

April 8, 2015

Dear Chair Gibson,
Planning Commission Members:

SUBJECT: Noise Ordinance/Mar Addai Church/Larsa Event Center Update

As the County moves forward with updating its noise ordinance, I hope that they and their consultant take into account the following:

- **It must be easily measureable and take into consideration the difference between bass sounds and other sounds.** In the past, when decibels were the measuring guideline, the Sheriff would go over to Larsa and they would be told that they (Larsa) were within their required decibel level. The Sheriff did not have an easy way to measure the sound to note if there was a violation. Any standard adopted must be easily verifiable and take into account the difference between bass sound and other sounds or we will go back to "they said, we said" and we (the neighborhood) will be stuck with hearing the bass noise. As County Counsel Bose noted at the March 5 Planning Commissioners' meeting, he was surprised at how far the bass sounds carried. That is why we hear the bass sound first and foremost.
- **It must have enforceable standards and they must be enforced.** This ties in with it being easily measurable. The Sheriff needs to be able to easily measure the sound level against a standard and they must be able to easily issue a citation if there is a violation. We have had so many calls in the past years that have gone to the Sheriff's, they acknowledge they can hear the sound, but no citation has been issued. If people can easily be issued traffic tickets, why can't this ordinance be set up the same way? If citations are not issued, we will be back to where we are now and nothing will have been accomplished.
- **It must have a punitive element, such as an escalating fine.** Without a fine, there will be no reason for someone to comply. The fine should be significant enough to get repeat offenders to comply with the ordinance.
- **It should have different standards for locations within a city's sphere of influence or an urban transition area and a rural designated area.** This only makes sense. Locations within a city's sphere of influence or an urban transition area are going to be closer to

residential housing areas. The allowable noise levels for these areas should be less than for areas that are sparsely populated.

The revised ordinance needs to have these elements so that it is easily and quickly enforceable by the Sheriff so this issue can be resolved and go away. They have already spent too many of their valuable man-hours on this issue.

Whatever is adopted should ensure that we are not able to hear any noise from Larsa and that they comply with their 2003 conditions for approval that state "The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Urban Transition" **and will not, under the circumstances of the particular case be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood** or to the general welfare of the County. Certain conditions have been added to ensure that the impact from the project is minimal." (Bold added for emphasis)

As I've noted before, this has not been the case. The project has been in violation of these conditions for many years. It has had a tremendous impact on our neighborhood and property. Due to past incidents, if anyone sells a property in our neighborhood, we have to disclose the noise from Larsa.

There have also been "health and general welfare" impacts. There have been two lawsuits by Larsa against our neighbors and our family has spent money to protect ourselves from potential legal actions. We have also been called liars for reporting what has happened. This has been very stressful.

None of this takes into consideration the glare from their lights that has destroyed our viewscape or the fact that they were supposed to be first and foremost a church and not an event center. As I've previously noted, I don't think there is any doubt that Larsa's primary use is as an event center and not a church. Even though it may be called a "permissible use", I don't think anyone in the County or our neighborhood expected the Mar Addai church to turn into the Larsa Event Center. As mentioned previously, the Mar Addai church under which they got their use permit is not even listed at this address. It is still located in downtown Turlock.

I was concerned about comments made at the March 5 Planning Commissioners' meeting by County Counsel about the final noise ordinance probably not making either party happy. That's not right or fair. We have been dealing with this for over 6 years! Our most recent incidents were on Saturday and Sunday March 28th and 29th. On the 29th the bass was clearly audible in

our master bedroom and family room with the doors closed. It could be clearly heard over the television in our family room. We should not have to put up with this noise.

We have been more than patient. We did not create this problem, but have become the victims in this dispute. We have never advocated closing Larsa despite all that Larsa has put us through, but we need a resolution that will allow us to again enjoy our yards and houses without noise from Larsa disturbing our peace.

I hope the ordinance that is eventually adopted will resolve our concerns. Our neighborhood has been put through too much for too long. Thank you for your time and consideration.

Sincerely,

Brad Christian
Amethyst Way
Turlock, CA