MITIGATED NEGATIVE DECLARATION

FILE: S12-0005

PROJECT NAME: Montano de El Dorado Shopping Plaza Outdoor Music

NAME OF APPLICANTS: El Dorado Hills Pavilion Venture, LLC

ASSESSOR'S PARCEL NO.: 118-010-15 and -16 **SECTION:** 11 **T:** 9N **R:** 8E

LOCATION: Southeast corner of the intersection of White Rock Road and Latrobe Road, in the south El Dorado Hills area, in El Dorado County.

☐ **GENERAL PLAN AMENDMENT:** **FROM:** **TO:**

☐ **REZONING:** **FROM:** **TO:**

☐ **TENTATIVE PARCEL MAP**

☐ **SUBDIVISION**

SUBDIVISION (NAME):

☒ **SPECIAL USE PERMIT TO ALLOW** occasional outdoor amplified music events between 12:00 pm to 12:00 am within the common area at the Montano de El Dorado Shopping Plaza.

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

☐ **NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**

☒ **MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**

☐ **OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this MITIGATED NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this mitigated negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Mitigated Negative Declaration was adopted by the Planning Commission on _____.

_____

Executive Secretary

EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667

INITIAL STUDY

Project Title: S12-0005/Montano de El Dorado Shopping Plaza Outdoor Music

Lead Agency Name and Address: El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Contact Person: Tom Dougherty, Associate Planner | **Phone Number:** (530) 621-5380

Applicant's Name and Address: El Dorado Hills Pavilion Venture, LLC, Vinal Perkins, 1000 White Rock Road, Suite 700, El Dorado Hills, CA 95762

Project Location: Southeast corner of the intersection of White Rock Road and Latrobe Road, in the south El Dorado Hills area, El Dorado County.

Assessor's Parcel Number: 118-010-15 and -16 **Parcel Size:** 1.67 combined acres

Zoning: Commercial-Design Community (C-DC)

General Plan Designation: Commercial (C)

Section: 11 **T:** 9N **R:** 8E

Description of Project: Request to allow occasional outdoor amplified music events between 12:00 pm to 12:00 am within the common area at the Montano de El Dorado Shopping Plaza.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Site	C-DC	C	Commercial/Montano de El Dorado Shopping Plaza
North	CG	AP: Valley View Specific Plan	Commercial/Park and Ride lot.
South	R&D	R&D	Research and Development/Vacant.
East	R2	HDR	Residential/Single-family dwellings (Creekside Greens subdivision).
West	R&D	R&D	Latrobe Road

Briefly Describe the environmental setting: The Montano de El Dorado Shopping Plaza maintains a variety of businesses including but not limited to restaurants, commercial retail, and banking uses. Three of the four parcels are entirely developed with these businesses, parking lot, and landscaping. The fourth, easternmost parcel is partially developed in the northern portion. Access to the site is provided by two encroachments onto White Rock Road. The plaza is surrounded on the north by White Rock Road and the west by Latrobe Road and the corner proposed for the music is significantly higher in elevation than those roads.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)

Planning Services: Condition compliance.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact".

	Aesthetics		Agriculture and Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Geology / Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources	X	Noise
	Population / Housing		Public Services		Recreation
	Transportation/Traffic		Utilities / Service Systems		Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by Mitigation Measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or Mitigation Measures that are imposed upon the proposed project, nothing further is required.

Signature: _____ Date: 2/5/14

Printed Name: Tom Dougherty, Project Planner For: El Dorado County

Signature: _____ Date: 2/5/14

Printed Name: Peter N. Maurer, Principal Planner For: El Dorado County

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from outdoor music events at the Montano de El Dorado Shopping Plaza. This analysis focuses solely on potential noise impacts because the proposed project would have no other environmental effects.

Project Description

Special Use Permit to allow for acoustic outdoor music events on the patio within the common area in between Relish Burger Bar and Peets Coffee (APNs 118-010-15 and -16) between the hours of 12:00 p.m. to 11:00 pm and occasionally to 12:00 am on weekends. No new seating would be proposed. No new outdoor signage or advertising would be proposed as a result of the project. Speakers associated with music events would be positioned and oriented toward the restaurant/bar, and would be shielded on the west side by existing Plexiglas panels. The music event staging area is proposed to be utilized for various seasonal music events involving the entire shopping plaza, as well as by the Relish Burger Bar.

Based on the submitted noise assessments, it has been determined that, with the implementation of conditions of approval for noise, this project would not be anticipated to have the potential to cause noise levels exceeding the limits required by General Plan policies. Impacts would be reduced to a less than significant level with the incorporation of the condition for noise. Therefore, an Initial Environmental Study Checklist has been completed for the "Noise," and "Mandatory Findings of Significance" categories below and a Negative Declaration has been prepared.

Project Location and Surrounding Land Uses

The project site is located at the southeast corner of the intersection of White Rock Road and Latrobe Road, in the south El Dorado Hills area. The surrounding land uses are existing single-family residential development to the east, research and development to the south and west, and commercial uses to the north.

Project Characteristics

Noise and Mandatory Findings of Significance:

The noise assessments, provided as attachments, indicate noise levels of the music events could exceed General Plan requirements unless monitoring requirements and a 10:00 pm time limit are incorporated to reduce impacts to a less-than-significant level. Therefore, potential impacts are discussed in the "Noise," and "Mandatory Findings of Significance" categories below. Note: Due to the limited scope and nature of the project, there would be no other environmental factors affected by this project and therefore, no other impacts were reviewed as part of this initial study.

Project Schedule and Approvals

Planning Service would require proof that the applicant and owner of the Relish Burger Bar receive training from a qualified acoustical consultant to ensure accuracy of the noise measurements. Amplified music events would be required to end at 10:00 pm and for the first year subsequent to project approval, the applicant would be required monitor each music event and provide the County with monthly monitoring results.

This Initial Study is being circulated for public and agency review for a 30-day period. Written comments on the Initial Study Environmental Checklist should be submitted to the project planner indicated in the Summary section, above.

Following the close of the written comment period, the Initial Study will be considered by the Lead Agency in a public meeting and will be certified if it is determined to be in compliance with CEQA. The Lead Agency will also determine whether to approve the project.

Pursuant to CEQA, the three areas of impacts are:

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

Noise Exposures: The applicant is requesting to hold acoustic outdoor music events on the patio within the common area in between Relish Burger Bar and Peets Coffee (APNs 118-010-15 and -16) between the hours of 12:00 p.m. to 11:00 pm and occasionally to 12:00 am on weekends. Two environmental noise assessments were submitted for the project. The assessments focused on if the project would generate noise levels exceeding the performance standards contained in Tables 6-2 of the General Plan by amplified music. All outdoor events, which have the potential to result in the exposure of persons to or generation of noise levels in excess of standards, are subject to the following Noise Level Performance Protection Standards contained in Table 6-2 of the General Plan and the analysis found the project would exceed the following evening and night standards. The site is located within the El Dorado Hills Community Region. This analysis focuses on potential noise:

TABLE 6-2
NOISE LEVEL PERFORMANCE PROTECTION STANDARDS FOR NOISE SENSITIVE LAND USES AFFECTED BY NON-TRANSPORTATION* SOURCES

Noise Level Descriptor	Daytime 7 a.m. - 7 p.m.		Evening 7 p.m. - 10 p.m.		Night 10 p.m. - 7 a.m.	
	Community	Rural	Community	Rural	Community	Rural
Hourly L_{eq}, dB	55		50		45	
Maximum level, dB	70		60		55	

Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural Areas the exterior noise level standard shall be applied at a point 100' away from the residence. The above standards shall be measured only on property containing a noise sensitive land use as defined in Objective 6.5.1. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all effected property owners and approved by the County.

*Note: For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Control of noise from facilities of regulated public facilities is preempted by California Public Utilities Commission (CPUC) regulations. All other noise sources are subject to local regulations. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc.

General Plan Goal 6.5 directs that it be ensured that County residents are not subjected to noise beyond acceptable levels. Objective 6.5.1 directs that existing residential development be protected from new uses that would generate noise levels incompatible with residential uses. Policy 6.5.1.10 directs that in order to provide a comprehensive approach to noise control, the County shall:

A. Develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the project review process and, as may be determined necessary, through the building permit process.

B. Develop and employ procedures to monitor compliance with the standards of the Noise Element after completion of projects where noise mitigation measures were required."

General Plan Policy 6.5.1.2 states that "where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 6-2 (see below) at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. Policy 6.5.1.7 states that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses."

Based upon Table 6.2, the applicable standards are those designated for a "Community", which also need to be lowered by 5 dB, due to the fact that the noise source consists primarily of speech and music. Therefore, the evening and nighttime standards are as follows:

Evening (7:00 p.m. - 10:00 p.m.): 45 dB Leq, 55 dB Lmax
Night (10:00 p.m. - 7:00 a.m.): 40 dB Leq, 50 dB Lmax

When complaints of noise such as loud outdoor music are received, the following County Code Section applies:

"9.16.050 Loud and Raucous Noises—Prohibited: Except as otherwise provided in this chapter, it is unlawful for any person to willfully make, emit, or transmit or cause to be made, emitted, or transmitted any loud and raucous noise upon or from any public highway or public thoroughfare or from any aircraft of any kind whatsoever, or from any public or private property to such an extent that it unreasonably interferes with the peace and quiet of another's private property."

Under General Plan Policy 6.5.1.14, "a noise ordinance will be adopted by the County to control unnecessary noise that will include, but not be limited to, "amplified music in commercial establishments." Until then, excessive noise resulting from outdoor events held on the project parcel will be conditioned custom to the site specific situations. The project is proposed to have amplified music at the special events.

The applicant has submitted an Environmental Noise Assessment dated August 15, 2011 which analyzed live music events at the Relish Burger Bar. The Assessment measured noise levels at the north end of the patio and near a residence on Dover Court within the Springfield Meadows Subdivision, located approximately 2,000 feet to the west.

During the simulated concert and playing of music, the measured noise levels at the north end of the patio ranged between 75 dB and 81 dB Lmax, and between 74 dB to 79 dB Leq, while music was playing. Measured noise levels at Dover Court, without music playing was between 44 dB and 45 dB Leq, and between 53 dB and 55 dB Lmax. The primary noise source when music was not playing was local roadway traffic. Measured noise levels at Dover Court with the music playing, ranged between 43 dB Leq and 45 dB Leq, and between 53 dB and 55 dB Lmax. Although the music was audible, local roadway traffic remained the dominant noise source. Observations indicated that when traffic noise subsided, the maximum noise levels were in the range of 43 dB Lmax.

An additional noise analysis dated October 11, 2013 was submitted that analyzed potential noise impacts to the closest residence to the east, located approximately 620 feet away on Monte Verde Drive. There is a retaining wall approximately 18 feet tall constructed between those residences and the commercial uses. The top of that wall is level with the parking lot surface. The noise analysis found that because of the difference in elevation, the predicted noise levels in the back yards of those residences to the east are 41 dBA Lmax and 39 dBA Leq. Those noise levels comply with the daytime and evening noise level criteria.

Based upon the measured noise levels with music playing, the acoustical engineer concluded that the live music events would comply with the General Plan Noise Element evening and nighttime standards. With the inclusion of the following Mitigation Measure, impacts would be reduced to less than significant:

NOISE-1: The applicant is responsible for monitoring all sound levels and enforcing time restrictions for all music events occurring on the subject parcels for compliance with the El Dorado County General Plan noise standards. Noise levels shall not exceed those prescribed in Table 6-2 of the El Dorado County General Plan as outlined below:

	Daytime (7am-7pm)	Evening (7pm-10pm)
Hourly dB	50	45
Max. dB	65	55

The managers of the Plaza and the Relish Burger Bar shall purchase a Type 1 or Type 2 sound level meter and calibrator. The managers of the Plaza and the Relish Burger Bar shall receive training from a qualified acoustical consultant to assure accuracy of the noise measurements. Periodically during live music events, the trained representative shall conduct short-term noise measurements at a distance of 50 feet from the staging area to the north, east and southeast (three measurements). Speakers associated with music events shall be positioned and oriented toward the north at all times. If maximum noise levels begin to exceed 85 dBA, the sound system shall have the volume reduced. Amplified music events shall end at 10:00 pm and for the first year subsequent to project approval, the applicant shall be required monitor each music event and provide the County with monthly monitoring results.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Planning Service would require proof that the he managers of the Plaza and the Relish Burger Bar have received training from a qualified acoustical consultant to ensure accuracy of the noise measurements, prior to the first music event occurring.

Substantial Permanent Increase in Ambient Noise Levels: The outdoor events may result in a permanent or temporary increase in ambient noise levels. All outdoor events, which have the potential to increase the ambient noise levels, are subject to Noise Level Performance Protection Standards contained in Table 6-2 of the General Plan shown above in Section (a). The project, as conditioned to comply with all provisions of General Plan Policy 6.5.1.6, would not be anticipated to result in a substantial permanent increase in ambient noise levels.

Temporary or Periodic Increase in Ambient Noise Levels: The project would not be anticipated to create a temporary or periodic increase in ambient noise levels in the area in excess of the established noise thresholds. As described above in the (a) section above, the applicant would be required to monitor the proposed intermittent events to noise levels that would comply with the thresholds dictated by the current General Plan noise policies. In other words, the project would not be anticipated to add ongoing, permanent noise that would be continuous. As conditioned, temporary or periodic increase in ambient noise levels would be anticipated to be less than significant.

FINDING: For the 'Noise' category, as conditioned, and with compliance with County Code, impacts would be anticipated and required to be to be less than significant.

INITIAL STUDY ATTACHMENTS

Attachment 1.....Location Map
Attachment 2.....Overall Site Plan
Attachment 3.....Environmental Noise Assessment dated August 15, 2011
Attachment 4.....Environmental Noise Assessment dated October 11, 2013

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Planning Services in Placerville.

El Dorado County General Plan Environmental Impact Report
Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
Appendix A
Volume 3 of 3 – Technical Appendices B through H

El Dorado County General Plan – A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards Manual

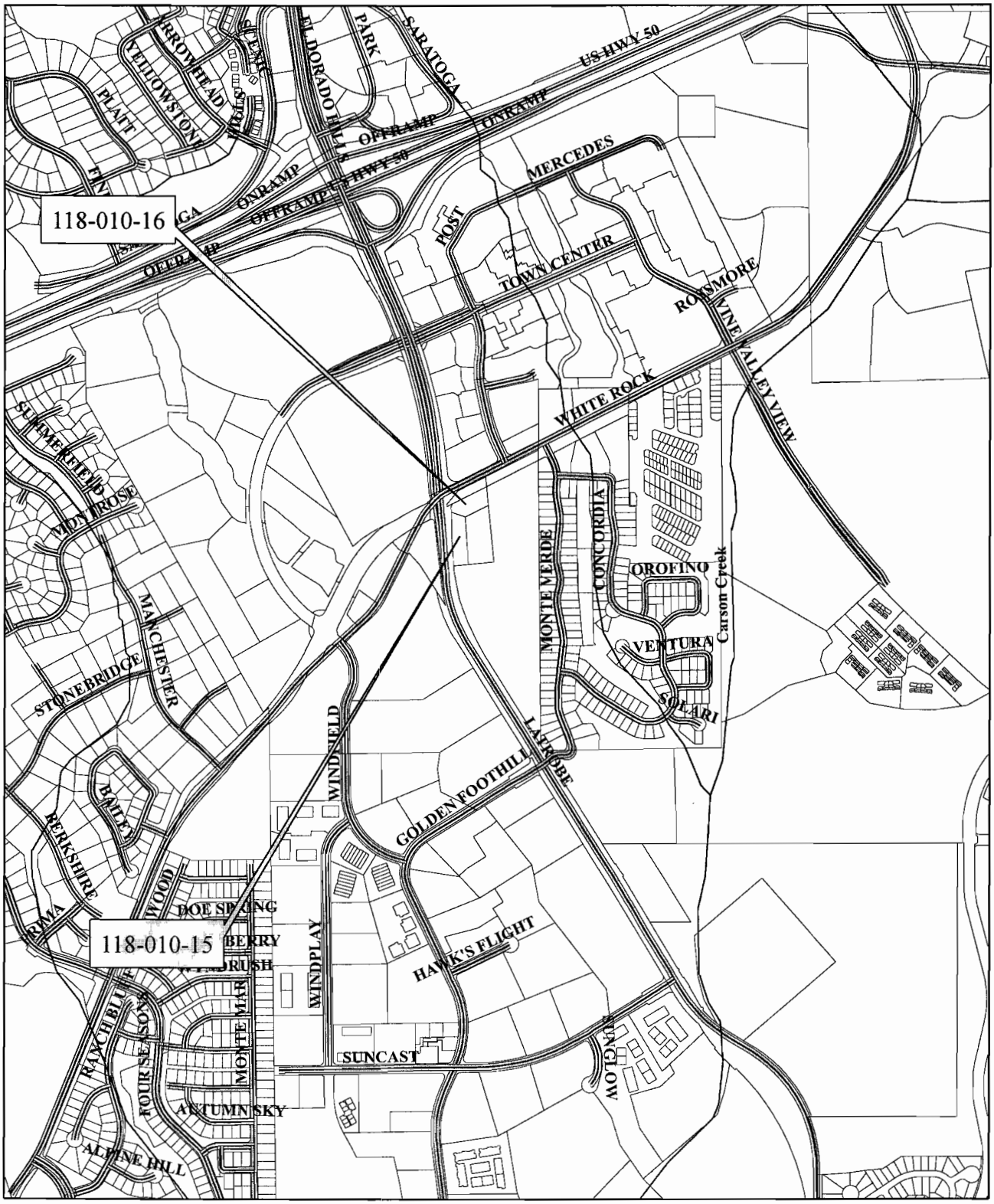
El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of the El Dorado Area, California, USDA, 1974

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

Location Map



File Number S12-0005

Attachment 1

Attachment 2

Environmental Noise Assessment

Relish Burger Bar Live Music

El Dorado Hills/El Dorado County, California

Job # 2011-149

Prepared For:

Montano De El Dorado

1000 White Rock Road
El Dorado Hills, CA 95762

Attn: Lynn Repstad

Prepared By:

j.c. brennan & associates, Inc.

Jim Brennan
President
Member, Institute of Noise Control Engineering

August 15, 2011

j.c. brennan & associates
consultants in acoustics

P.O. Box 6748 - 263 Nevada Street - Auburn, California 95603 -p: (530) 823-0960 -f: (530) 823-0961

Attachment 3

INTRODUCTION

The acoustical consulting firm of j.c. brennan & associates, Inc. has conducted an environmental noise analysis of live music events at the Relish Burger Bar located in the Montano Shopping Center in El Dorado Hills, California.

The Relish Burger Bar has conducted live music events, which generally play classic rock music during the evenings and nighttime hours. Generally they have conducted music events between 7:00 p.m. and 11:00 p.m. The Relish Burger Bar is generally located at the southeast corner of Latrobe Road and White Rock Road. The live music venue is an outdoor facility with a patio which is approximately 1,700 square feet it size with an outdoor bar and dining.

The events have resulted in noise complaints from one resident which is located on Dover Court, and approximately 2,000 feet to the west/southwest of the Relish Burger Bar. Recently the El Dorado County Sheriff requested that the Relish Burger Bar cease all live music. At the request of the El Dorado County Planning Department, the Montano Shopping Center retained j.c. brennan & associates, Inc. to conduct the noise study to determine if the live music events comply with the El Dorado County General Plan Noise Element criteria.

Figure 1 shows the location of the Relish Burger Bar/Montano Shopping Center and the location where the noise complaint was generated.

CRITERIA[1]

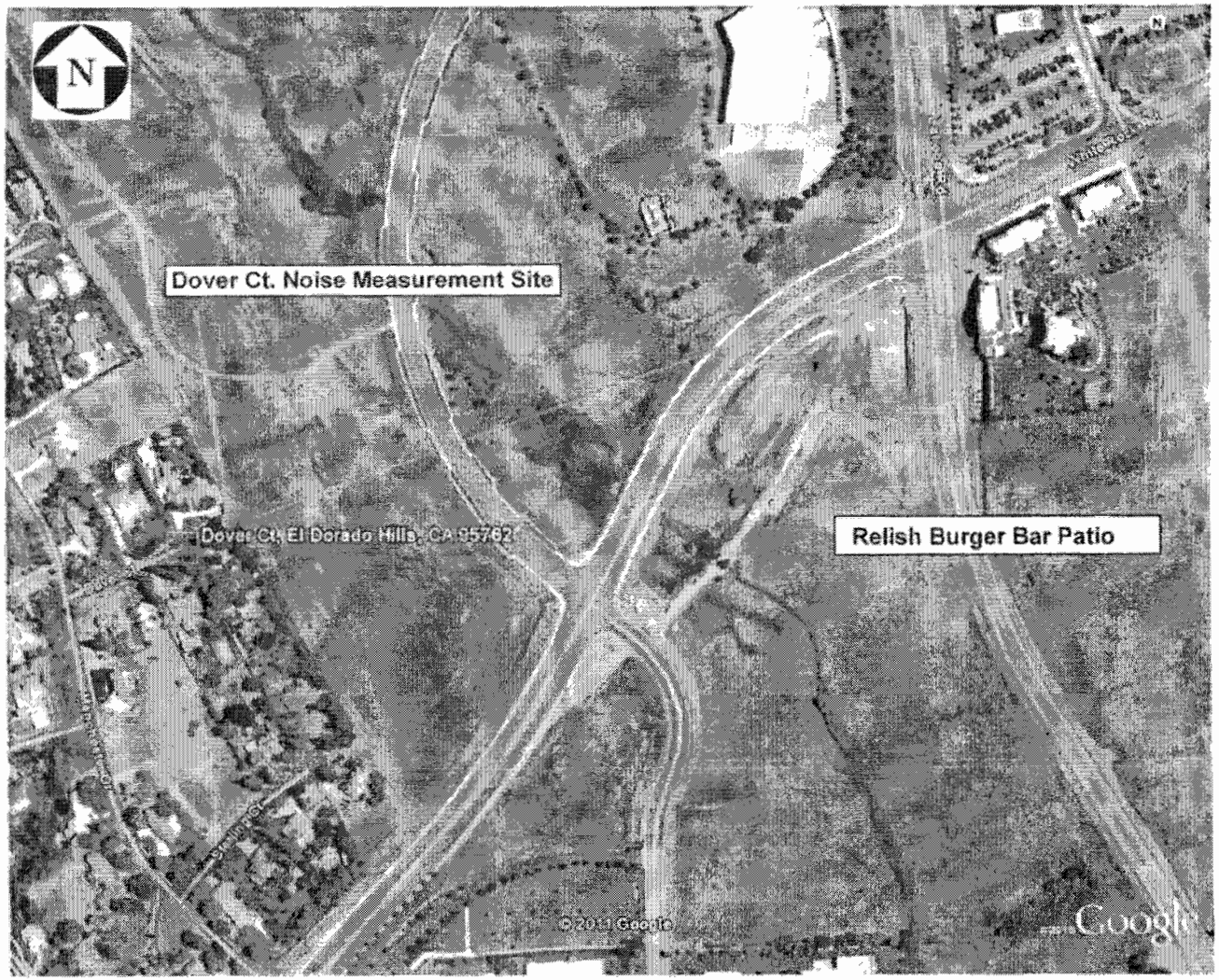
The El Dorado County General Plan Noise Element contains performance standards for non-transportation noise sources affecting adjacent noise-sensitive land uses. Table 1 shows the El Dorado County noise level performance standards that may be applied to this project. These standards are contained in Table 6-2 of the El Dorado County General Plan and are shown in Table 1.

The noise standards in Table 1 are divided into daytime hours (7 am to 7 pm), evening hours (7 pm to 10 pm), and nighttime hours (10 pm to 7 am). It is also important to note that the standards are to be lowered by 5 dB for noises consisting primarily of speech or music.

[1] For an explanation of these terms, see Appendix A: "Acoustical Terminology"

Figure 1

Project Area



j.c. brennan & associates
consultants in acoustics

Table 1 (*Table 6-2 of the General Plan Noise Element*)
Noise Level Performance Protection Standards For Noise Sensitive Land Uses Affected by Non-Transportation Noise Sources

Noise Level Descriptor	Daytime 7 a.m. - 7 p.m.		Evening 7 p.m. - 10 p.m.		Night 10 p.m. - 7 a.m.	
	Community	Rural	Community	Rural	Community	Rural
Hourly L_{eq}, dB	55	50	50	45	45	40
Lmax, dB	70	60	60	55	55	50

Each of the noise levels specified above shall be lowered by five dB for simple noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural areas the exterior noise level shall be applied at a point 100 feet away from the residence.

Source: Table 6-2 of the El Dorado County General Plan Noise Element.

Based upon Table 1, the applicable standards are those designated for a "Community", which also need to be lowered by 5 dB, due to the fact that the noise source consists primary of speech and music. Therefore, the evening and nighttime standards are as follows:

Evening (7:00 p.m. – 10:00 p.m.): 45 dB Leq, 55 dB Lmax
Night (10:00 p.m. – 7:00 a.m.): 40 dB Leq, 50 dB Lmax

ANALYSIS

As a means of determining noise levels associated with live music at the Relish Burger Bar, j.c. brennan & associates, Inc. set up a sound system and played classic rock music with a cd player at the Burger Bar on Thursday August 11th, 2011. The music played between 7:20 p.m. and 8:30 p.m. The equipment used for the sound system included the following:

- QSC Audio, Model: USA 900 amplifier, rated at 450 watts per channel
- (2) Woodworx Wave Series professional concert speakers, rated at 400 watts each.

The speakers were oriented to the north towards the patio, which is consistent with the orientation during live music events. Sound level measurements were conducted at the north side of the patio, furthest from the sound system. In addition, sound level measurements and observations were conducted at the east end of Dover Court, with a clear view of the Burger Bar. Equipment used for the sound level measurements

included Larson Davis Laboratories (LDL) Model 820 precision integrating sound level meters, which were calibrated before and after the measurements to ensure accuracy. The sound level meters meet all ANSI specifications for Type 1 sound level meters.

During the simulated concert and playing of music, the Burger Bar patio dining was predominantly full and people mingling at the bar. Measured noise levels at the north end of the patio ranged between 75 dB and 81 dB Lmax, and between 74 dB to 79 dB Leq, while music was playing.

Measured noise levels at Dover Court, without music playing was between 44 dB and 45 dB Leq, and between 53 dB and 55 dB Lmax. The primary noise source when music was not playing was local roadway traffic. Measured noise levels at Dover Court with the music playing, ranged between 43 dB Leq and 45 dB Leq, and between 53 dB and 55 dB Lmax. Although the music was audible, local roadway traffic remained the dominant noise source. Observations indicated that when traffic noise subsided, the maximum noise levels were in the range of 43 dB Lmax.

CONCLUSIONS

Based upon the measured noise levels with music playing, the live music events will comply with the El Dorado County General Plan Noise Element evening and nighttime standards. Based upon the noise measurements, the noise levels at the north end of the patio could increase by a minimum of 5 to 10 dB, and still comply with the evening noise level criteria.

It is recommended that the managers of the Montano Center and the Relish Burger Bar purchase a Type 1 or Type 2 sound level meter and calibrator. Periodically during live music events, a designated representative should conduct short-term noise measurements at the north side of the Burger Bar patio. If maximum noise levels begin to exceed 85 to 90 dB, the band should be instructed to turn down the volume of the music. In addition, it is recommended that amplified music cease by 10:00 p.m.

If you or the County staff has questions, please contact me at (530) 823-0960.

Respectfully submitted,

j.c. brennan & associates, Inc.

Jim Brennan
President
Member: Institute of Noise Control Engineering

Appendix A

Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
Ldn	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
Leq	Equivalent or energy-averaged sound level.
Lmax	The highest root-mean-square (RMS) sound level measured over a given period of time.
L(n)	The sound level exceeded a described percentile over a measurement period. For instance, an hourly L50 is the sound level exceeded 50% of the time during the one hour period.
Loudness	A subjective term for the sensation of the magnitude of sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.
RT_{60}	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
Sabin	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 sabin.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.
Impulsive	Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.
Simple Tone	Any sound which can be judged as audible as a single pitch or set of single pitches.

j.c. brennan & associates
consultants in acoustics
P.O. Box 6748 • Auburn, California 95604
1287 High Street • Auburn, California 95603
p.530.823.0960 • f.530.823.0961 • www.jcbrennanassoc.com

October 11, 2013

Mr. Vinal Perkins
Montano De El Dorado
1000 White Rock Road
El Dorado Hills, CA 95762

Subject: Noise levels from Music at the Relish Burger Bar

Dear Mr. Perkins:

The following is a discussion on the potential noise impacts associated with the music from the Montano De El Dorado Center / Relish Burger Bar at the nearest residences to the east.

Previously, j.c. brennan & associates, Inc. conducted a noise analysis for the music venue at the Relish Burger Bar. This analysis focused on the impacts of music at the nearest residences to the west/southwest on Dover Court. Since that report, El Dorado County Planning staff have requested that noise impacts are addressed at the nearest residences to the east.

CRITERIA[1]

The El Dorado County General Plan Noise Element contains performance standards for non-transportation noise sources affecting adjacent noise-sensitive land uses. Table 1 shows the El Dorado County noise level performance standards that may be applied to this project. These standards are contained in Table 6-2 of the El Dorado County General Plan and are shown in Table 1.

The noise standards in Table 1 are divided into daytime hours (7 am to 7 pm), evening hours (7 pm to 10 pm), and nighttime hours (10 pm to 7 am). It is also important to note that the standards are to be lowered by 5 dB for noises consisting primarily of speech or music.

[1] For an explanation of these terms, see Appendix A: "Acoustical Terminology"

Attachment 4

Table 1 (*Table 6-2 of the General Plan Noise Element*)
Noise Level Performance Protection Standards For Noise Sensitive Land Uses Affected by Non-Transportation Noise Sources

Noise Level Descriptor	Daytime 7 a.m. - 7 p.m.		Evening 7 p.m. - 10 p.m.		Night 10 p.m. - 7 a.m.	
	Community	Rural	Community	Rural	Community	Rural
Hourly L_{eq}, dB	55	50	50	45	45	40
Lmax, dB	70	60	60	55	55	50

Each of the noise levels specified above shall be lowered by five dB for simple noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural areas the exterior noise level shall be applied at a point 100 feet away from the residence.

Source: Table 6-2 of the El Dorado County General Plan Noise Element.

Based upon Table 1, the applicable standards are those designated for a "Community", which also need to be lowered by 5 dB, due to the fact that the noise source consists primary of speech and music. Therefore, the evening and nighttime standards are as follows:

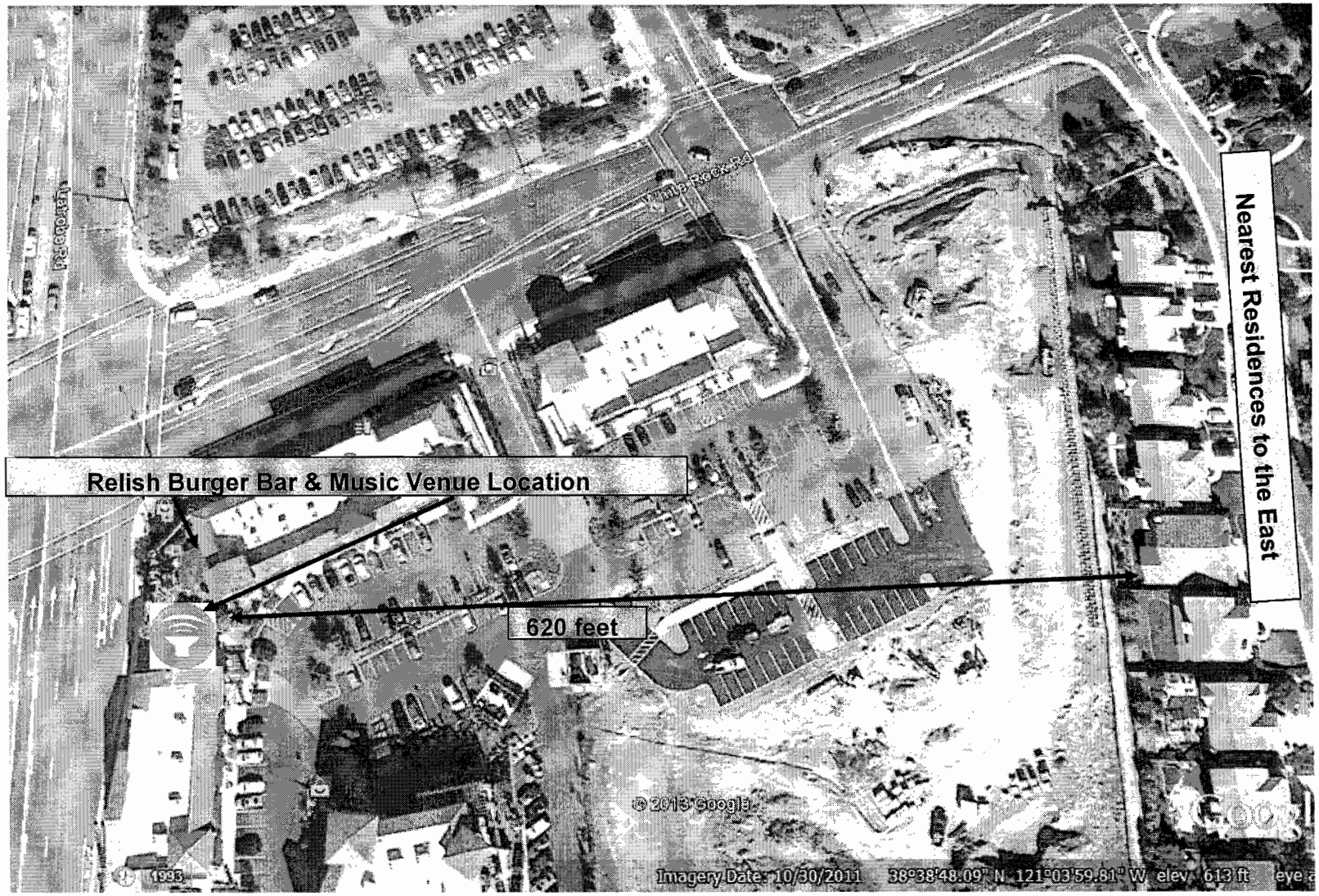
Evening (7:00 p.m. – 10:00 p.m.): 45 dB Leq, 55 dB Lmax
Night (10:00 p.m. – 7:00 a.m.): 40 dB Leq, 50 dB Lmax

ANALYSIS

Based upon the previous analysis, music sound systems are located at the south side of the Burger Bar patio, and is oriented to the north. See Figure 1. The measured noise levels at the north end of the patio, and approximately 50 feet from the music ranged between 75 dBA and 81 dBA Lmax, and between 74 dBA to 79 dBA Leq, while music was playing.

The nearest residences to the east are approximately 620 feet from the music venue. Based upon the orientation of the speaker system, it is expected that music to the east is 5 dBA less than the music levels directly in front of the speakers *(M. David Egan, Architectural Acoustics, 1972, Mc-Graw Hill, Inc.)*.

Figure 1
Montano De El Dorado Center



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Based upon a distance of 620 feet, the predicted noise levels are 54 dBA Lmax and 52 dBA Leq, while including the -5 dBA correction based upon speaker orientation. The residences to the east are located at an elevation between 30 and 33 feet below the elevation of the west side of the Montano De El Dorado Center where the Burger Bar is located. A retaining wall between 17 feet and 18 feet in height is constructed adjacent to the residences. Based upon the differences in elevation, intervening topography, and the presence of the retaining wall, there is significant shielding of music.

A barrier analysis was conducted to determine the shielding effects of the retaining wall at the back yards of the residences to the east. Based upon the barrier analysis, there is a -13 dBA reduction of noise at the back yards due to the differences in elevation and the retaining wall. Therefore, the predicted noise levels in the back yards of the residences to the east are 41 dBA Lmax and 39 dBA Leq. The noise levels will comply with the daytime and evening noise level criteria.

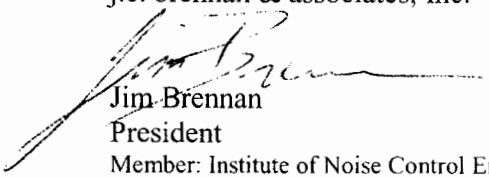
CONCLUSIONS

As stated in the previous analysis, we continue to recommend that the managers of the Montano Center and the Relish Burger Bar purchase a Type 1 or Type 2 sound level meter and calibrator. Periodically during live music events, a designated representative should conduct short-term noise measurements at a distance of 50 feet. If maximum noise levels begin to exceed 85 dBA, the sound system shall have the volume reduced. In addition, it is recommended that amplified music cease by 10:00 p.m.

If you or the County staff has questions, please contact me at (530) 823-0960.

Respectfully submitted,

j.c. brennan & associates, Inc.



Jim Brennan
President
Member: Institute of Noise Control Engineering
file: 2013-189 Del El Dorado Center

Appendix A

Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
Ldn	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
Leq	Equivalent or energy-averaged sound level.
Lmax	The highest root-mean-square (RMS) sound level measured over a given period of time.
L(n)	The sound level exceeded a described percentile over a measurement period. For instance, an hourly L50 is the sound level exceeded 50% of the time during the one hour period.
Loudness	A subjective term for the sensation of the magnitude of sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.
RT_{60}	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
Sabin	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 sabin.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.
Impulsive	Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.
Simple Tone	Any sound which can be judged as audible as a single pitch or set of single pitches.

Appendix B

Barrier Insertion Loss Calculation

Project Information:

Job Number: 2013-189
Project Name: Montano De El Dorado
Location(s): Resdiential to the East

Noise Level Data:

Source Description: Sound System
Source Noise Level, dBA: 54
Source Frequency (Hz): 500
Source Height (ft): 5

Site Geometry:

Receiver Description: Nearest Backyard
Source to Barrier Distance (C_1): 600
Barrier to Receiver Distance (C_2): 20

Pad/Ground Elevation at Receiver: -33
Receiver Elevation[1]: -28
Base of Barrier Elevation: -33
Starting Barrier Height 17

Barrier Effectiveness:

Top of Barrier Elevation (ft)	Barrier Height (ft)	Insertion Loss, dB	Noise Level, dB	Barrier Breaks Line of Site to Source?
-16	17	-13.0	41.0	Yes
-15	18	-13.5	40.5	Yes
-14	19	-14.0	40.0	Yes
-13	20	-14.5	39.5	Yes
-12	21	-14.6	39.4	Yes
-11	22	-14.6	39.4	Yes
-10	23	-15.3	38.7	Yes
-9	24	-15.9	38.1	Yes
-8	25	-15.9	38.1	Yes
-7	26	-16.3	37.7	Yes
-6	27	-16.3	37.7	Yes

Notes: 1.Standard receiver elevation is five feet above grade/pad elevations at the receiver location(s)

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