

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY**

DEPT: Planning and Community Development BOARD AGENDA #: 9:10 a.m.

AGENDA DATE: August 23, 2016

SUBJECT:

Public Hearing to Consider the Planning Commission's Recommendation of Approval for General Plan Amendment Application No. PLN2014-0051 – General Plan Update, an Update to the Stanislaus County General Plan, Covering the Entire Stanislaus County Unincorporated Area, and Certification of a Final Environmental Impact Report

BOARD ACTION AS FOLLOWS:

No. 2016-441

On motion of Supervisor DeMartini, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM

DEPT: Planning and Community Development
Urgent ☐ Routine ☒

BOARD AGENDA #: 9:10 a.m.

AGENDA DATE: August 23, 2016

AF

CEO CONCURRENCE:

4/5 Vote Required: Yes ☐ No ☒

SUBJECT:

Public Hearing to Consider the Planning Commission's Recommendation of Approval for General Plan Amendment Application No. PLN2014-0051 – General Plan Update, an Update to the Stanislaus County General Plan, Covering the Entire Stanislaus County Unincorporated Area, and Certification of a Final Environmental Impact Report

PLANNING COMMISSION AND STAFF RECOMMENDATIONS:

1. Find that the Notice of Preparation, Draft Environmental Impact Report (DEIR), Notice of Availability, and Final Environmental Impact Report (FEIR), State Clearinghouse No. 2014042087, for the Stanislaus County General Plan and Airport Land Use Compatibility Plan Updates have been prepared and circulated for public review and comment as required by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and the CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et seq.
2. Find that all comments submitted during the public review and comment period on the DEIR, including comments received at the public hearing, including late comments submitted, were responded to adequately in the FEIR as required by CEQA, the State CEQA Guidelines, and the County's CEQA Guidelines and Procedures for the Implementation of CEQA.
3. Find that the FEIR adequately identifies and addresses all of the significant environmental impacts and all feasible mitigation measures have been incorporated into the Stanislaus County General Plan Update in the form of goals, objectives, policies, action items and programs to reduce the anticipated environmental impacts.
4. Find that no changes made to the Stanislaus County General Plan Update or DEIR after circulation involve significant new information necessitating re-circulation prior to certification of the FEIR as required by CEQA Guidelines Section 15088.5.
5. Find that the FEIR for the Stanislaus County General Plan Update has been prepared in compliance with CEQA, the State CEQA Guidelines, and the County's CEQA Guidelines and Procedures for the Implementation of CEQA.
6. Find that the Board of Supervisors has reviewed and considered the FEIR for the Stanislaus County General Plan Update in accordance with CEQA Guidelines Section 15025(c).

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7. Find that the Board of Supervisors has independently reviewed the information contained in the FEIR prior to indicating its intent to approve the Project.
8. Find that the FEIR reflects the independent judgment and analysis of the Stanislaus County Board of Supervisors as to the environmental consequences of the Project.
9. Find that environmental impacts identified in the FEIR as significant and unavoidable exist, even with feasible mitigation measures incorporated into the Stanislaus County General Plan Update in the form of goals, objectives, policies, and action items and programs, as identified in the FEIR.
10. Find that with respect to the adverse environmental impacts that cannot be mitigated to a less than significant level, the substantial benefits resulting from the Project outweigh these unavoidable impacts and are acceptable based upon the overriding considerations set forth in the Findings of Fact and the Statement of Overriding Considerations (the "SOC"). The CEQA Findings of Fact and SOC are incorporated herein by this reference, as if set forth in full.
11. Find that the unavoidable significant effects of the Project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social, and/or environmental benefits of the Project as stated in the Findings of Fact and SOC.
12. Adopt the Findings of Fact and the SOC (Exhibit B of the July 21, 2016, Stanislaus County Planning Commission Staff Report) concerning unmitigated significant impacts.
13. Certify the FEIR for the Stanislaus County General Plan Update and Airport Land Use Compatibility Plan Update (*SCH# 2014042087*).
14. Find That:
 - A. The County's Planning and Community Development Department prepared an amendment, a legislative update, to the Stanislaus County General Plan, which does not include amendment to the location or distribution of land use designations in the General Plan Land Use Diagram.
 - B. The General Plan after it is updated will continue to comprise an integrated, internally consistent and compatible statement of goals and policies for Stanislaus County.
 - C. Stanislaus County provided opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education and other community groups, through public hearing and community meetings in fulfillment of Government Code Sections 65351 and 65352.

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- D. The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses.
- E. The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service.
- F. The General Plan Update and the proposed Airport Land Use Compatibility Plan Update to be considered by the Airport Land Use Commission have been drafted in a coordinated effort to ensure that the amended General Plan will be consistent with the amended Airport Land Use Compatibility Plan upon the adoption of both these plans.

15. Approve General Plan Amendment Application No. 2014-0051 – Stanislaus County General Plan Update, as recommended by the Planning Commission on August 4, 2016, and with the revisions recommended by Staff in the August 23, 2016, Board of Supervisors Report, including Attachment 1 of the August 23, 2016 Board of Supervisors Report.

DISCUSSION:

This is an update to the Stanislaus County General Plan, which is a comprehensive, long-term general plan to guide physical development within Stanislaus County, to extend the 20-year planning horizon to year 2035. An update to the Airport Land Use Compatibility Plan (ALUCP) has also been processed in tandem with the General Plan Update. The ALUCP is a plan that sets standards for compatibility for all public use airports in Stanislaus County, which currently consist of the Modesto/County and Oakdale airports. A Final Environmental Impact Report (FEIR), covering both the General Plan Update and the ALUCP, has been prepared for the purposes of environmental analysis.

The FEIR consists of: the Draft EIR (DEIR); comments and recommendations received on the DEIR; a list of persons, organizations, and public agencies commenting on the DEIR; responses of the Lead Agency of significant environmental points raised in the review and consultation period; and any other information added by the Lead Agency (see Attachment 2, Exhibit D – Final Environmental Impact Report – Stanislaus County General Plan Update and Airport Land Use Compatibility Plan Updates). For this FEIR, Stanislaus County is considered the Lead Agency.

The following objectives represent the essential goal of the project, both the General Plan and ALUCP Updates, as outlined in the DEIR:

- To comprehensively review and amend the general plan to incorporate current requirements of State law related to planning issues.
- To avoid making changes to the General Plan Land Use Diagram.

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- To update existing and incorporate new goals, objectives, policies, and implementation measures to reflect local changes in land use policy.
- To update technical data found within the General Plan and support documents.
- To update the ALUCP to ensure consistency with the General Plan, incorporate the requirements of the Caltrans' *Airport Land Use Planning Handbook*, and reflect new information relating to noise contours, safety zones, airspace protection zones, overflight areas, and current city general plan provisions.
- To prepare the environmental documentation necessary to support adoption of the General Plan Update and ALUCP.

The project being presented for Board consideration includes only the certification of the FEIR and adoption of the proposed General Plan Update. As Lead Agency, the Board of Supervisors will act to certify the FEIR which will be utilized for adoption of the General Plan Update. The Airport Land Use Commission (ALUC) will consider adoption of the ALUCP at a separate public hearing, where both the Draft ALUCP and the adequacy of the FEIR will be considered. This meeting will be scheduled after the Board of Supervisors certification of the FEIR. A draft of the ALUCP Update is available for review at <http://www.stancounty.com/planning/pl/act-proj/gp-update.shtm>.

General Plan Update

The General Plan Update is limited to revisions of the land use, circulation, conservation/open space, noise, safety, and agricultural elements. The update does not include changes to the General Plan Land Use Diagram, but rather is a “clean-up” of the General Plan to incorporate changes in State law and local standards, such as Senate Bill (SB) 375 (sustainable communities strategy), SB 5 (floodplains), Assembly Bill 359 (groundwater mapping), and SB 244 (disadvantaged communities). The update also includes changes in agency names and responsibilities, changes in local codes, standards, and management plans, minor language and formatting revisions, changes to ensure consistency with the ALUCP, and a number of policy enhancements (summarized below). Existing support documentation was also incorporated into the text of each element.

A number of policies, goals and implementation measures were updated and added throughout the General Plan, as well as informational narratives. Below is a general summary of the changes that were made through this update process. A more detailed summary of changes may be found in the Attachment 2 August 4, 2016 Planning Commission Memo. Attachment 2, Exhibit C outlines the proposed changes in bold and strikeout.

Land Use Element

The Land Use Element is a required element intended to designate the proposed general distribution, location, and extent of the uses of land for housing, business, industry, open

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space, agriculture, natural resources, recreation, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land.

The Land Use Element was updated to address: policies regarding unincorporated urban communities, including the upgrading of services for existing communities, support of the establishment of “self-help” programs, and clarification of requirements for connecting to public water and or waste management systems; economic development policies supporting efforts to direct economic development and job creation centers towards cities, while also considering approval of centers in unincorporated areas of unique character and proximity to transportation infrastructure, and regarding encouraging reuse of the Crows Landing Air Facility as a regional jobs center; compatibility of outdoor lighting with other uses; complementing the general plans of cities within the county in terms of encouraging coordination with cities to identify opportunities to develop uniform development standards in city spheres and along all major county defined gateways to cities, to formally acknowledge existing city-county agreements, and to encourage participation in developing a county-wide growth management strategy. A new policy and implementation measure was also added to expand the instances when development, subject to discretionary approval, is referred out to a city for consideration from just the sphere of influence boundary to the general plan boundary (within a mile of the sphere of influence).

As a result of coordination with the Stanislaus County Health Services Agency a new goal, with policies and implementation measures regarding promoting and protecting healthy living environments, was added to encourage development that:

- Decreases air and water pollution;
- Reduces the consumption of natural resources and energy;
- Increases the reliability of local water supplies;
- Facilitates alternative modes of transportation;
- Promotes active living; and,
- Promotes the extension of public transportation systems and efforts to improve the siting of local health care options.

The infrastructure needs of “disadvantaged communities” were also identified, through inclusion of a Stanislaus County Disadvantaged Unincorporated Communities Report included as Attachment 2, Exhibit C, Appendix I-D and Community Plans were incorporated as Attachment 2, Exhibit C, Appendix I-A of the Land Use Element, and minor amendments were made to the Community Plans in terms of language clean-up. Language was also updated throughout the element to reflect the elimination of redevelopment agencies.

Circulation Element

The Circulation Element is a required element which consists of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the Land Use Element of the plan.

Updates to the Circulation Element included: changes to the “Road Classification” terminology; minor changes to Figure II-1 and Figure II-2, including incorporating the North County Corridor proposed alignments; updated Tables consistent with Public Works Standards and Specifications; policy emphasis on a safe, comprehensive, and coordinated transportation system, which considers a broad range of transportation modes: mitigation of operational and safety impacts of new development; reciprocal access easements and shared driveways; encouragement of development with multiple points of ingress and egress to aid in traffic flow and the accessibility of multiple modes of transportation; transformation of pedestrian friendly transportation corridors; the integration of alternative strategies into the Congestion Management Process; alternatives to on-site parking requirements; changed the acceptable Level of Service on roadway segments from a “C” to a “D”; and incorporated references to vehicle miles traveled in response to CA Senate Bill 743.

Existing support documentation was also incorporated into the element, including information on water, pipe, and utility conveyance systems, and narratives covering public transit, rail service, freight, and aviation were updated.

Conservation/Open Space Element

The Conservation and Open Space Elements are both required elements and have been combined as allowed by State law. The Conservation Element considers the conservation, development, and utilization of natural resources including water, soils, rivers, wildlife, minerals, and other natural resources. The Open Space Element considers the preservation of natural archeological, paleontological, historic, and recreational resources.

The Update to this element addresses the following: consistency between the ALUCP and the General Plan; adoption of natural scenic vistas; mitigation of any impacts during ground disturbing activities on previously undisturbed riparian and vernal pools habitats; language consistency with local plans; resort services and recreational development at water reservoirs; and solid waste management.

Policies regarding protection of water quality and supply were also enhanced by including the following:

- Promote efforts to increase reliability of groundwater supplies through water resource management tools.

- Support and where appropriate help facilitate the formation of an integrated and comprehensive county-wide, and where appropriate regional, water resources management plan.
- Cooperate with other pertinent agencies, including cities and water districts, in the preparation and adoption of a groundwater sustainability plan pursuant to the Sustainable Groundwater Management Act (SGMA).
- Obtain the technical information, and develop the planning and policy needs to improve groundwater recharge opportunities and groundwater conditions in the County.
- Adopt General Plan changes to protect recharge areas and manage land use changes that have an impact on groundwater use and quality, as information becomes available.

Noise Element

The Noise Element is a required element which analyzes and quantifies, to the extent practicable, current and projected noise levels for a variety of noise generating uses (such as highways and freeways, airport operation, and local industrial plants) identified locally as contributing to the community noise environment.

The Update to this element provides updated language, terminology, and data, and added and amended implementation measures which address: consistency with the updated Circulation Element, ALUCP, and Stanislaus County Noise Control Ordinance; and active enforcement of the Noise Ordinance. The 2005 Technical Reference Document was also incorporated into the element, previously included in the support documentation of the Noise Element, which provides a source for existing noise measurements; including a summary of long-term and short-term measurements and noise contour distances for major railroads.

Safety Element

A Safety Element is a required element which considers the protection of the community from safety hazards such as earthquake, dam failure, flood, or wildland and urban fires. Background information from the existing support documentation, Multi-Jurisdictional Hazard Mitigation Plan, and Environmental Impact Report, and information regarding climate adaptation to be consistent with State law requirements, were incorporated into the introduction of the Safety Element. A summary and references to the Multi-Jurisdictional Hazard Mitigation Plan were added to the element. References to the ALUCP were also incorporated throughout the element for the purposes of General Plan consistency. The Safety Element was also updated in response to a comment letter provided by the California Department of Forestry to incorporate references to the following:

- Emergency access and evacuation routes;
- State Responsibility Areas (SRAs);

- Very High Fire Severity Zones;
- Adopted fire code;
- Local fire agencies;
- Local strategic fire plans; and,
- State fire standards

Other updates to the Safety Element addressed: the 200 year flood plain; design of the built environment to allow for surveillance of publically accessible areas and crime prevention through design; safety hazard overlay zones; air strip easements; and development standards for communication and wind power facilities within the agricultural area.

Agricultural Element

The Agricultural Element is an optional element first adopted into the County's General Plan in 1992 in recognition of the importance of agriculture to our local economy. The Agricultural Element focuses on the mitigation of negative economic and environmental impacts to agricultural land and the natural resources needed to support local agriculture.

The update to this element addresses the following: protection of food safety and supporting grower's rights to utilize the widest range of newest available technologies; alternative energy sources provided they are not located on land considered to be the most productive agricultural areas; and added a definition for "Prime Agricultural Land" to be consistent with the Stanislaus County Williamson Act Uniform Rules.

A number of policies were also updated/added to address water supply for rural domestic, urban, and agricultural uses, including policies that address: encouraging the use of appropriately treated water for agricultural and urban irrigation; protection of groundwater for agricultural, rural domestic, and urban use; and implementation of the existing groundwater ordinance to ensure the sustainable supply and quality of local groundwater.

Housing Element

The Housing Element is a required element of the General Plan, which is updated through a separate process, the timing of which is designated by the California Department of Housing and Community Development (HCD). The fifth cycle update of the Stanislaus County Housing Element was most recently adopted by the Board of Supervisors on April 5, 2016 and was subsequently certified by HCD on April 27, 2016. The Housing Element is not a part of this General Plan Update, and is not required to be updated for the sixth cycle until April 2024.

Final Environmental Impact Report

The Environmental Impact Report (EIR) covers both the General Plan Update and the ALUCP, and was prepared for the purposes of environmental analysis. All issues brought forth through the EIR were mitigated through the addition of policies. Any issues unable to be mitigated were identified as Significant and Unavoidable Impacts.

The Notice of Availability for the 45-day Public Review Period of Draft Environmental Impact Report (DEIR) was opened on April 19, 2016 and ended on June 3, 2016.

The Final Environmental Impact Report (FEIR) consists of: the DEIR and comments received on the DEIR; a list of commenters; responses to the comments received; and changes made to the DEIR after the 45-day review period. The FEIR is included as Attachment 2, Exhibit D. The FEIR identifies the following impacts to be significant and unavoidable:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Hydrology & Water Quality;
- Noise;
- Recreation;
- Transportation & Traffic; and,
- Utilities

Fourteen comments were received on the DEIR during the 45-day review period from the following agencies:

- CalTrans, District 10;
- CalTrans, Division of Aeronautics;
- Chevron USA;
- City of Ceres;
- City of Modesto;

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- City of Turlock;
- Central Valley Regional Water Quality Control Board;
- Del Puerto Health Care District;
- Stanislaus LAFCO;
- Ryan Thornberry, for River Oaks Golf Course;
- Mark Boone, Salida Resident;
- San Joaquin County Public Works;
- San Joaquin Valley Air Pollution Control District (SJVAPCD); and,
- Stanislaus County Environmental Review Committee

The issues brought forth within each comment letter were evaluated in terms environmental significance and in terms of technical amendments to the draft documents for clarification purposes. A summary of only those comments specific to the DEIR and/or General Plan Update is provided in the August 4, 2016 Planning Commission Memo (see Attachment 2). All other comments received were either “no comments,” informational in nature, included minor text amendments, or were non-environmental ALUCP related comments, which will be addressed when the ALUCP is considered.

In order to approve the subject General Plan Amendment, the County, acting as Lead Agency, must certify the FEIR. This includes finding that the EIR is adequate in terms of:

- Compliance with CEQA;
- Circulation for public review and comment;
- Response to comments;
- Identification of all significant environmental impacts;
- Incorporation of all feasible mitigation measures into the General Plan; and,
- Identification of significant and unavoidable environmental impacts

This also includes finding that the FEIR has been independently reviewed and considered, that the FEIR reflects the independent judgment and analysis of Stanislaus County, and that no changes made to the Stanislaus County General Plan Update or DEIR after circulation involve significant new information necessitating re-circulation. Certification of the EIR also involves

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adoption of the Findings of Fact and Statement of Overriding Considerations, which find that the substantial benefits resulting from the Project outweigh the identified unavoidable impacts and are acceptable based upon: changes or alterations incorporated into the project which avoid or substantially lessen the significant environmental effect; and/or specific economic, legal, social, technological, and/or other considerations, make infeasible the mitigation measures or project alternatives identified in the environmental impact report. These findings are incorporated into the Planning Commission and Staff Recommendations sections of this report.

Planning Commission Hearing

The Stanislaus County Planning Commission conducted a public hearing to consider the General Plan Update on August 4, 2016. No one spoke in opposition or in favor of the project. Commissioner Borges asked several questions regarding the Community Plans including why some community plans have goals and others do not; and in regard to a reference to the “Del Este” water system in the Del Rio Community Plan. Planning staff provided a response, indicating that the community plans vary in detail and length both due to the time period and purpose in which they were developed. Planning staff also acknowledged that the intention was to have consistent references to the former “Del Este” water system throughout the General Plan, and stated that the references would be updated from “Del Este” to “City of Modesto” for consistency and accuracy throughout the Del Rio Community Plan with final formatting of the documents.

Further, Commissioner Borges asked staff if policies specific to bass noise were incorporated into the Noise Element. Planning Director Freitas responded that this issue was discussed with a Noise Consultant who provided guidance that bass noise would be more suitably addressed through the County's Noise Ordinance, rather than the Noise Element, which is more general in content. Commissioner Yamamoto, followed by Commissioner Etchebarne, asked staff for clarification on policies included in the update regarding water, specifically water recharge. Commissioner Orvis provided some context on local water sustainability efforts going on in the County, including the development of an Environmental Impact Report, and the development of regional groundwater sustainability management plans. Commissioner Orvis also commented on the difficulty of developing a groundwater recharge strategy as the state has strict policies on how you can utilize surface water. Planning staff then highlighted the updated and added water policies and implementation measures throughout the draft General Plan Update including: Land Use Element Goal Six, Policy 29; Conservation/Open Space Element Goal 2, Policy 8, Implementation Measures 3-8; and the Agricultural Element Goal 3, Objective 3.2, Policy 3.4, Implementation Measure 5, and Policy 3.6.

The Planning Commission, on a vote of 6/0 (Etchebarne/Yamamoto), recommended the Board of Supervisors approve the General Plan Update as outlined in the August 4, 2016 Planning Commission Memo, which includes certification of the FEIR.

On August 3, 2016, the day prior to the Planning Commission hearing, an e-mail was received from John Anderson, with J.B. Anderson Land Use Planning, indicating that they had been asked by the City of Riverbank to review and provide comments on the draft General Plan

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Update on Riverbank's behalf. A follow up e-mail, received on August, 8, 2016, indicated that the City of Riverbank had concerns with the consistency of roadway classifications between the County and City General Plans, specifically Patterson and Coffee Roads. A meeting was held on Tuesday, August 10, 2016, regarding the roadway classification of Coffee Road (from Claribel to Patterson Road) and Patterson Road (from Oakdale Road to McHenry Avenue), as a result of this meeting, staff proposes that classifications be changed from Major Collectors (MJC) to Minor Arterials (MA) on Figure II-1, Roadway Classifications of the Circulation Element. These proposed changes are outlined in Attachment 1.

On August 15, 2016 an e-mail was received from Milton O'Haire, the Stanislaus County Agricultural Commissioner, requesting clarification to language included in Policy 1.20, Objective 1.6 – Protecting Food Safety, of the Agricultural Element. This minor revision is reflected below in bold and strikeout.

The final amendments to the General Plan Update, being recommended for approval to the Board of Supervisors includes:

- All changes shown in bold and strikeout in Attachment 2, Exhibit C of this report, as recommended for approval by the Planning Commission on August 4, 2016.
- Replacement of all references to the public water provider throughout the Del Rio Community Plan from "Del Este" to "City of Modesto."
- Updates to and incorporation of the following maps/figures, as reflected in Attachment 1 of this report:
 - Updated Figure II-1 and II-2 of the Circulation Element, incorporating changes to the roadway classifications of Patterson and Coffee Roads near the City of Riverbank, including minor technical clean up in response to the city of Riverbank's comments; and,
 - Incorporation of Land Use Diagram Area Index Maps, replacing the Land Use Diagrams list found on page I-36 of Attachment 2, Exhibit C of this report.
- The following update to the Policy 1.20, Objective 1.6 – Protecting Food Safety, of the Agricultural Element of the General Plan (Attachment 2, Exhibit C, page VII-12 of this report):

"The Agricultural Commissioner, who is responsible for promoting and protecting the agricultural industry, ~~will likely be the local arm of government~~ **may become** responsible ~~to~~ **in assisting in the California Department of Food and Agriculture with** implementing provisions of the FSMA."

Upon adoption, the General Plan will undergo final formatting, inclusive of page renumbering, removal of stricken text, the scaling of figures and tables, and updating of labels (including

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area names of individual Land Use Diagram Maps), reflecting amendments as adopted by the Board of Supervisors.

POLICY ISSUE:

California Planning Law (Government Code Section 65300 et seq.) requires the County to adopt a “comprehensive, long-term general plan for the physical development of the county.” The general plan serves as a “blueprint” for growth; that is, it establishes the general pattern of land use and adopts goals and policies to guide the County in future land use decision-making. Additionally, State law (Government Code Section 65300 et seq.) requires elements that make up the general plan to, “comprise an integrated, internally consistent and compatible statement of policies” (Government Code Section 65300.5).

The last comprehensive update to the Stanislaus County General Plan was adopted in October, 1994. The proposed update to the General Plan reflects changes in local conditions and legislative changes which have occurred since 1994 and provides an updated environmental assessment at a comprehensive level.

FISCAL IMPACT:

Costs for processing of the General Plan Update, along with the ALUCP and the associated environmental review, totaled \$1,231,009. These costs have been covered under the Planning and Community Development's approved budget using General Plan Maintenance funding from fees.

| | | |
|---|-----------------------|--------------|
| Cost of recommended action: | | \$ 1,231,009 |
| Source(s) of Funding: | | |
| General Plan Maintenance Fees | 1,231,009 | |
| Funding Total: | | \$ 1,231,009 |
| Net Cost to County General Fund | | \$ - |
| | | |
| Fiscal Year: | 2006/2007 - 2016/2017 | |
| Budget Adjustment/Appropriations needed: | No | |
| | | |
| Fund Balance as of 06/30/2016 | \$ 1,301,417 | |

BOARD OF SUPERVISORS' PRIORITY:

The proposed project furthers the Board's priorities of A Safe Community, A Healthy Community, A Strong Local Economy, Effective Partnerships, A Strong Agricultural Economy/Heritage, A Well Planned Infrastructure System, and Efficient Delivery of Public Services by providing goals and policies addressing development of the unincorporated area of Stanislaus County and maintaining compliance with State General Plan laws.

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STAFFING IMPACT:

Responsibility for implementation of the General Plan will be assumed by existing staff of the Planning and Community Development Department, along with the existing staff of the *Responsible Departments* listed under each goal, policy, or implementation measure included in the General Plan.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director Telephone: (209) 525-6330

ATTACHMENTS:

1. [Stanislaus County General Plan Update – Revisions Post Planning Commission](#)
2. [Planning Commission Memo, August 4, 2016](#)
 - Exhibit A - [Findings and Actions Required for Project Approval](#)
 - Exhibit B - [Findings of Fact and Statement of Overriding Considerations](#)
 - Exhibit C - Draft Stanislaus County General Plan Update – Bold and Strikeout
 - [Part 1 \(Pages 1 - 234\)](#)
 - [Part 2 \(Pages 235 - 450\)](#)
 - [Part 3 \(Pages 451- 692\)](#)
 - Exhibit D - [Part 1 Final Program Environmental Impact Report](#)
[Part 2 Draft Program Environmental Impact Report](#)
[Part 3 Appendices – Draft Program Environmental Impact Report](#)
 - Exhibit E - [Environmental Review Referrals](#)
3. [Planning Commission Minutes, August 4, 2016](#)

GPA PLN2014-0051

STANISLAUS COUNTY GENERAL PLAN UPDATE

**Board of Supervisors
August 23, 2016**



Overview

Purpose

- General 'Clean Up'
 - Legislative, code, and local standards
 - Agency names and responsibilities
 - Re-formatting and re-organization
- Goal and Policy Enhancements
- No Changes In Land Use Designations



Overview

Table 2: Regional Population Forecast (By Local Jurisdiction)

| City | 2010 | 2015 | 2020 | 2025 | 2030 | 2035 | Change |
|-------------------------|---------|---------|---------|---------|---------|-----------|--------|
| Ceres | 45,417 | 50,069 | 55,379 | 60,689 | 65,999 | 70,127 | 54.4% |
| Hughson | 6,640 | 7,012 | 7,437 | 7,862 | 8,287 | 8,805 | 32.6% |
| Modesto | 201,165 | 211,813 | 223,966 | 236,119 | 248,272 | 263,802 | 31.1% |
| Newman | 10,224 | 11,648 | 13,274 | 14,900 | 16,525 | 17,559 | 71.7% |
| Oakdale | 20,675 | 22,908 | 25,457 | 28,005 | 30,555 | 32,466 | 57.0% |
| Patterson | 20,413 | 25,065 | 30,375 | 35,685 | 40,995 | 43,559 | 113.4% |
| Riverbank | 22,678 | 24,989 | 27,627 | 30,265 | 32,903 | 34,961 | 54.2% |
| Turlock | 68,549 | 74,983 | 82,328 | 89,673 | 97,017 | 103,086 | 50.4% |
| Waterford | 8,456 | 9,409 | 10,496 | 11,584 | 12,671 | 13,464 | 59.2% |
| Unincorporated | 110,236 | 113,772 | 117,807 | 121,843 | 125,879 | 133,753 | 21.3% |
| Stanislaus County Total | 514,453 | 551,668 | 594,146 | 636,625 | 679,103 | 721,582 | 40.3% |
| San Joaquin County | 685,000 | 743,000 | 807,000 | 872,000 | 938,000 | 1,004,000 | 46.6% |
| Merced County | 256,000 | 277,000 | 303,000 | 330,000 | 356,000 | 383,000 | 49.6% |



Overview

Legislative Changes

- Air Quality
- Greenhouse Gas Reduction
- Sustainable Communities Strategy
- 200 Year Flood Plain Protection
- Groundwater Recharge Mapping
- Disadvantaged Communities
- Dissolution of Redevelopment Agencies
- Transportation Impacts under CEQA



Overview

Airport Land Use Compatibility Plan (ALUCP)

- Stand alone plan addressing the Modesto/County and Oakdale Airports
- Separate approval process through the Airport Land Use Commission (ALUC)
- Crows Landing Air Facility will be incorporated through a separate process



Overview

1. General Plan Update
2. Certification of Final EIR



General Plan Update

Summary of Changes

General Plan Update Elements:

- LAND USE ELEMENT
- CIRCULATION ELEMENT
- CONSERVATION/OPEN SPACE ELEMENT
- NOISE ELEMENT
- SAFETY ELEMENT
- AGRICULTURAL ELEMENT



General Plan Update

Summary of Changes

General Plan Update Elements:

- **LAND USE ELEMENT**
- CIRCULATION ELEMENT
- CONSERVATION/OPEN SPACE ELEMENT
- NOISE ELEMENT
- SAFETY ELEMENT
- AGRICULTURAL ELEMENT



General Plan Update

Summary of Changes

Land Use Element

Unincorporated Urban Communities

- Elimination of Redevelopment
- Upgrading of services for existing communities
- Self-help programs
- Public water/waste water connections
- Disadvantaged Unincorporated Communities



General Plan Update

Summary of Changes

Land Use Element

Economic Development

- Direct economic development and job creation centers towards cities, while also considering approval of centers in unincorporated areas of unique character and proximity to transportation infrastructure
- Reuse of the Crows Landing Air Facility



General Plan Update

Summary of Changes

Land Use Element

Complementing the General Plans of Cities

- Coordination with cities; gateways to cities and agreements
- County-wide growth management strategy
- Referral of development requests to cities; Sphere of influence boundary and general plan area



General Plan Update

Summary of Changes

Land Use Element

Healthy Living Environments

- Encourage development that:
 - Decreases air and water pollution
 - Reduces the consumption of natural resources and energy
 - Increases the reliability of local water supplies
 - Facilitates alternative modes of transportation
 - Promotes active living
 - Promotes the extension of public transportation systems and efforts to improve the siting of local health care options



General Plan Update

Summary of Changes

Land Use Element

- Compatibility of outdoor lighting
- Community plan language clean-up
- Incorporated all Community Plans as separate Appendices within the Land Use Element



General Plan Update

Summary of Changes

General Plan Update Elements:

- LAND USE ELEMENT
- **CIRCULATION ELEMENT**
- CONSERVATION/OPEN SPACE ELEMENT
- NOISE ELEMENT
- SAFETY ELEMENT
- AGRICULTURAL ELEMENT



General Plan Update

Summary of Changes

Circulation Element

- Revised “Road Classification” terminology
- Minor changes to Figure II-1 and Figure II-2
- Updated tables to be consistent with the Department of Public Works Standards and Specifications



General Plan Update

Summary of Changes

Circulation Element

- Updated data on sections regarding public transit, rail service, freight, and aviation
- Focus on a safe, comprehensive, and coordinated transportation system, which considers a broad range of transportation modes
- Mitigating safety impacts



General Plan Update

Summary of Changes

Circulation Element

- Reciprocal access easements and shared driveways
- Multiple points of ingress and egress
- Transformation of pedestrian friendly transportation corridors
- Evaluate alternative strategies in the Congestion Management Process



General Plan Update

Summary of Changes

Circulation Element

- Alternatives to on-site parking requirements
- Acceptable Level of Service (LOS) “C” to “D”
- Focus on safety
- Focus from LOS to Vehicle miles traveled (CA Senate Bill 743)
- Incorporated existing support documentation into the element



General Plan Update

Summary of Changes

General Plan Update Elements:

- LAND USE ELEMENT
- CIRCULATION ELEMENT
- **CONSERVATION/OPEN SPACE ELEMENT**
- NOISE ELEMENT
- SAFETY ELEMENT
- AGRICULTURAL ELEMENT



General Plan Update

Summary of Changes

Conservation/Open Space Element

- ALUCP consistency; reduction of conflicts within Airport Influence Zones
- Natural scenic vistas
- Riparian habitat and vernal pools
- References to local plans to ensure consistency
- Resort services/recreation within water reservoirs



General Plan Update

Summary of Changes

Conservation/Open Space Element

Water Management Strategies

- Data collection of groundwater conditions
- Increased reliability of groundwater supplies
- Water resources management plan
- Groundwater sustainability plan
- Groundwater recharge opportunities



General Plan Update

Summary of Changes

Conservation/Open Space Element

- Solid waste management; evaluation of recycling facilities for compatibility with surrounding land uses
- Incorporated existing support documentation into the element



General Plan Update

Summary of Changes

General Plan Update Elements:

- LAND USE ELEMENT
- CIRCULATION ELEMENT
- CONSERVATION/OPEN SPACE ELEMENT
- **NOISE ELEMENT**
- SAFETY ELEMENT
- AGRICULTURAL ELEMENT



General Plan Update

Summary of Changes

Noise Element

- Consistency with updated Circulation Element, ALUCP, and County Noise Ordinance
- Active enforcement of the Noise Ordinance
- Incorporated the 2005 Technical Reference document into the element



General Plan Update

Summary of Changes

General Plan Update Elements:

- LAND USE ELEMENT
- CIRCULATION ELEMENT
- CONSERVATION/OPEN SPACE ELEMENT
- NOISE ELEMENT
- **SAFETY ELEMENT**
- AGRICULTURAL ELEMENT



General Plan Update

Summary of Changes

Safety Element

- Incorporated existing support documentation and data and maps from the EIR prepared for the project, and from the Stanislaus County Multi-Jurisdictional Hazardous Mitigation Plan (MJHMP)
- Included a summary of the MJHMP, and incorporated references to the MJHMP throughout the element



General Plan Update

Summary of Changes

Safety Element

- Climate adaptation (State law consistency)
- 200 year flood plain located within urban areas
- Crime prevention through design
- Response to California Department of Forestry comments



General Plan Update

Summary of Changes

Safety Element

- Safety hazard overlay zones
- Air strip easements to restrict development on neighboring properties
- Communication and wind power facilities in agricultural areas
- ALUCP consistency



General Plan Update

Summary of Changes

General Plan Update Elements:

- LAND USE ELEMENT
- CIRCULATION ELEMENT
- CONSERVATION/OPEN SPACE ELEMENT
- NOISE ELEMENT
- SAFETY ELEMENT
- **AGRICULTURAL ELEMENT**



General Plan Update

Summary of Changes

Agricultural Element

- Protecting food safety and supporting grower's rights to utilize newest available technologies
- Alternative energy sources not located on land considered to be the most productive agricultural areas
- Clarified that, in addition to agricultural and urban uses, water policies also apply to rural domestic uses



General Plan Update

Summary of Changes

Agricultural Element

- Use of appropriately treated water for agricultural and urban irrigation
- Protection of groundwater to ensure the sustainable supply and quality of local groundwater
- Added definition for “Prime Agricultural Land”



Process

- Consultation with:
 - General Plan Update Committee
 - Agricultural Advisory Board
 - Airport Technical Committee
 - County Departments
- Notice of Preparation April 2014
 - Series of public meetings
 - Planning Commission presentation



Final Environmental Impact Report

- Covers General Plan and Airport Land Use Compatibility Plan
- Issues brought forth through the EIR were mitigated through the addition of policies
- Notice of Availability - 45-day Public Review Period of Draft Environmental Impact Report
 - April 19, 2016 – June 3, 2016
- Final EIR



Final Environmental Impact Report

- Significant and Unavoidable Impacts
 - Aesthetics
 - Air Quality
 - Biological Resources
 - Cultural Resources
 - Hydrology & Water Quality
 - Noise
 - Recreation
 - Transportation & Traffic
 - Utilities



Final Environmental Impact Report

45-Day Review Comments Received

- CalTrans, District 10
- CalTrans, Division of Aeronautics
- Chevron USA
- City of Ceres
- City of Modesto
- City of Turlock
- Central Valley Regional Water Quality Control Board
- Del Puerto Health Care District



Final Environmental Impact Report

45-Day Review Comments Received

- Stanislaus LAFCO
- Ryan Thornberry, for River Oaks Golf Course
- Mark Boone, Salida Resident
- San Joaquin County Public Works
- San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Stanislaus County Environmental Review Committee
- Public Works Transit Division



Findings

- General Plan conformance
 - Public Review
 - Internal & State law Consistency
 - Maintain logical land use pattern without detriment to existing uses
 - Maintain reasonable level of service
- Adoption of the General Plan Update



Findings

- Certification of the FEIR
 - Adequacy of the FEIR
 - Adoption of the Findings of Fact and Statement of Overriding Considerations



Findings

- Find that the Environmental Impact Report is adequate in terms of:
 - Compliance with CEQA
 - Circulation for public review and response to comment
 - Incorporation of all feasible mitigation measures
 - Identification of significant and unavoidable environmental impacts



Findings

- Find that the FEIR has been independently reviewed and considered
- Find that the FEIR reflects the independent judgment and analysis of Stanislaus County
- Find that no changes made to the Stanislaus County General Plan Update or DEIR after circulation involve significant new information necessitating re-circulation



Findings

- Adoption of the Findings of Fact and Statement of Overriding Considerations
 - Substantial benefits outweigh identified unavoidable impacts



Planning Commission

- August 4, 2016
- 6-0 Vote Recommending:
 - Certification of the FEIR
 - Approval of General Plan Update
- Discussion Topics:
 - Community Plans; Noise; and Water



Planning Commission

Post Public Hearing Revisions

- Replacement of “Del Este” reference
- Update to Figure II-1 and II-2 of Circulation Element
- Incorporation of Land Use Designation Index Maps
- Update to Food Safety Policy of Agricultural Element



Planning Commission & Staff Recommendations

- All recommendations of the Planning Commission for certification of the FEIR and approval of the General Plan Update
- Including revisions recommended by Staff in the August 23, 2016, Board of Supervisors Report, including Attachment 1



General Plan Update

Questions?

