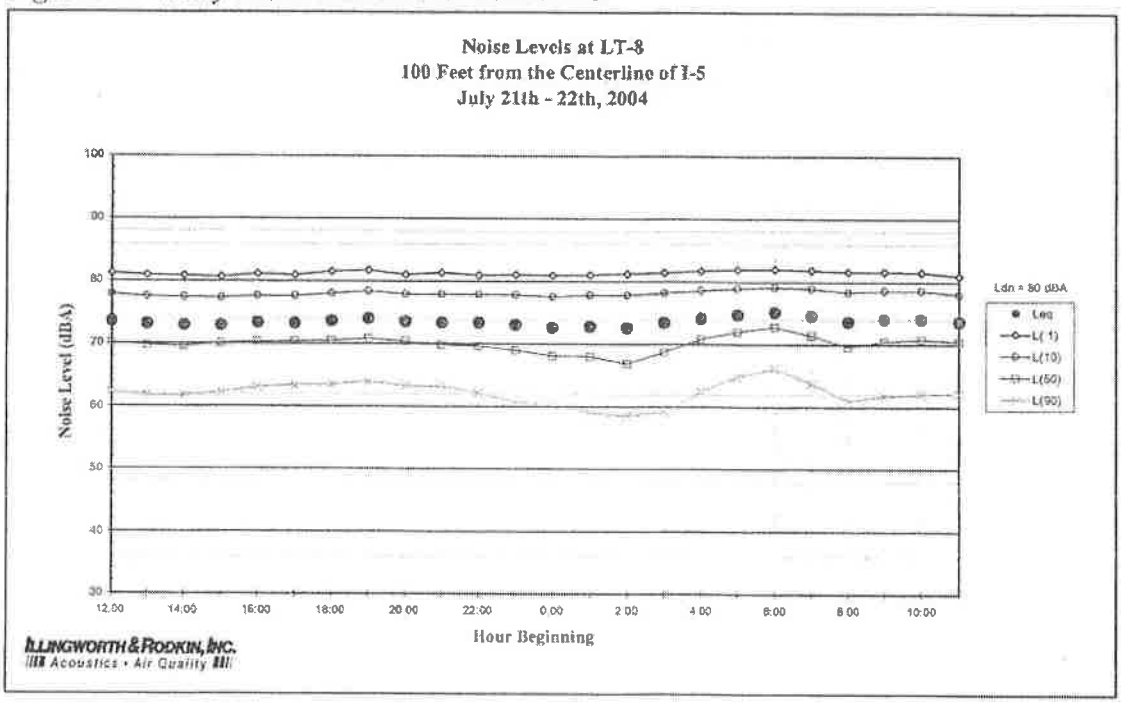


Figure A-10: Daily Trend in Noise Levels at LT-9

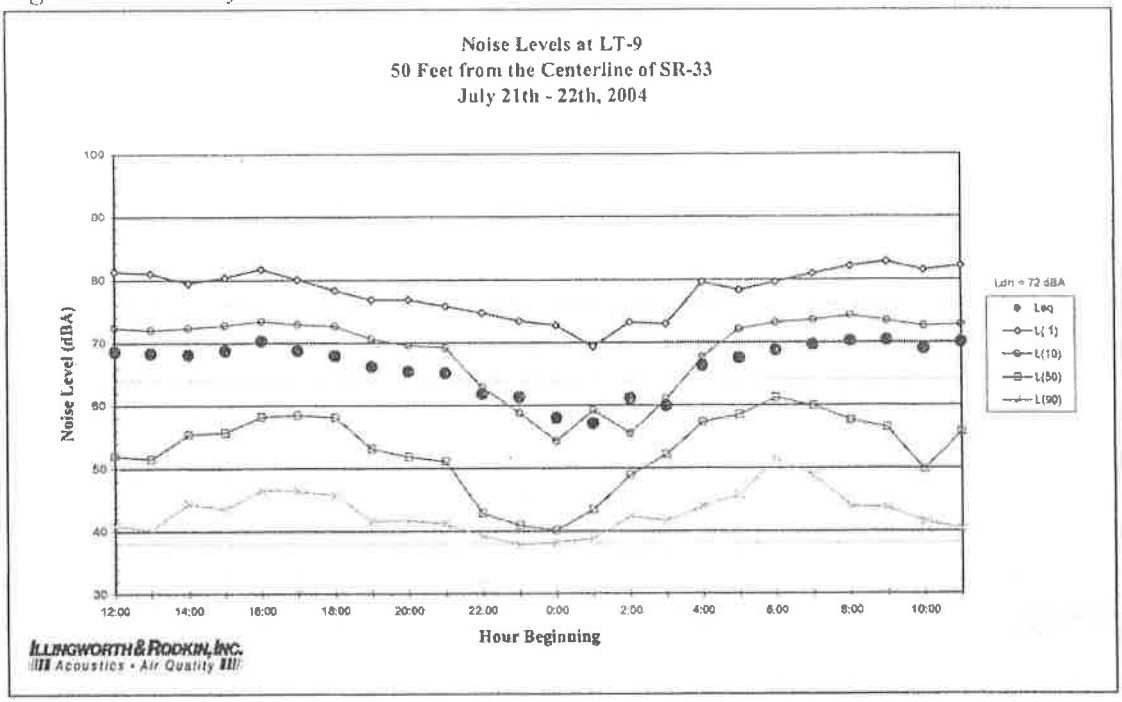


Figure A-11: Daily Trend in Noise Levels at LT-10a

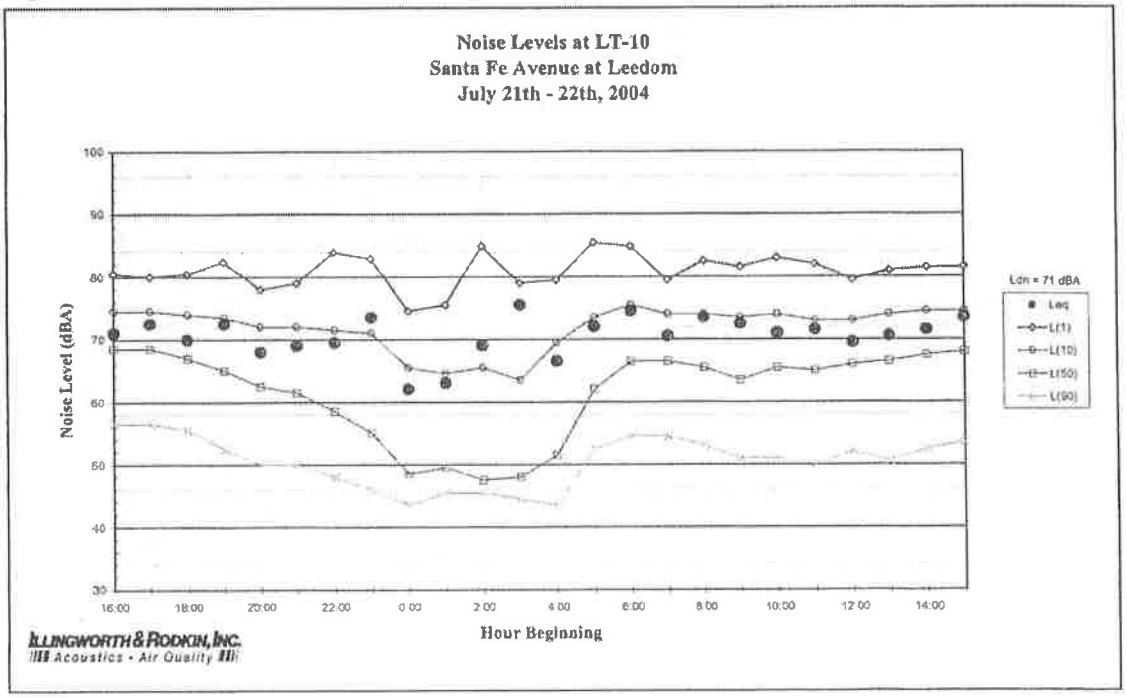


Figure A-12: Daily Trend in Noise Levels at LT-10b

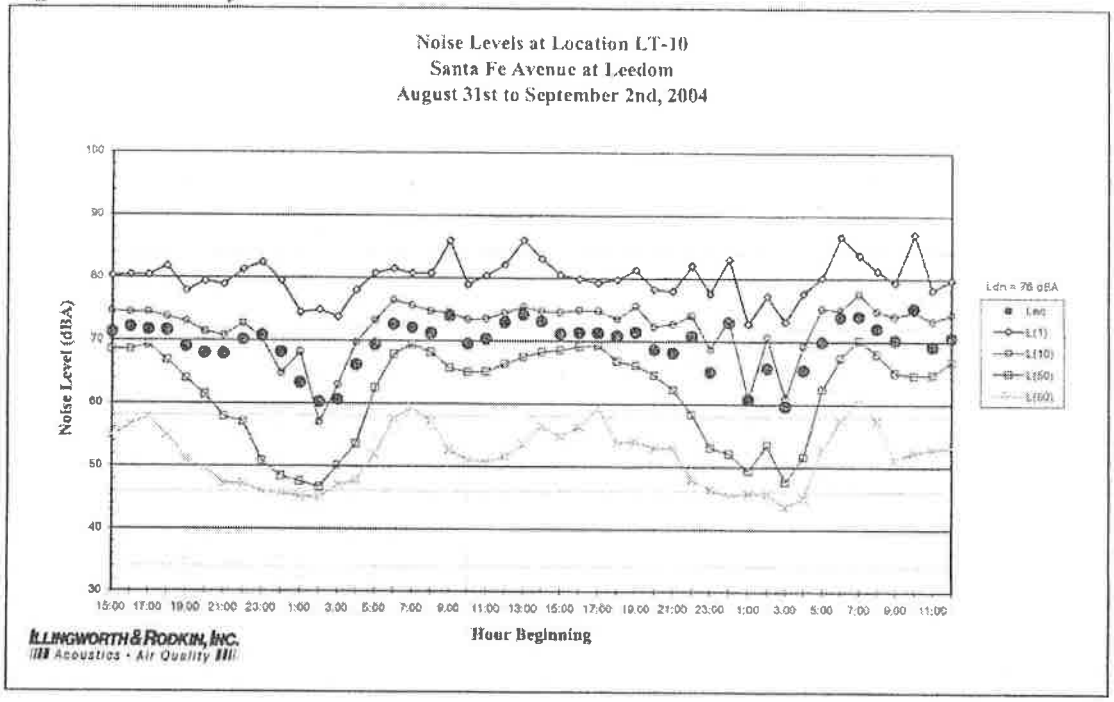


Figure A-13: Daily Trend in Noise Levels at LT-11

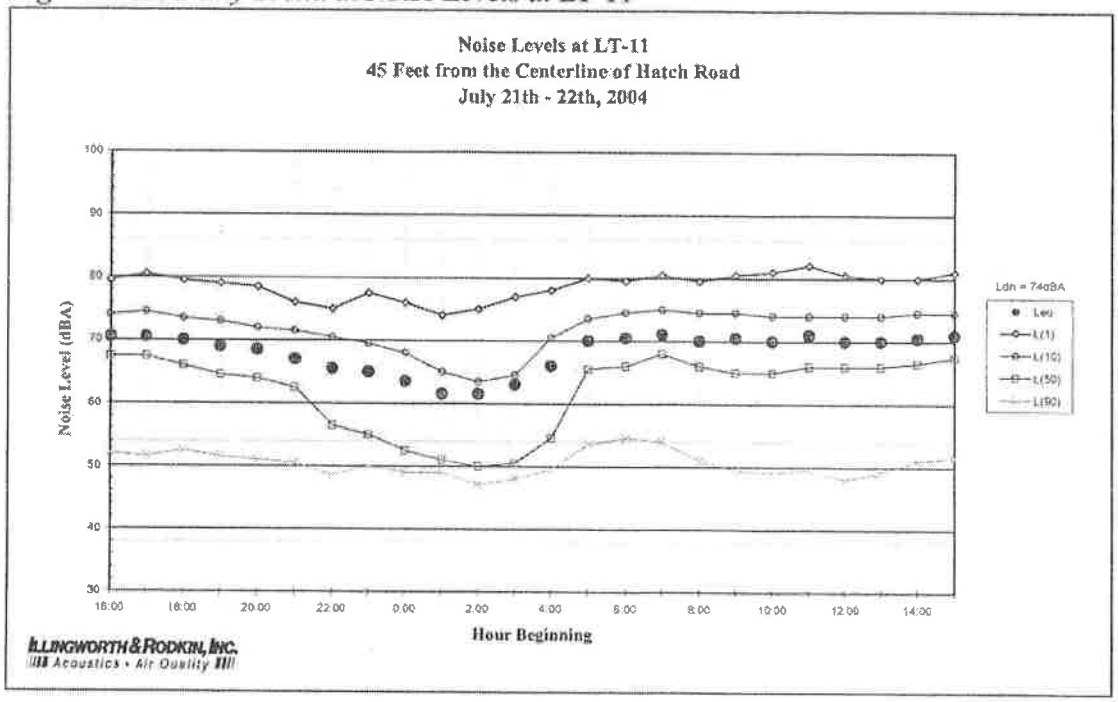


Figure A-14: Daily Trend in Noise Levels at LT-12

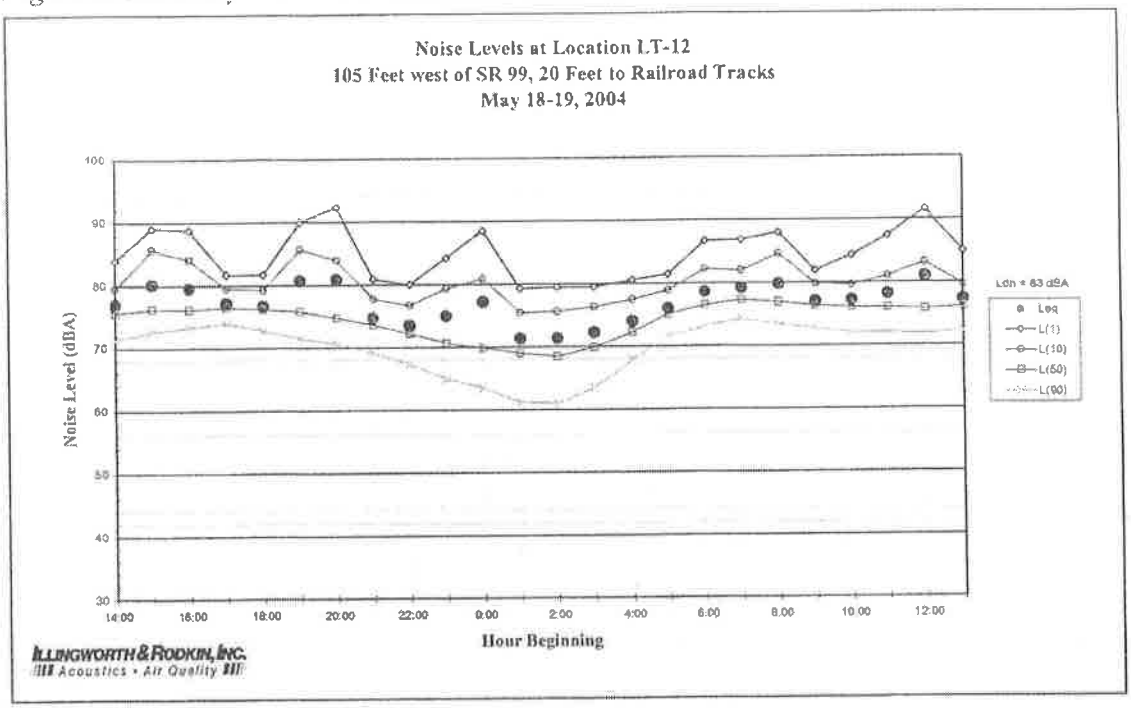


Figure A-15: Daily Trend in Noise Levels at LT-13

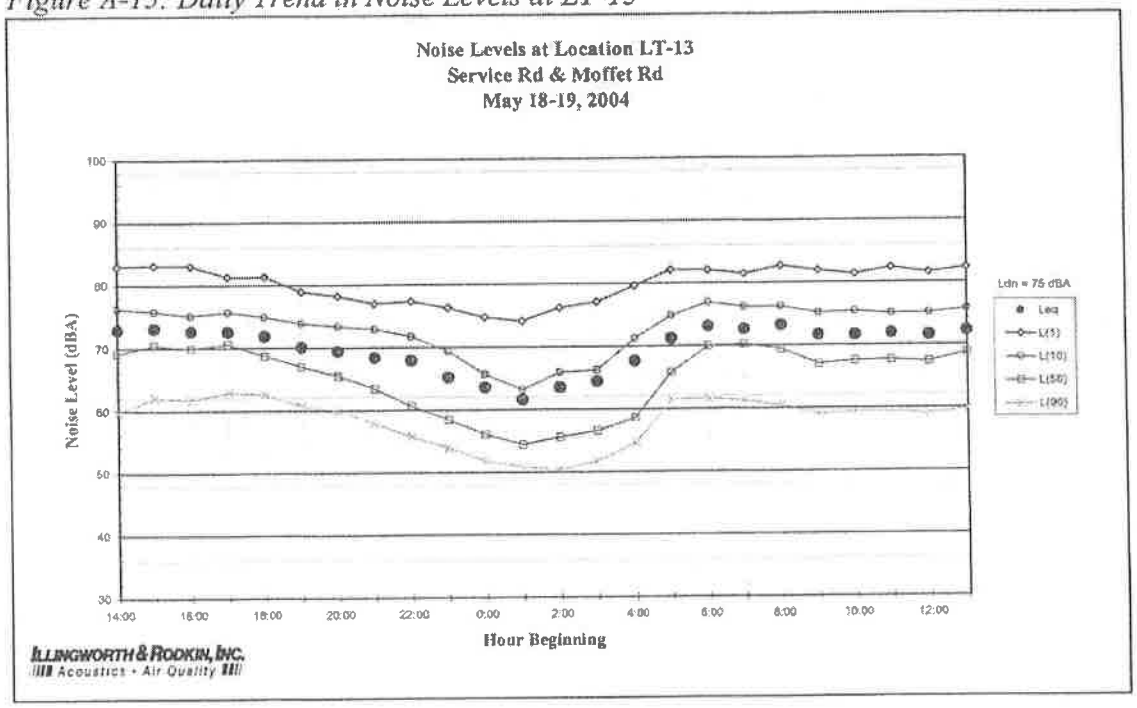


Figure A-16: Daily Trend in Noise Levels at LT-14

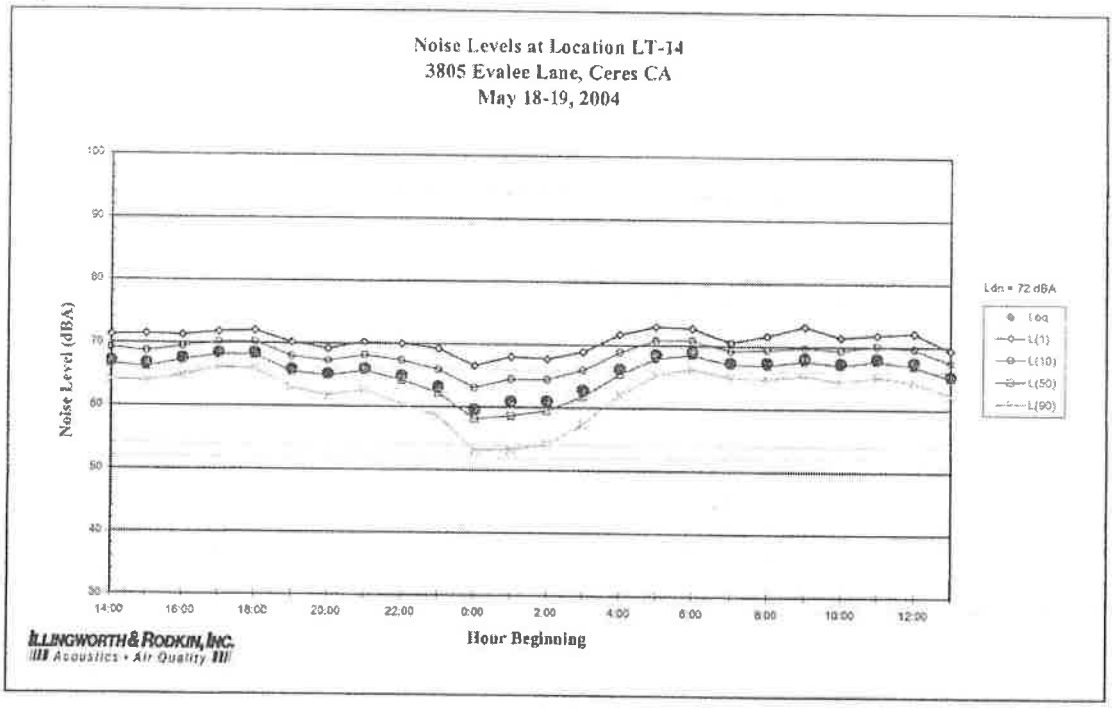


Figure A-17: Daily Trend in Noise Levels at LT-15

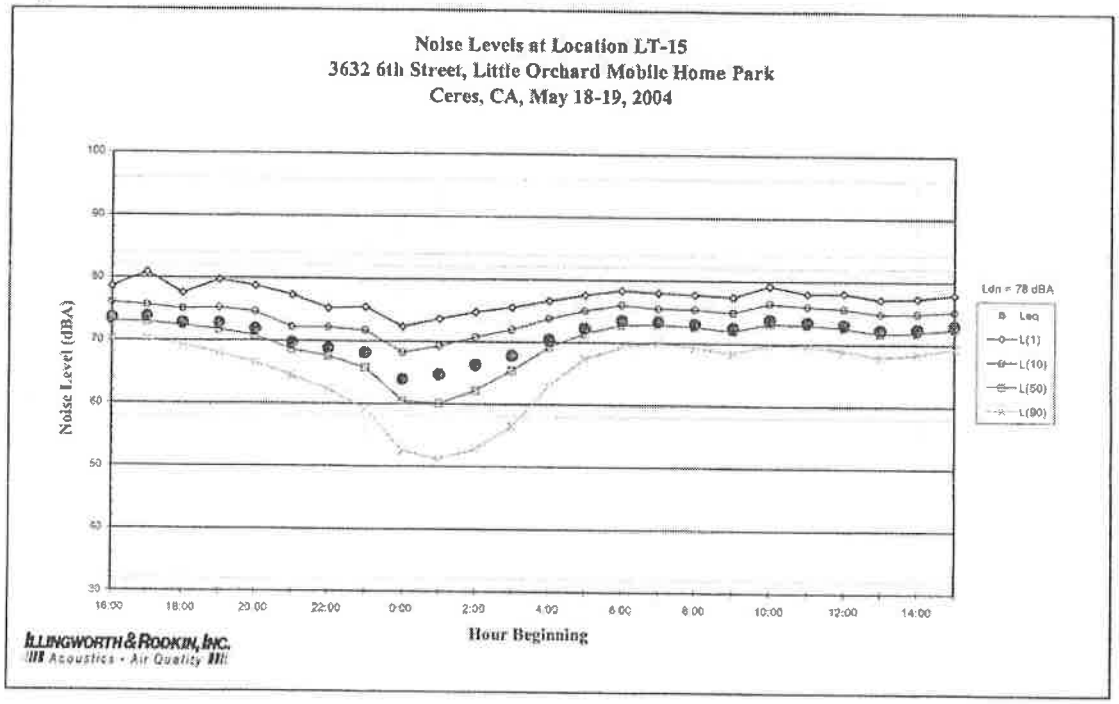


Figure A-18: Daily Trend in Noise Levels at LT-16

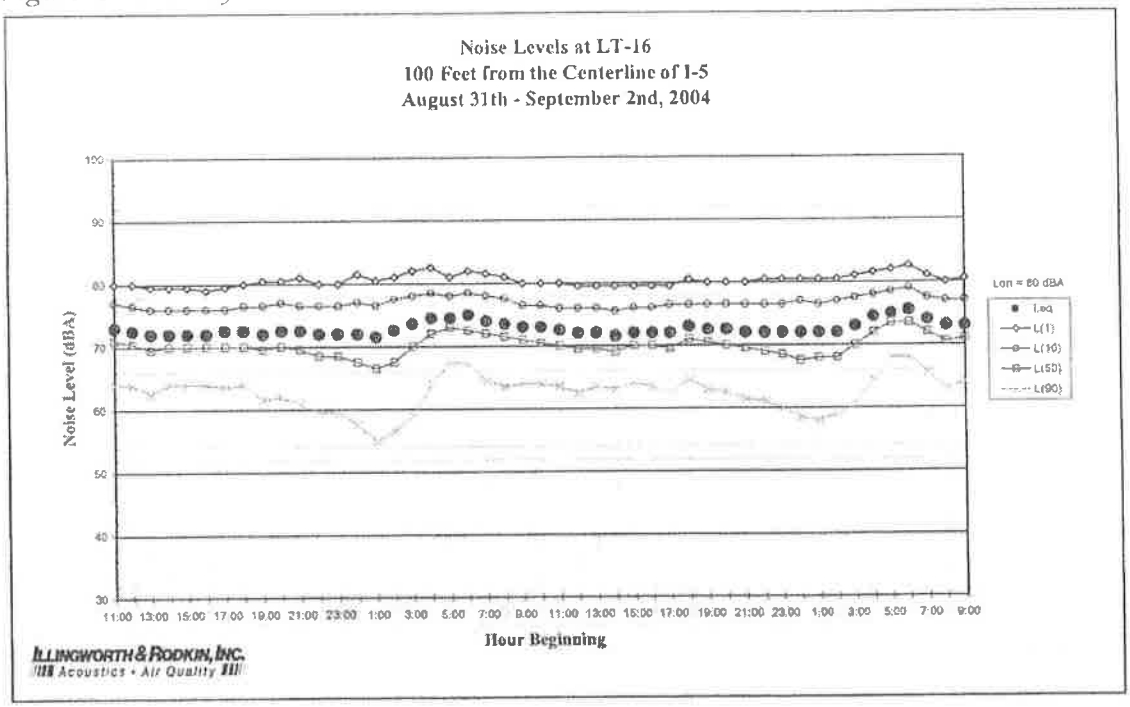


Figure A-19: Daily Trend in Noise Levels at LT-17

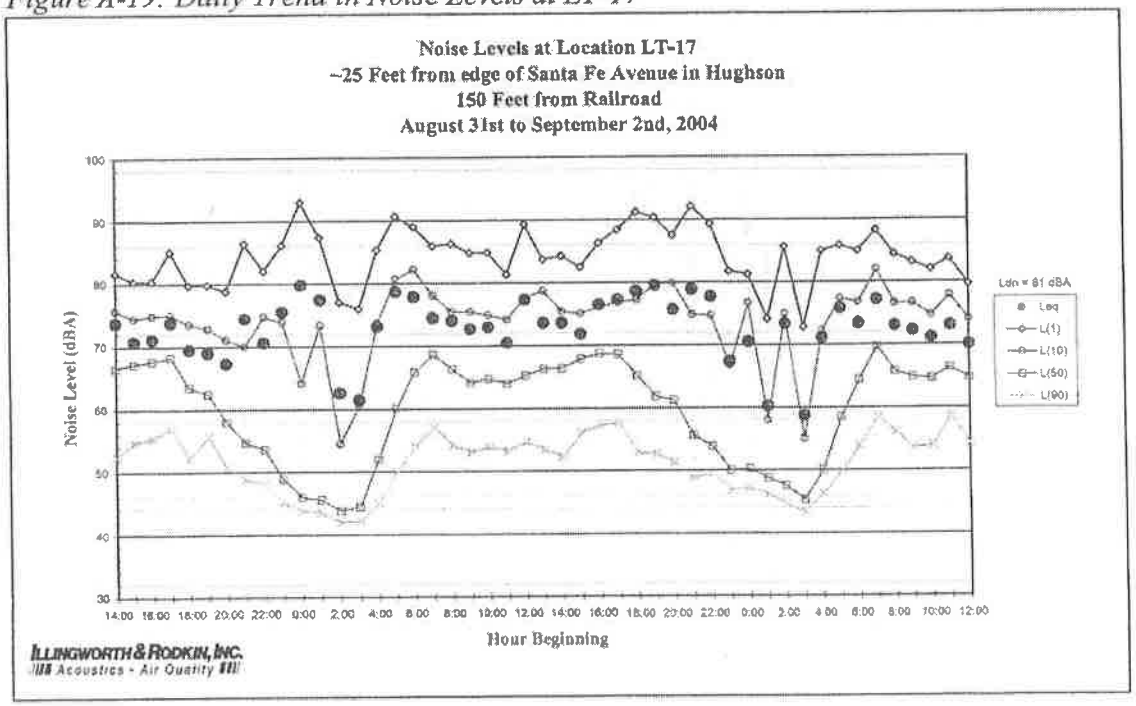


Figure A-20: Daily Trend in Noise Levels at LT-18

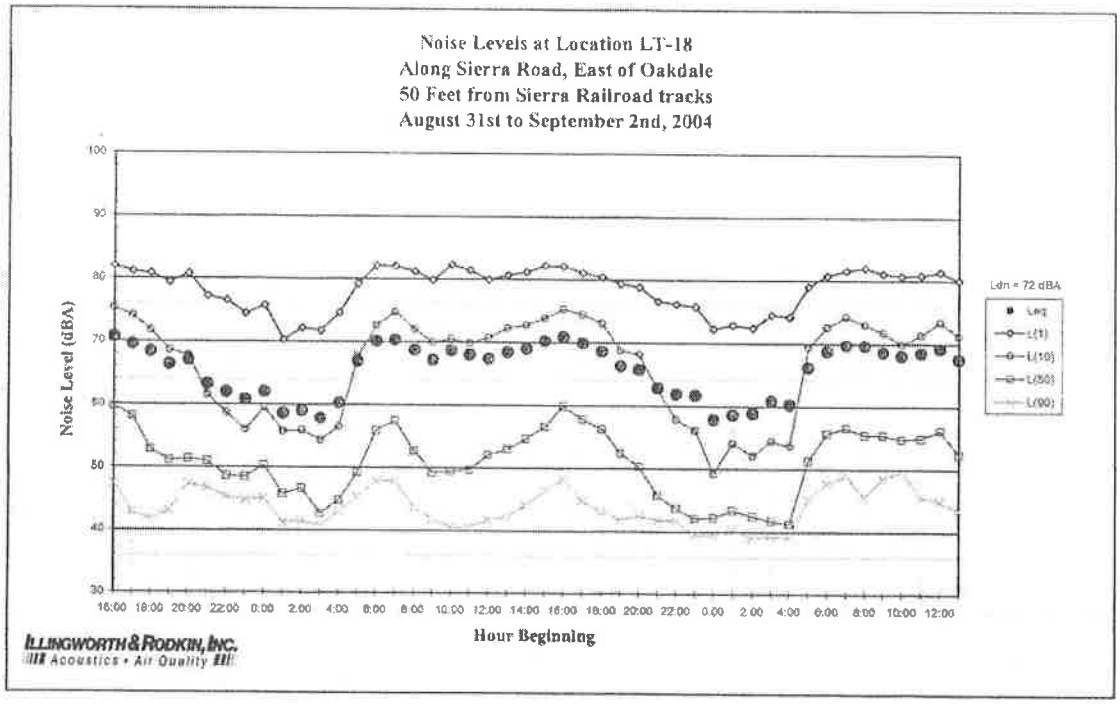


Figure A-21: Daily Trend in Noise Levels at LT-19

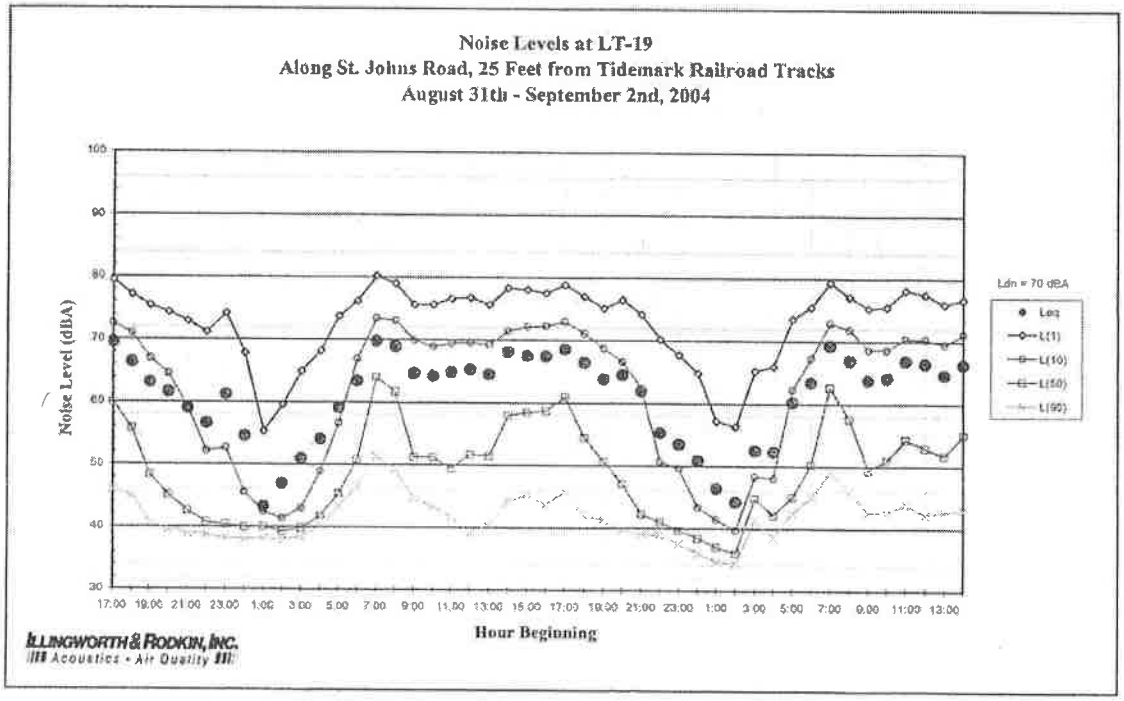
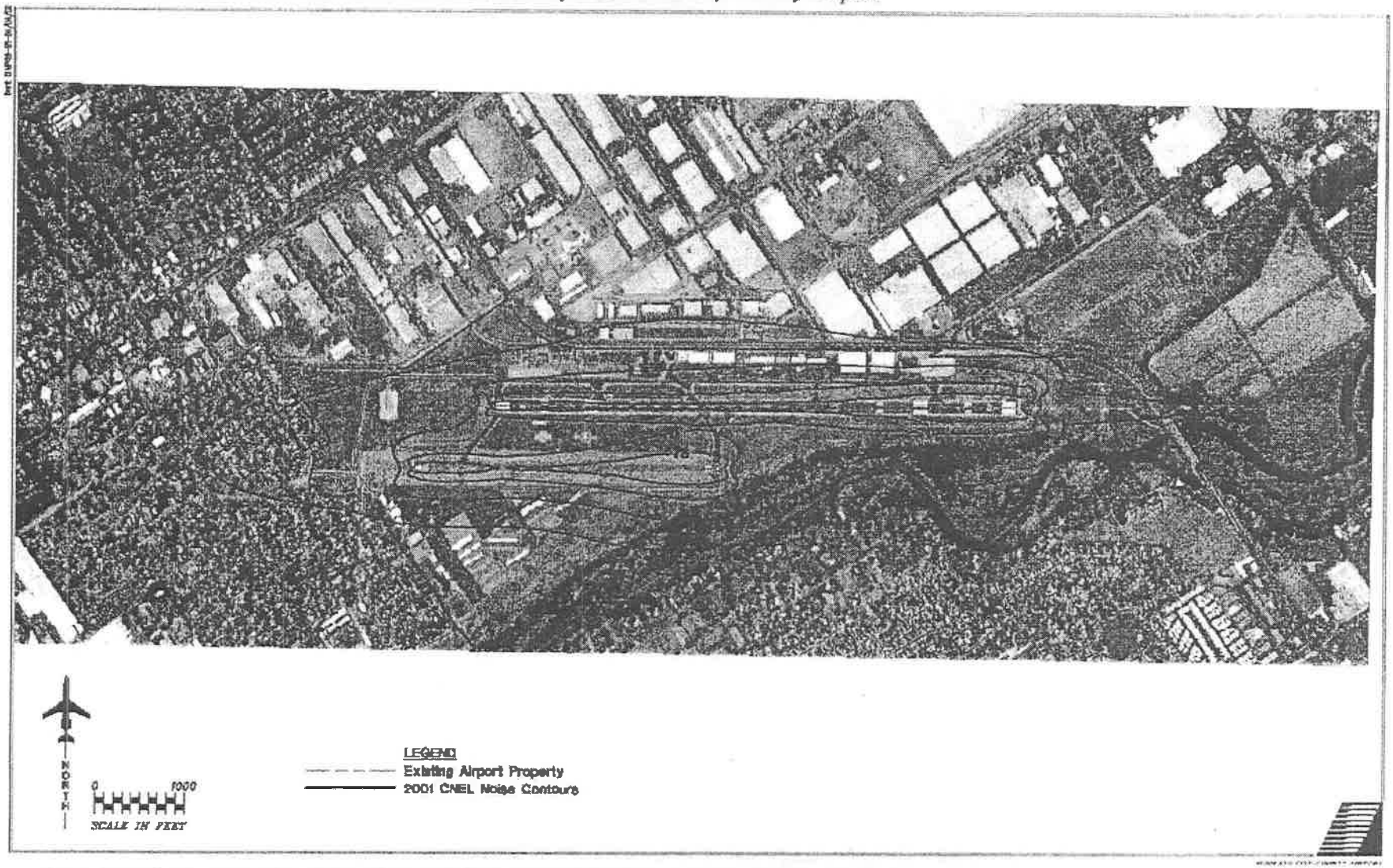


Table A-3: Noise Contour Distances for Major Railroad Lines in Stanislaus County

Railroad Description*	Distance from Centerline of the Railroad Tracks (in feet)			
	75-Ldn	70-Ldn	65-Ldn	60-Ldn
Union Pacific Railroad (UPRR)	70	150	320	680
Burlington Northern and Santa Fe (BN & SF) Railway	100	200	440	950
Sierra Railroad	**	**	**	80
Tidewater Southern Railroad	**	**	60	140

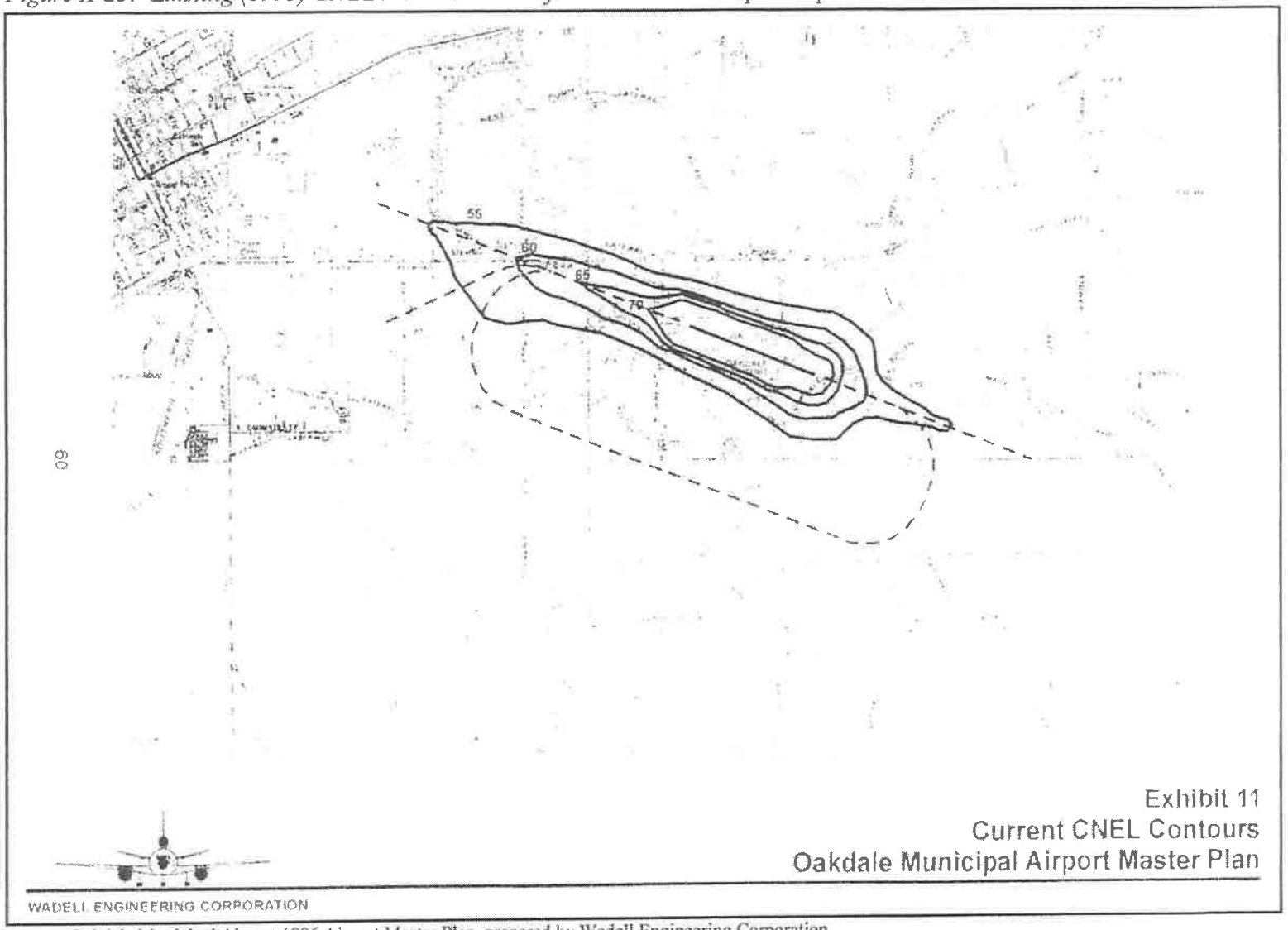
* Noise contour distances for the Modesto and Empire Traction Company Railroad were not calculated due to a lack of specific information regarding train movements along this track.
** Distances of less than 50 feet are not included in this table.

Figure A-22: Existing (2001) CNEL Noise Contours for Modesto City-County Airport



Source: Modesto City-County Airport (Harry Sham Field) 2002 Airport Master Plan, prepared by Coffman Associates.

Figure A-23: Existing (1995) CNEL Noise Contours for Oakdale Municipal Airport



Source: Oakdale Municipal Airport 1996 Airport Master Plan, prepared by Wadell Engineering Corporation

Appendix B: Future Noise Environment

Table B-1: Calculated Vehicular Traffic Noise Levels for Major Community Roadways

Community	Roadway Description	Distance from Centerline of Roadway (in feet) Based on Traffic Noise Modeling*						Maximum $L_{eq(hr)}$ at 75 feet from Centerline	
		Existing			2030 Circulation Element			Existing	2030 Circulation Element
		70-Ldn	65-Ldn	60-Ldn	70-Ldn	65-Ldn	60-Ldn	dBA	dBA
Salida	SR 99	440	950	2040	640	1370	2950	77	79
Salida	SR 219	90	190	410	200	430	930	71	76
Salida	Finney Road	*	100	230	*	*	50	67	58
Salida	Broadway	*	100	210	90	200	430	67	71
Salida	Salida Boulevard	*	70	160	60	120	270	65	68
Salida	Sisk Road	*	*	60	*	*	90	58	61
Del Rio	Mc Henry (North of 108)	80	160	350	120	260	550	70	73
Del Rio	Ladd Road	80	160	350	*	80	170	70	65
Knights Ferry	SR 108-120	60	120	260	100	220	470	68	72
La Grange	SR 132	100	220	470	160	350	750	72	75
La Grange	La Grange Boulevard	*	*	*	*	*	90	56	61
East of Oakdale	SR 108-120	50	120	250	*	100	220	68	67
Westley	SR 33	60	120	260	90	200	430	68	71
Westley	Grayson / Howard Road	*	60	140	50	110	240	64	68
Grayson	Grayson Road	*	90	190	60	130	280	66	68
Grayson	River Road	*	*	100	*	50	110	62	63
Crows Landing	SR 33	*	90	190	90	190	410	66	71
Crows Landing	Fink / Crows Landing Road	*	100	230	90	200	420	67	71
Keyes	SR 99	280	590	1280	380	810	1740	74	76
Keyes	Faith Home Road	*	*	60	*	100	220	59	67
Keyes	Keyes Road	*	90	190	120	260	550	66	73
Keyes	Keyes Road	120	260	550	190	410	870	73	76
Empire	SR 132	*	100	210	100	220	470	67	72

Community	Roadway Description	Distance from Centerline of Roadway (in feet) Based on Traffic Noise Modeling*						Maximum $L_{eq(hr)}$ at 75 feet from Centerline	
		Existing			2030 Circulation Element			Existing	2030 Circulation Element
		70-Ldn	65-Ldn	60-Ldn	70-Ldn	65-Ldn	60-Ldn	dBA	dBA
Empire	Santa Fe Avenue	90	190	400	110	240	510	71	72
Empire	Church Street	60	120	260	60	140	300	68	69
Hickman	Hickman Road	120	260	560	160	350	750	73	75
Hickman	Lake Road	*	100	220	70	150	320	67	69
Denair	Santa Fe Avenue	*	90	190	80	180	380	66	71
Denair	Monte Vista Avenue	*	*	100	*	70	150	62	64
Denair	Zeering Road	*	100	220	90	180	400	67	71
Denair	Gratton Road	50	120	250	80	180	380	68	71
Denair	Gratton Road	*	60	130	50	110	230	64	67
Rural State Highways	SR 165 (Co. Line to SR 99)	60	120	260	80	170	370	68	70
Rural State Highways	SR 219 (Salida to SR 108)	70	150	320	200	430	930	69	76
Rural State Highways	SR 33 (Co. Line to Co. Line)	60	140	300	140	300	640	69	74
Rural State Highways	I-5 (Co. Line to Co. Line)	190	410	870	320	700	1510	76	80
Rural State Highways	SR 108 (SR 219 to SR 120)	60	140	300	80	180	390	69	71
Rural State Highways	SR 120 (Co. Line to Co. Line)	80	160	350	80	160	350	70	70
Rural State Highways	SR 4 (Co. Line to Co. Line)	*	*	100	*	90	190	62	66
Rural State Highways	SR 132 (West of Modesto)	100	210	450	160	350	760	72	75
Rural State Highways	SR 132 (East of Modesto)	*	100	210	100	220	470	67	72
Rural County Roads	Claribel Road (Mc Henry to Coffee)	130	280	600	600	1290	2770	73	82
Rural County Roads	Claribel Road (Oakdale to Albers)	150	320	700	510	1100	2380	74	81
Rural County Roads	Hatch Road (Carpender to Modesto)	*	100	220	80	160	350	67	70
Rural County Roads	Hatch Road (Modesto CL to Mitchell)	80	180	390	140	310	660	71	74
Rural County Roads	Hatch Road (Mitchell to Santa Fe)	90	190	400	120	260	550	71	73
Rural County Roads	Gray son Road (I-5 to Crows Landing)	*	90	190	60	130	280	66	68

Community	Roadway Description	Distance from Centerline of Roadway (in feet) Based on Traffic Noise Modeling*						Maximum $L_{eq(hr)}$ at 75 feet from Centerline	
		Existing			2030 Circulation Element			Existing	2030 Circulation Element
		70-Ldn	65-Ldn	60-Ldn	70-Ldn	65-Ldn	60-Ldn	dBA	dBA
Rural County Roads	Keyes Road (Carpender to Hickman)	*	70	160	90	190	420	65	71
Rural County Roads	West Main (Turlock to I-5)	100	220	470	180	400	850	72	76
Rural County Roads	Carpenter Road (West Main to Grayson)	60	120	260	110	230	500	68	72
Rural County Roads	Carpenter Road (Grayson to Modesto)	50	120	250	110	230	500	68	72
Rural County Roads	Crows Landing Road (Crows Landing to Modesto)	60	140	300	110	240	520	69	73
Rural County Roads	Mc Henry Avenue (Ladd Road to Co. Line)	80	160	350	120	260	550	70	73
Rural County Roads	Claus Road (SR132 to Claribel)	*	100	220	120	260	550	67	73
Rural County Roads	Claus Road (Claribel to Patterson)	80	180	380	180	400	850	71	76
Rural County Roads	Coffee Road (Modesto to Patterson)	*	60	140	*	60	120	64	63
Rural County Roads	Oakdale Road (Patterson to Claribel)	60	120	260	90	190	410	68	71
Rural County Roads	Oakdale Road (Claribel to Modesto)	60	120	260	100	220	470	68	72
Rural County Roads	Tully Road (Ladd to Bangs)	*	60	130	90	190	410	64	71
Rural County Roads	Mitchell Road (Hatch to Modesto CL)	100	220	460	120	260	560	72	73
Rural County Roads	Santa Fe Avenue (Empire to Co. Line)	60	140	300	100	210	450	69	72
Rural County Roads	Geer Road (Turlock to SR 132)	90	190	400	140	290	630	71	74
Rural County Roads	Albers Road (SR 132 to Oakdale)	120	260	550	230	490	1050	73	77
Rural County Roads	Hickman Road (West Main to Waterford)	*	60	120	*	90	200	63	66

* Distances of less than 50 feet are not included in this table.

Figure B-1: Noise Contour Map for Major Roadway Noise Sources (Unconstrained 2030)

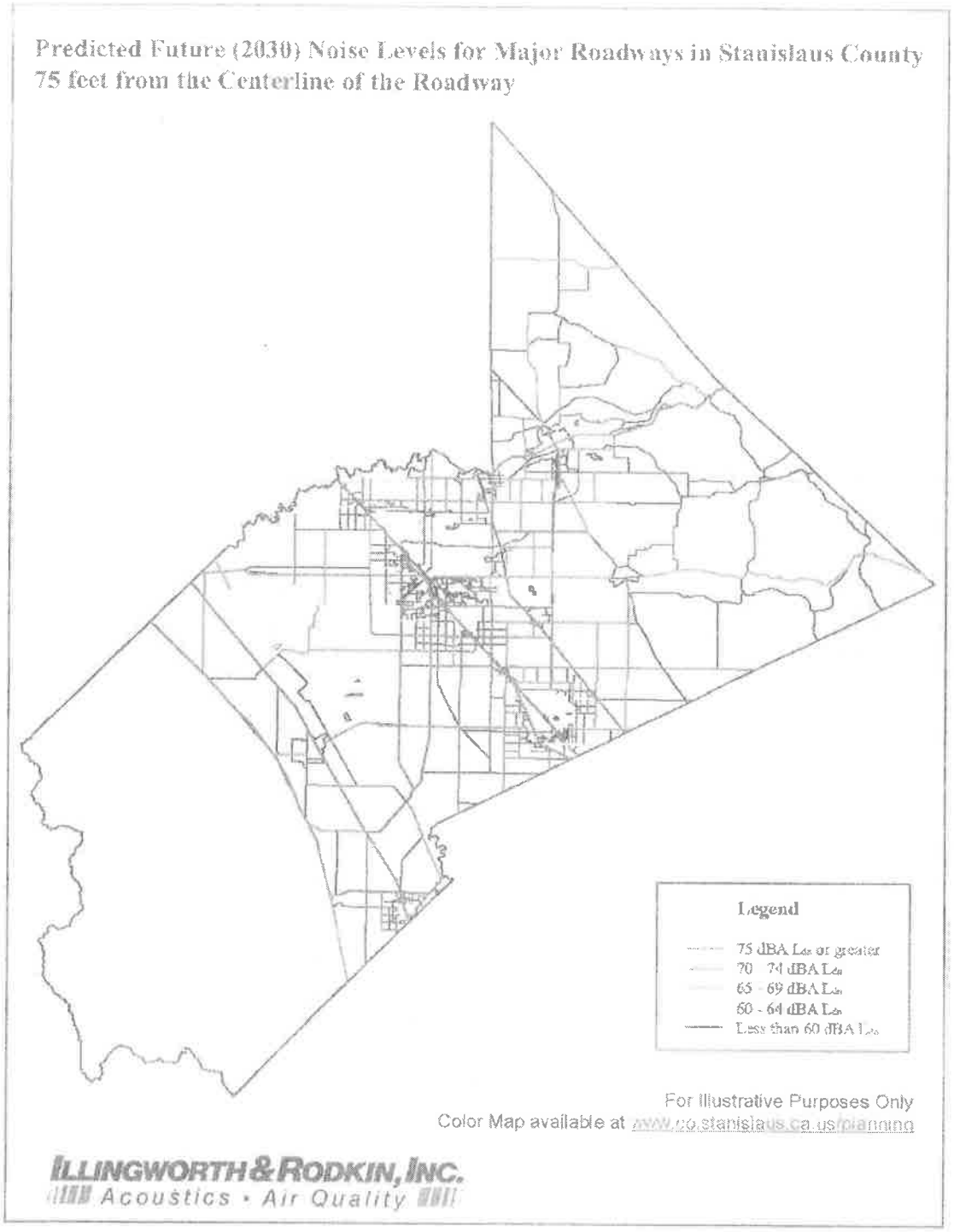
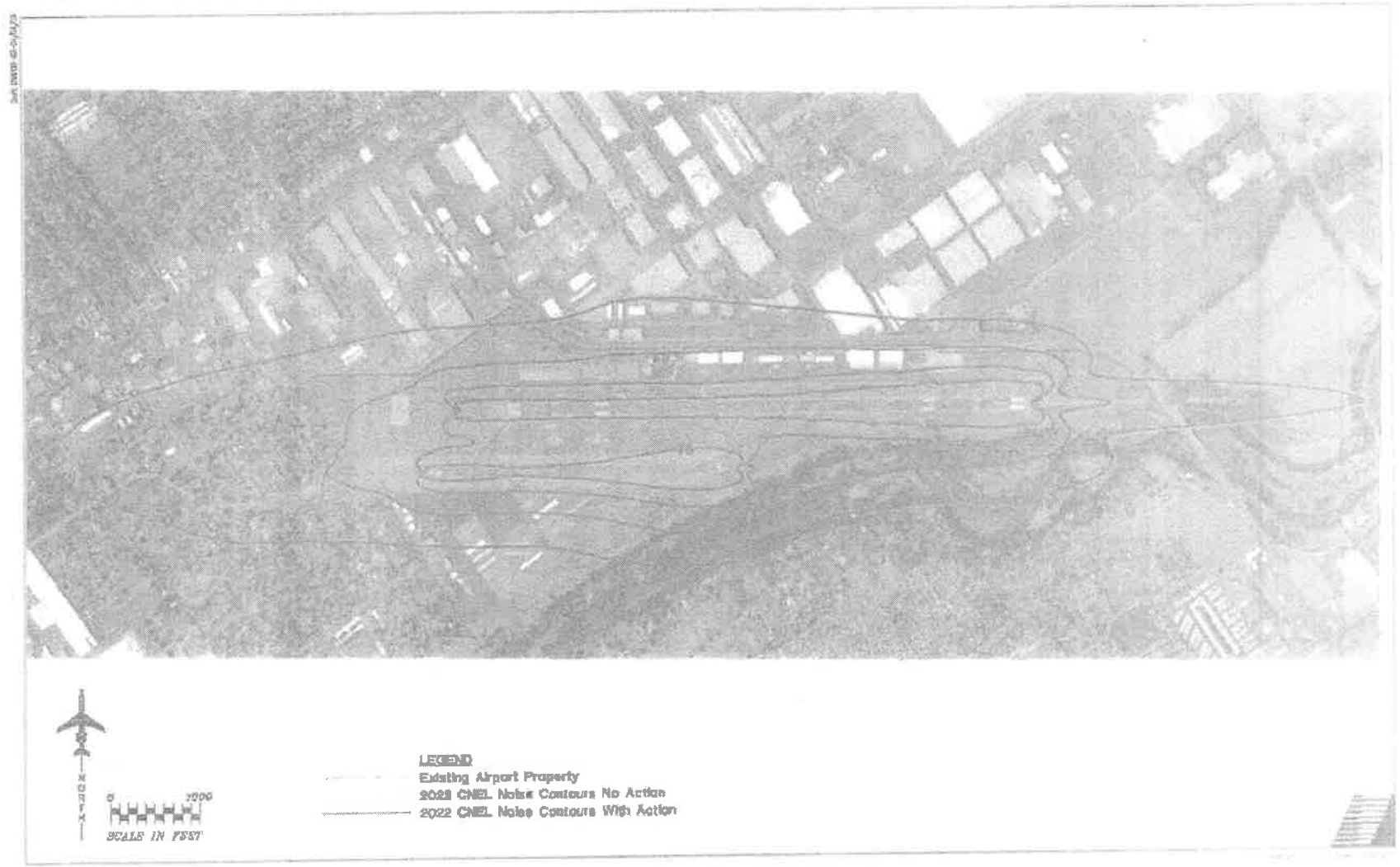
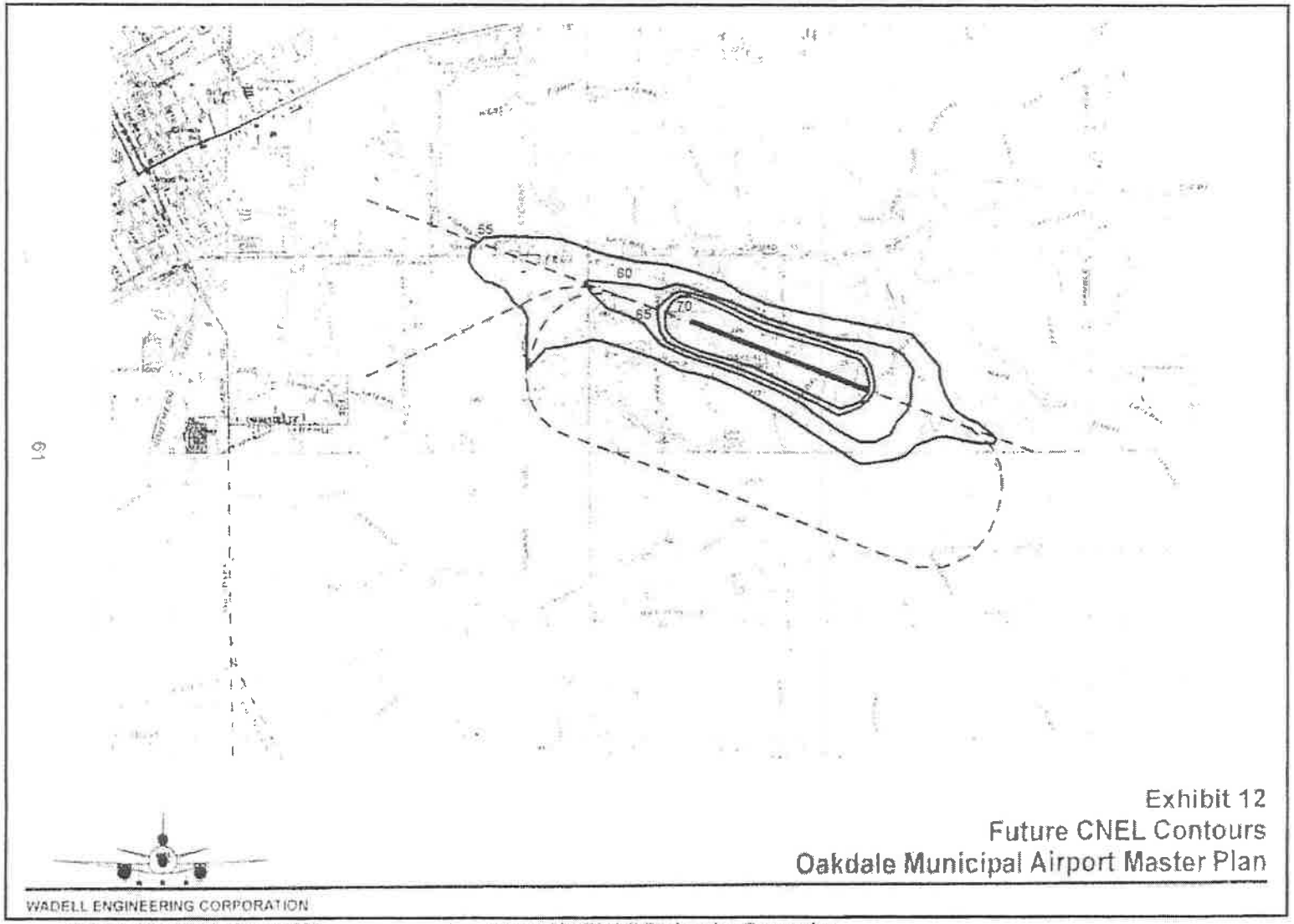


Figure B-2: Long Term (2022) CNEL Noise Contours for Modesto City-County Airport



Source: Modesto City-County Airport (Harry Sham Field) 2002 Airport Master Plan, prepared by Coffman Associates.

Figure B-4: Future (2015) CNEL Noise Contours for Oakdale Municipal Airport



Source: Oakdale Municipal Airport 1996 Airport Master Plan, prepared by Wadell Engineering Corporation

As Amended by the Board of Supervisors on May 23, 2017
As Amended by the Planning Commission on April 20, 2017

NOTE: Approval of this application is valid only if the following conditions are met. This permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

DEVELOPMENT STANDARDS

USE PERMIT APPLICATION NO. PLN2015-0130
THE FRUIT YARD AMPHITHEATER

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.

2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2017), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **$2,273.25**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

   Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.

3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.

4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.

5. During any future construction, if any human remains, significant or potentially unique, are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.

6. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.

7. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.

8. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the Planning Director or appointed designee(s) prior to installation. ~~Flashing, animated, or electronic reader board signs are not permitted.~~

9. Pursuant to Sections 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate stream-bed alteration agreements, permits, or authorizations, if necessary.

10. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.

11. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.

12. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.

13. All Development Standards from Planned Development (317) shall remain in effect. The Development Standards set forth in this Staff Report are considered to be an amendment to the Development Standards from Planned Development (317), and apply in addition to the Development Standards from Planned Development (317). **Specifically, as required by Development Standards No. 8 and 72 of Planned Development 317, all noise generated on the 43.86 acre project site shall be subject to the following:**

    A. In accordance with the Noise Element of the Stanislaus County General Plan, noise levels associated with all on-site activities shall not exceed the maximum allowable noise levels as allowed by the Noise Element. The property owner shall be responsible for verifying compliance and for any costs associated with verification.

B. Any outdoor use of amplified sound at the park, banquet hall or amphitheater shall comply with the Development Standards of this Permit addressing noise levels, as analyzed in the December 30, 2016 Environmental Noise Analysis prepared by Bollard Acoustical Consultants, Inc., unless otherwise amended by the County.

14. No street parking associated with the site is permitted. Customers and event attendees shall be made aware via signage that parking is limited to on-site parking only.

15. No alcohol consumption or tail gating is permitted in the parking areas designated for on-site events. Any sale of alcohol on-site must obtain and comply with all of the necessary Alcohol Beverage Control (ABC) Licensing. **No alcohol sales shall be permitted at the amphitheater site after 10 p.m.**

16. Prior to final of any new building permit all outstanding building and grading permits shall be finaled.

17. Parcels 2, 3, 8, 9, and the remainder parcel of Parcel Map 56-PM-83 may not be independently sold until permanent parking is developed. Prior to development of permanent parking facilities, all applicable permits shall be obtained, including but not limited to a Staff Approval or Use Permit, and Building and/or Grading Permit. Proposed permanent parking facilities shall be reviewed and approved by both the Planning and Public Works Departments prior to development.

18. **Events** ~~are limited to what are allowed under the Planned Development, including the amendments included in this Use Permit. No Outdoor Entertainment Activity Permit may be obtained.~~ **shall be limited, in number and duration, as specified in this condition, with no additional events to be permitted by issuance of a separate Outdoor Entertainment Activity Permit:**

A. Amphitheater Events: A maximum of 12 events per calendar year. Each day an event is held counts towards the maximum number of events allowed. If an event takes place on multiple days, each day counts as a separate event. Events are restricted to the operating hours described in Mitigation Measures Nos. 9 and 10.

B. Banquet Hall Events: Unlimited number of events per year. Events are restricted to the operating hours described in Mitigation Measure No. 9.

C. Park Events: Unlimited number of events per year. Events are restricted to the operating hours described in Mitigation Measure No. 9.

19. Hours of operation may not be extended beyond those included in Mitigation Measure No. 9 **for the banquet hall and park**, **and Mitigation Measures Nos. 9 and 10 for the amphitheater,** without a public hearing.

20. Prior to **approval** ~~acceptance~~ of the "Good Neighbor Policy" **required by Mitigation Measure No. 11, and any subsequent amendment,** the Planning Department **shall**~~will~~ refer the draft document ~~to all surrounding residents,~~ for a two week comment period. The

referral will be sent to **the current property owners of record for** all surrounding **properties** ~~residents~~ included on the project referral "Landowner Notice" list from Use Permit No. PLN2015-0130 – The Fruit Yard. Any comments received **shall**~~will~~ be taken into consideration. ~~However, the Planning Department maintains the ultimate approval authority.~~

Department of Public Works

21. No parking, loading or unloading of vehicles will be permitted within the Geer Road and Albers Road rights-of-way. The applicant will be required to install or pay for the installation of any signs and/or markings, coordinating the installation of the signs with Public Works Traffic Section.

22. The applicant shall obtain an encroachment permit prior to any work being done in the Stanislaus County road right-of-way.

23. Public Works shall approve the location and width of any new driveway approaches on any County maintained roadway.

24. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted before any grading occurs or building permit for the site is issued which creates a new or larger footprint on the parcel. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:

    A. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.

    B. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.

    C. The grading, drainage, erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit.

    D. An Engineer's Estimate shall be submitted for the grading and drainage work.

    E. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.

    F. The permit applicant shall pay the current Stanislaus County Public Works weighted labor rate for the plan review and all on-site inspections required for the grading, drainage, erosion/sediment control, or building permit plan. The Public Works inspector shall be contacted 48 hours prior to the onset of any grading or drainage work on-site.

Department of Environmental Resources

25. Prior to onset of amphitheater events, and prior the installation of any water infrastructure for the amphitheater, the property owner shall provide to the Department of Environmental Resources an application for amended water supply permit along with a full technical report

demonstrating that the water system will meet all requirements of a Non-transient Non-community water system: capacity, source water, drinking water source assessment, water works standards, and the California Environmental Quality Act (CEQA).

26. All food facilities must operate under a Health Permit, issued by the Department of Environmental Resources.

27. Prior to issuance of any building permit for the construction of the preparation and serving kitchen in the banquet hall, the owner/operator shall provide construction plans to the Department of Environmental Resources for review and approval as required in accordance with California Health and Safety Retail Food Code.

28. All food service offered at The Fruit Yard complex, including but not limited to the amphitheater events area, banquet hall, restaurant, and convenience stores, shall be conducted in compliance with the requirements of California Health and Safety Retail Food Code and shall obtain and comply with all applicable permits through the Department of Environmental Resources.

29. Prior to onset of amphitheater events, On-site Wastewater Disposal System (O.W.T.S.) for amphitheater events must be reviewed and approved by the Department of Environmental Resources. Due to the levels of the nitrates in the existing water system being higher than half of the maximum MCL, any expansion of the on-site waste water system (OWTS) can contribute to groundwater nitrate levels especially with individual OWTS. A wastewater management plan of any flow of 5,000 gallons per day, or greater, must be submitted to the Central Valley Regional Water Quality Control Board (CVRWQCB) for review and approval. A Wastewater Management Plan of any flow of 5,000 gallons per day, or less, must be submitted to the Department of Environmental Resources for review and approval. A centralized O.W.T.S. is highly recommended with proper treatment of the discharge effluent. The quality of the discharge effluent shall meet EPA Secondary Treatment levels. The focus will be on the ability to reduce nitrate, salt, and organic chemical levels, minimizing the impact upon the area's groundwater supply.

Building Permits Division

30. Building permits are required and the project must conform to the California Code of Regulations, Title 24.

Stanislaus Consolidated Fire District

31. Prior to onset of events at the amphitheater, an Event Traffic Management Plan shall be reviewed and approved by the Stanislaus Consolidated Fire District.

32. All proposed structures shall obtain building permits, and shall meet all applicable Building and Fire codes, and shall be reviewed and approved by the Stanislaus Consolidated Fire District.

Modesto Irrigation District

33. In conjunction with related site/road improvement requirements, existing overhead and underground electric facilities within or adjacent to the proposed site shall be protected, relocated, or removed as required by the District's Electric Engineering Department.

Appropriate easements for electric facilities shall be granted as required.

34. Relocation or installation of electric facilities shall conform to the District's Electric Service Rules.

35. Costs for relocation or installation of MID electrical facilities at the request of others will be borne by the requesting party. Estimates for relocating or installing MID electrical facilities will be supplied upon request.

36. A 15-foot Public Utility Easement (PUE) is required adjacent to the existing 12,000 volt overhead lines along Geer Road street frontage. The PUE is required in order to protect the existing overhead electric facilities and to maintain necessary safety clearances.

37. A 10-foot Public Utility Easement (PUE) is required adjacent to existing street frontages, proposed streets and private ingress/egress easements as already shown on Parcel Map 56-PM-83. The PUE's are required in order to protect the future electrical facilities and to maintain necessary safety clearances.

38. Prior to onset of any construction, contractor shall verify actual depth and location of all underground utilities. Notify "Underground Service Alert" (USA) (Toll Free 1-800-227-2600) before trenching, grading, excavating, drilling, pipe pushing, tree planting, post-hole digging, etc. USA will mark the location of the MID underground electrical facilities.

39. The Modesto Irrigation District (MID) reserves its future right to utilize its property along the MID canal in a manner it deems necessary for the installation and maintenance of electric and telecommunication facilities. These needs, which have not yet been determined, may consist of new poles, cross arms, wires, cables, braces, insulators, transformers, service lines, control structures, and any necessary appurtenances, as may, in the District's opinion, be necessary or desirable.

40. A 10 foot OSHA minimum approach distance is required adjacent to the existing 12,000 volt overhead high voltage lines.

41. An eight foot minimum vertical approach distance is required adjacent to the existing overhead 200 volt secondary lines.

42. Use extreme caution when operating heavy equipment, backhoes, using a crane, ladders, or any other type of equipment near overhead or underground MID electric lines and cables.

43. Electric service to the proposed parcels is not available at this time. The Electric Engineering Department has no objections to the proposed amphitheater at this time. However, specific requirements regarding construction issues will be addressed when the amphitheater construction plans are submitted for review to the District's Electric Engineering Department. Contact Linh Nguyen at (209) 526-7438.

44. Prior to construction, a pre-consultation meeting a pre-consultation meeting to discuss MID irrigation requirements is recommended.

California Department of Transportation

45. An encroachment permit shall be obtained prior to any work within the State right-of-way.

Department of California Highway Patrol

46. Prior to onset of events at the amphitheater, an Event Traffic Management Plan shall be reviewed and approved by the Department of California Highway Patrol.

MITIGATION MEASURES

(Pursuant to California Public Resources Code 15074.1: Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following: 1) Hold a public hearing to consider the project; and 2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.)

1. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include but not be limited to: the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and to prevent light trespass (glare and spill light that shines onto neighboring properties). Amphitheater lighting shall be shut off by 11:00 p.m. on Sunday – Thursday, and by midnight on Friday and Saturday evenings.

2. Prior to onset of any amplified music events at the amphitheater, a noise berm shall be constructed. Specifically, the noise berm shall consist of a 100 foot long by 40 foot wide and 20 foot tall ~~building, labeled on the project site plan, the Planning Commission approved as a~~ "storage building" ~~to be located directly behind (northwest) of the stage, as identified~~ **as shown** on the project site plan **included as Exhibit B-6 of the April 20, 2017 Planning Commission Staff Report**. A certificate of occupancy shall be obtained for the noise berm prior to the onset of any amphitheater activity. If the storage building changes in size or shape, or is proposed to be replaced with a backstage sound-wall or other construction to create an adequate noise berm, the modified facility will need to be reviewed and approved by an acoustical consultant, in accordance with Mitigation Measure No. 14, and a determination made that it has adequate sound dampening characteristics so that sound will fall within **allowable** ~~the~~ noise levels**, set forth in Mitigation Measure Nos. 4, 5, and 6** ~~described within this Mitigation Monitoring Plan~~.

3. Prior to issuance of a building permit for the banquet hall, and prior to the onset of any amplified music event held at the banquet hall, the banquet hall shall be designed and constructed with sound proofing (including sound proofing for the roof, windows, and walls). Sound proofing plans shall be reviewed for full compliance with the **allowable noise levels**~~approved plans~~**, set forth in Mitigation Measure Nos. 4, 5, and 6,** by a noise consultant, as described in Mitigation Measure No. 14.

4. All amphitheater, park, and banquet hall events shall maintain **compliance with** the noise level~~s~~ **limits established by the Noise Element of the Stanislaus County General Plan, as** described in Table **IV-2 – Maximum Allowable Noise Exposure – Stationary Noise Sources, and any subsequent amendments.** ~~1 of the December 30, 2016, Environmental Noise Analysis, conducted by Bollard Acoustical Consultants, Inc., and the C-weighted standards described below~~. **In addition, low-frequency noise shall be limited to:**

As Amended by the Board of Supervisors
May 23, 2017
As Amended by the Planning
April 20, 2017

~~**Table** 1~~
~~**Stanislaus County Noise Standards Applied to this Project**~~
~~**After Adjustment for Elevated Ambient and Noise Source Consisting of Music**~~

~~Receptor (See Figure 1)~~	~~Noise Metric~~	~~Adjusted Daytime Standard (7 a.m.-10 p.m.)~~	~~Adjusted Nighttime Standard (10 p.m.-7 a.m.)~~
~~A, B, D, F (near busy roadways)~~	~~Hourly Leq, dBA~~	~~60~~	~~55~~
	~~Maximum Level (Lmax), dBA~~	~~80~~	~~70~~
~~C, E (setback from roadways 250-350 feet)~~	~~Hourly Leq, dBA~~	~~55~~	~~50~~
	~~Maximum Level (Lmax), dBA~~	~~75~~	~~65~~
~~G, H, I (isolated from busy roads)~~	~~Hourly Leq, dBA~~	~~50~~	~~40~~
	~~Maximum Level (Lmax), dBA~~	~~65~~	~~55~~

~~Source: Stanislaus County Noise Element of the General Plan adjusted for ambient conditions~~

~~In addition to the Table 1 standards, low-frequency noise shall be limited to~~

A. **D**~~d~~aytime and nighttime C-weighted noise level limits of 80 dBC Leq and 70 dBC Leq shall be applied ~~at the nearest residences, existing at the time of the event~~ **for all amphitheater, park, and banquet hall events**. These standards may be adjusted upwards or downwards ~~as appropriate~~ following ~~collection of~~ C-weighted ambient noise level data **collected during noise monitoring, as described in mitigation Measure No. 8**~~near the existing residences immediately before and after the first two large amphitheater events (with 500 or more in attendance)~~. Before any adjustments are made, a report documenting existing C-weighted ambient noise levels shall be reviewed by a noise consultant, as described in Mitigation Measure No. 14, and approved by the Planning Department. **Should the Noise Element be amended to include C-weighted standards which are more restrictive than the standards above, the Noise Element standards shall be met.**

5. To ensure compliance with County noise standards, amphitheater sound system output shall be limited to an average of 90 dBA Leq averaged over a five minute period and a maximum of 100 dBA Lmax at a position located 100 feet from the **front of the** amphitheater stage.

   Park and banquet hall sound system output shall be limited to an average of 75 dBA Leq averaged over a 5-minute period and a maximum of 85 dBA Lmax at a position located 100-feet from the **front of the** sound system speakers **for the park, and 100-feet from outside of the banquet hall**. Sound levels up to 80 dBA Leq at the 100 foot reference distance would be acceptable provided the sound system speakers are oriented south or southwest.

~~Noise measurements during the first two amplified music events for each event space (banquet hall, park and amphitheater) shall be conducted by a qualified Noise Consultant to be procured by the operator/property owner The consultant shall provide training to facility staff, on how to measure the noise standards set forth within this Mitigation Monitoring Plan, to ensure that noise is monitored during each event properly. The operator/property owner shall make available to the Planning Department noise measurements and training records, upon request by the County. Noise measurements and training records shall be subject to peer review in accordance with Mitigation Measure No. 14, upon request by the County.~~

6. To control low-frequency sound in the surrounding neighborhood during amphitheater events, C-weighted sounds levels shall be limited to 100 dBC Leq averaged over a five minute period and a maximum of 110 dBC Lmax at a position located 100 feet from the **front of the** Amphitheater stage. ~~In addition, amplified music shall be limited to an average of 85 dB (Linear) in each of the 1/3 octave band center frequencies from 31.5 to 80 Hertz.~~

   To control low-frequency sound in the surrounding neighborhood during park events, C-weighted sound levels shall be limited to 85 dBC Leq averaged over a five minute period and a maximum of 95 dBC Lmax at a position located 100 feet from the **front of the** speakers **for the park, and 100 feet from outside of the banquet hall**. ~~In addition, amplified music shall be limited to an average of 75 dB (Linear) in each of the 1/3 octave band center frequencies from 31.5 to 80 Hertz.~~

   ~~Noise measurements during the first two amplified music events for each event space (banquet hall, park, and amphitheater) shall be conducted by a qualified Noise Consultant to be procured by the operator/property owner. The consultant shall provide training to facility staff, on how to measure the noise standards set forth within this Mitigation Monitoring Plan, to ensure that noise is monitored during each event properly. The operator/property owner shall make available to the Planning Department noise measurements and training records, upon request by the County. Noise measurements and training records shall be subject to peer review in accordance with Mitigation Measure No. 14, upon request by the County.~~

7. Prior to any amplified music event at the park, banquet hall, or amphitheater**, not required to be monitored by a qualified Noise Consultant,** the operator/property owner shall obtain a **portable** sound monitoring system **to be used onsite**; which shall be reviewed and approved by a Noise Consultant, as described in Mitigation Measure No. 14, prior to first use. Sound levels shall be monitored during sound check and **continuously** during each amplified music event occurring at the park, banquet hall and amphitheater. ~~Measurement microphones should be placed 100 feet from the midpoint of the main speaker array.~~ **The monitoring shall be conducted 100-feet from the front of the stage for the amphitheater, and 100-feet from the front of the speakers for the park, and 100-feet from outside of the banquet hall.**

   Monitoring equipment options include 1) an iOS option available in combination with an iPad/iPhone using microphone and acquisition hardware from AudioControl and software from Studio Six Digital (SSD). SSD software would include the AudioTools and several in-app purchases including SPL Graph and SPL Traffic Light; or 2) an alternative system recommended by noise consultant, in accordance with Mitigation Measure No. 14.

   A Type/Class 1 or 2 (per ANSI S1.43) measurement microphone system shall be used and laboratory calibrated prior to first use and field-calibrated at regular intervals (a minimum of

4 times a year). The system shall be laboratory calibrated at intervals not exceeding two years. The system shall be capable of measuring and logging Leq statistics over consecutive five minute intervals in both A and C weighted levels. The system shall also be capable of capturing and logging 1/3-octave band data. For simplification and to minimize equipment costs, sound level limit triggers shall be set to Leq, C-weighting. The sound technician shall locally check both C-weighted and 1/3-octave band results during sound check prior to an event to establish system gain limits and to ensure compliance with the specified limits**, set forth in Mitigation Measure Nos. 4, 5, and 6**. **Noise level measurement d**~~D~~ata**, including the time and location of the measurement,** shall be maintained for 30 days and made available to the County upon request.

The amphitheater operator/property owner shall make it very clear to event producers what the sound level limits are at the sound stage and the time at which music is required to cease. Suitable measures shall be implemented to both ensure the limits are maintained and penalties established if producers fail to comply with the noise level limits. **If at any time the measurement results indicate that the music levels exceed the allowable noise standards set forth in Mitigation Measure Nos. 4, 5, and 6, additional sound controls shall be implemented until compliance is met. The amphitheater operator/property owner shall be responsible to ensure that event producers comply with all project conditions.**

~~Noise measurements during the first two amplified music events for each event space (banquet hall, park and amphitheater) shall be conducted by a qualified Noise Consultant to be procured by the operator/property owner. The consultant shall provide training to facility staff, on how to measure the noise standards set forth within this Mitigation Monitoring Plan, to ensure that noise is monitored during each event properly. The operator/property owner shall make available to the Planning Department noise measurements and training records, upon request by the County. Noise measurements and training records shall be subject to peer review in accordance with Mitigation Measure No. 14, upon request by the County.~~

8. During the first two large concerts (with 500 or more in attendance) held at the amphitheater **and any of the first two events held at the amphitheater (if less than 500 in attendance), park, or banquet hall, on-site and off-site** noise levels shall be monitored by a qualified noise consultant, to be procured by the operator/property owner. The **on-site** monitoring shall be conducted continuously, ~~from the sound stage (~~100-feet from **the front of the** stage~~)~~ **for the amphitheater**, **100-feet from the front of the speakers for the park, and 100-feet from outside of the banquet hall.** ~~with p~~**Periodic off-site** noise monitoring **shall be conducted at the Long-Term Ambient Noise Measurement Locations and Noise-Sensitive Receptor Sites (A-I) identified on Figure 1 of the of the December 30, 2016, Environmental Noise Analysis, conducted by Bollard Acoustical Consultants, Inc.** ~~near the closest residences, existing at the time of the event, in all directions surrounding the amphitheater~~. The noise measurements shall include the sound check prior to the concert so the event promoters understand the noise thresholds to be satisfied during the ~~concert~~ event. The purpose of the measurements is to verify compliance with the project's noise standards**, as set forth in Mitigation Measure Nos. 4, 5, and 6**.

A report prepared by the noise consultant shall be provided to the Planning Department within 10-days of the second event. The Noise Consultant's report shall provide a conclusion regarding compliance with the projects allowed noise levels and, if necessary, additional measures needing to be implemented for compliance. If

the measurement results indicate that the music levels exceed **allowable**~~the~~ noise standards ~~described in this Mitigation Monitoring Plan~~, additional sound controls shall be developed by a noise consultant in accordance with Mitigation Measure No. 14 **and no further events shall occur until the Planning Department is able to verify that all controls necessary for compliance have been fully implemented. Upon verification, the third event shall be subject to the same noise monitoring requirements as the first two events. If the third event fails to comply with the projects allowed noise levels, a report for the three events shall be presented to the Planning Commission for direction to staff and public notice of the presentation shall be provided to the surrounding property owners.** ~~Implementation of additional sound controls shall be implemented and verified prior to the following concert.~~ **Additional sound control** ~~Such~~ measures **shall**~~could~~ include reducing the overall output of the amplified sound system, relocating and/or reorienting speakers, use of acoustic curtains along the sides of the speakers to further focus the sound energy into the amphitheater seating areas, and limiting amplified music to before 10:00 p.m.

9. All amplified music events (including the amphitheater, park, and banquet hall events), occurring Sunday through Thursday shall end at or before 10 p.m. All patrons shall be off the premises (including the amphitheater, park, and banquet hall events) as of 11:00 p.m. Employees and contract staff, associated with the amplified music events, shall be off the premises (including the amphitheater, park, and banquet hall events) by 12:00 a.m.

10. The first two large amplified music events (with 500 or more in attendance) held at the amphitheater Friday and Saturday, shall end at or before 10:00 p.m., as described in Mitigation Measure No. 9. If monitoring results of the first two large amphitheater events show that such events are able to maintain levels at or lower than those required**, as set forth in Mitigation Measure Nos. 4, 5, and 6** ~~in this Mitigation Monitoring Plan~~, then amphitheater events on Friday and Saturday may be extended to 11:00 p.m. All patrons shall be off the premises (including the amphitheater, park and banquet hall events) by 12:00 a.m. Employees and contract staff, associated with the amplified music events, shall be off the premises by 1:00 a.m.

11. Operator/property owner shall establish a written "Good Neighbor Policy" to be approved by the Planning Department, which shall establish the permittee's plan to mitigate any ancillary impacts from amplified music events (park, banquet hall or amphitheater) on surrounding properties. The Policy shall include means for neighbors to contact management regarding complaints and steps management will take upon receiving a complaint. The Policy shall be submitted and approved 30 days prior to the first amplified music event. No changes to the Policy shall be made without prior review and approval by the Planning Department.

12. In the event that documented noise complaints are received **by the County** for bass thumping, microphones/public address systems, etc., associated with any use of the property (inclusive of parcels 1-3, 7-12, and the remainder of parcel map 56-PM-83), such complaints shall be investigated to determine if the **allowable** noise **standards, as set forth in Mitigation Measure Nos. 4, 5, and 6, ~~in~~** ~~this mitigation monitoring program~~ were exceeded. In the event that the complaint investigation reveals that the noise standards were exceeded ~~at the location where the complaint was received~~, additional sound controls shall be developed by a noise consultant, in accordance with Mitigation Measure No. 14. Implementation of additional sound controls shall be ~~implemented~~ **approved** and verified **by the Planning Department** prior to **any further amplified sound event being held at the**

venue (amphitheater, banquet hall, or park) determined to have exceeded allowable noise standards~~the following concert~~. **Additional sound control**~~Such~~ measures could include reducing the overall output of the amplified sound system, relocating and/or reorienting speakers, use of acoustic curtains along the sides of the speakers to further focus the sound energy into the amphitheater seating areas and limiting amplified music to before 10:00 p.m.

13. Following removal of orchard trees located on the **western and southern portions of the** project site (inclusive of parcels 1-3, 7-12, and the remainder of parcel map 56-PM-83) potential changes in noise impacts shall be evaluated by a noise consultant, as described in Mitigation Measure No. 14, and additional noise Mitigation Measures shall be implemented, if determined to be necessary, to ensure compliance with the applicable County noise standards.

14. Any future additional noise analysis required to be conducted, including review, acceptance, and/or inspection associated with noise mitigation, shall be conducted by a noise consultant, whose contract shall be procured by the Planning Department, and paid for by the operator/property owner. A deposit based on actual cost shall be made with the Planning Department, by the operator/property owner, prior to any work being conducted. The applicant may choose to procure the noise consultant provided they pay the costs for the County to have all work peer reviewed by a third party. If future noise analysis is required, amplified music events will be limited, as determined by the Planning Department, until the noise consultant verifies to the Planning Department that all recommended noise control measures have been completely implemented.

15. Within sixty (60) days of project Use Permit approval, the operator/property owner shall submit for approval a security plan for amplified music events (park, banquet hall or amphitheater) to the Sheriff's Department. The plan shall be approved prior to any use of the amphitheater. Any changes to the security plan shall be approved by the Sheriff's Department.

16. Prior to issuance of a building permit, all applicable traffic impact fees shall be paid to the Department of Public Works.

17. An Event Traffic Management Plan shall be submitted and approved four (4) weeks prior to holding the first event at the amphitheater. Both County Planning and Public Works shall review and approve the plan.

    A. The Event Traffic Management Plan shall include a westbound left turn lane from Highway 132 to the fourth driveway from the intersection (at Geer and Highway 132);

    B. This plan shall include all event traffic circulation into and out of the site, including a description of how the different on-site parking areas will be filled;

    C. Event Staff and signs shall not be in the State or Stanislaus County Right-of-way without an encroachment permit. This shall be addressed as part of the Event Traffic Management Plan. Each individual event shall have an encroachment permit from both the State and Stanislaus County, if applicable;

    D. If the Event Traffic Management Plan requires updating, the updates shall be accepted both by County Planning and by Public Works, six weeks prior to the next event being held at the amphitheater. This update can be triggered either by the applicant or by Stanislaus County;

    E. Fees may be collected for amphitheater event parking, provided no queuing of vehicles occurs. Parking fees may be collected as part of the fee collected for the

price of the ticket for the event, or may be collected at a stationary electronic machine, installed in the parking area. Parking fees may not be collected while vehicles are waiting to enter the parking lot;

F. Prior to the implementation or construction of any additional phases of the approved Plan Development (317), a revised Event Traffic Management Plan shall be submitted to and approved by County Planning and Public Works;

G. A left turn lane shall be installed on Geer Road for the driveway into the project labeled as D Drive. The plans shall be completed prior to the approval of the Event Traffic Management Plan. This driveway is roughly 575 feet south of the intersection of Geer Road and Yosemite Blvd;

i. Improvement plans are to be submitted to County Public Works for approval. These improvement plans shall meet standards set forth within the Stanislaus County Standards and Specifications and the Caltrans Highway Design Manual;
ii. An acceptable financial guarantee for the road improvements shall be provided to County Public Works prior to the approval of the Event Traffic Management Plan;
iii. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined;
iv. The left turn lane shall be installed before the first event is held at the amphitheater.

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*Please note: If Development Standards/Mitigation Measures are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Development Standards/Mitigation Measures; new wording is in **bold**, and deleted wording will have a ~~line through it.~~*