



Notice of Completion and Environmental Document Transmittal
California Environmental Quality Act

SCH # 2016072019

TO: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
(916) 445-0613

FROM: Stanislaus County Planning & 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

Project Title: Amendment to Use Permit Application No. PLN2015-0130 - The Fruit Yard Amphitheater
Lead Agency: Stanislaus County Planning and Community Contact Person: Kristin Doud, Principal Planner
Street Address: 1010 10th Street, Suite 3400 Phone: (209) 525-6330
City: Modesto, CA 95354 County: Stanislaus

Project Location: 7824 Yosemite Blvd City/Nearest Modesto/Waterford
Cross Streets: Yosemite Blvd and Geer Rd Zip 95357
Longitude/Latitude (degrees, minutes and seconds) N / W Total Acres: 31.12
Assessor's Parcel Number: 009-027-011 Section: 34 Twp. 3S Range: 10E Base: MDB&M
Within 2 Miles: State 132 Tuolumne River, Dry Creek
Railways: Schools: Empire Elementary

Local Public Review Period: (to be filled in by lead agency)

Starting Date: March 17, 2022 Ending Date: April 19, 2022

Document Type:

- CEQA: [] NOP [] Draft EIR [] Early Cons [] Supplement/Subsequent EIR [] Neg Dec (Prior SCH No.) [] Mit Neg Dec [] Other:
NEPA: [] NOI [] EA [] Draft EIS [] FONSI
OTHER: [] Joint Document [] Final Document [] Other:

Local Action Type:

- [] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [X] Other

Development Type:

- [] Residential Units: Acres:
[] Office Sq.ft.: Acres: Employees:
[X] Commercial Sq.ft.: 5,000 sf Acres: 31.12 Employees: 18
[] Industrial Sq.ft.: Acres: Employees:
[] Educational
[] Recreational
[] OCS Related
[] Water Facilities Type: MGD
[] Transportation Type:
[] Mining Mineral:
[] Power Type: MW
[] Waste Facilities Type: MGD
[] Hazardous Waste Type:
[X] Other 3,500 person capacity amphitheater

Project Issues Discussed in Document:

- [] Aesthetic/Visual [] Fiscal [] Recreation/Parks [] Vegetation
[] Agricultural Land [] Flood Plain/Flooding [] Schools/Universities [] Water Quality
[] Air Quality [] Forest Land/Fire Hazard [] Septic Systems [] Water Supply/Groundwater
[] Archeological/Historical [] Geological/Seismic [] Sewer Capacity [] Wetland/Riparian
[] Biological Resources [] Minerals [] Soil Erosion/Compaction/Grading [] Growth Inducement
[] Coastal Zone [X] Noise [] Solid Waste [] Land Use
[] Drainage/Absorption [] Population/Housing Balance [] Toxic/Hazardous [] Cumulative Effects
[] Economic/Jobs [] Public Services/Facilities [] Traffic/Circulation [] Other

Present Land Use/Zoning/General Plan Designation:

Present Land Use: Restaurant, produce market, gasoline station, private park, amphitheater
Zoning: Planned Development (P-D) (317) General Plan: Planned Development

Project Description: (please use a separate page if necessary)

This is a request to amend Mitigation Measures No. 5 and 6, which specify the on-site noise monitoring for both A-weighted and C-weighted noise measurements for The Fruit Yard Amphitheater (Use Permit No. PLN2015-0130). The outdoor amphitheater is located on a 31.12 acre parcel zoned Planned Development (P-D) (317). UP PLN2015-0130 – The Fruit Yard Amphitheater approved an outdoor, fenced, 3,500 person capacity amphitheater event center, a 5,000 square-foot stage, a 5,000 square-foot roof structure, a 4,000 square-foot storage building, a parking lot to the rear of the stage, and an additional 1,302-space temporary parking area. A maximum of 12 amphitheater events are permitted to take place per year. UP PLN2015-0130 also approved a covered seating area of approximately 4,800 square feet and a 1,600 square-foot gazebo in the eastern half of the park area, east of the outdoor amphitheater, and replacement of the existing pylon freestanding pole sign with an electronic reader board sign. The Mitigation Monitoring Plan approved for the amphitheater, dated May 16, 2017, adopted by the Board of Supervisors on May 23, 2017, is still applicable to the project, as are the development standards applied to P-D (317) and to the 2015 amphitheater use permit. Mitigation Measures No. 1 and 2 of this Mitigation Monitoring Plan replaces Mitigation Measures No. 5 and 6 of the May 16, 2017 Mitigation Monitoring Plan.

Reviewing Agencies Checklist:


Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency, please denote that agency with an "S".

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| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Parks & Recreation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # <u>10</u> | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Reclamation Board |
| <input checked="" type="checkbox"/> Central Valley Flood Protection Board | <input checked="" type="checkbox"/> Regional WQCB # <u>5</u> |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Colorado River Board Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>4</u> | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Forestry & Fire Protection, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Housing & Community Development | <input checked="" type="checkbox"/> Other: <u>San Joaquin Valley Air Pollution Control District</u> |
| <input type="checkbox"/> Integrated Waste Management Board | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Native American Heritage Commission | |

Lead Agency (Complete if applicable):

Consulting Firm: Stanislaus County
 Address: 1010 10th Street, Suite 3400
 City/State/Zip: Modesto, CA 95354
 Contact: Kristin Doud, Principal Planner
 Phone: (209) 525-6330

Applicant: Joe Traina
 Address: 7948 Yosemite Blvd
 City/State/Zip: Modesto, CA 95357
 Contact: Dave Romano
 Phone: (209) 521-9521

Signature of Lead Agency Representative: 

Date: March 17, 2022