

D.4



**CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION & DEVELOPMENT
30 Muir Road
Martinez, CA 94553**

Telephone: (925) 674-7205

TO: Members, Board of Supervisors
FROM: John Kopchik, Director
DATE: November 14, 2016
SUBJECT: Agenda Item D 4 (Diablo Motocross) - Request to accept new material under the provisions of the Better Government Ordinance

County Code Section 25-2.206 (Better Government Ordinance) requires that *“all such staff material must be distributed to the policy body and be made available to the public 96 hours before the scheduled meeting.”* The code allows the policy body, by a three-fourths vote, to waive these limits, *“when, in its judgment, it is essential to do so, providing that the County Administrator, appropriate Department head, or staff member furnishes to the Board of Supervisors or other body a written explanation as to why the material could not be provided to the Board or other policy and the general public within the above time limits.”*

The Department of Conservation and Development has identified some errors in the table included on pages 3 and 4 of the Board Order for this item. That table summarizes key proposed changes to the 1995 Land Use Permit. The attached table corrects these errors and is consistent with Exhibit 17 (Proposed New Conditions of Approval for LP15-2040). We respectfully request that the Board: 1) waive the time limits on the availability of staff materials for agenda items; and 2) accept the additional material for consideration.

Cc: D. Twa, County Administrator
S. Anderson, County Counsel

Attachments

CORRECTED COMPARISON TABLE FOUND ON PAGES 3-4 OF BOARD ORDER D.4

| | Existing Conditions LP95-2020 | Proposed New Conditions LP15-2040 |
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| Noise Emissions | <p>Submit a noise impact study performed by a qualified acoustical engineer. The study should be based on noise levels generated by the first scheduled racing event on the oval. The study shall measure noise levels along the east boundary of the Davis property (Parcel 003-020-033). If noise levels exceed the land use compatibility standards prescribed in the Noise Element, mitigation measures shall be provided to reduce the sound levels to within appropriate levels at the Davis property line.</p> | <p>Average noise levels generated motorcycle/go cart riding and racing activities shall not exceed the community noise exposure level of 75 decibels specified by the General Plan for agricultural areas, and shall not exceed those specified in the analysis of the March 8, 2016 project noise study. For formalized racing events, no more than 25 riders will be allowed on the main track at a time, and no more than 13 riders will be allowed on the oval track. The park operator shall maintain a log of riders for all formalized racing events. Race heats shall be conducted on one track at a time to avoid simultaneous heats on both tracks in order to reduce noise levels.</p> <p>All individuals motorcycles and/or go-carts using the park shall be required to meet a noise standard of not more than 96 decibels when measured from a distance of 20 inches using test procedures established by the Society of Automotive Engineers under Standard J-1287. Noise measurements shall be taken on a daily basis prior to admission and use of the park for all motorcycles and/or go-carts seeking to use the park. Any measured vehicles not meeting this standard shall not be allowed admission and use of the park.</p> |

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| | | <p>customers, or for the property owners' private use or otherwise.</p> <p>4. All motorcycle racing events on the main track and the lighted oval track shall be allowed on one night per weekend (Saturday and Sunday) and on holidays, but not to exceed two (2) racing events per calendar month. No motorcycle activity or racing shall be allowed on Thanksgiving or Christmas. Racing hours shall be limited from 8 <u>9</u> a.m. - 7 p.m. or sundown, whichever comes first, <u>except that the lighted oval track may be used until 10:00 P.M., and the site shall be emptied by 11:00 P.M. There shall be no late night recreational riding on the lighted oval track allowed during any month with a scheduled racing event.</u></p> |
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