



# Final Urban Area General Plan

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# **City of Modesto Urban Area General Plan**

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# ACRONYMS

AASHTO	American Association of State Highway and Transportation Officials
ACE	Altamont Commuter Express
ALUC	Airport Land Use Commission
Association	Stanislaus and Tuolumne Rivers Groundwater Basin Association
ATIS	Advanced Traveler Information Systems
ATMS	Advanced Traffic Management Systems
AVCS	Advanced Vehicle Control Systems
BMOs	Basin Management Objectives
BNSF	Burlington Northern and Santa Fe Railroad
BRT	bus rapid transit
CDBG	Community Development Block Grant
CDFG	California Department of Fish and Game
CDPH	California Department of Public Health
CIP	Capital Improvement Program
City	City of Modesto, California
CMAQ	Congestion Mitigation Air Quality Improvement Program
CNEL	community noise equivalent level
County	Stanislaus County
CPDs	Comprehensive Planning Districts
CRHR	California Register of Historic Resources
CVO	Commercial Vehicle Operation
dba	A-weighted decibels
FAR	Federal Aviation Regulation
FEMA	Federal Emergency Management Association
HMGP	Hazard Mitigation Grant Program
IFP	infrastructure financing plans
IRGMP	Integrated Regional Groundwater Management Plan
ISO	Insurance Service Office
ITS	Intelligent Transportation Systems
LHMP	Local Hazard Mitigation Plan
L <sub>dn</sub>	Day-Night Average Sound Level
LOS	Level of Service
M&ET	Modesto and Empire Traction Company
Master EIR	Master Environmental Impact Report
MAX	Modesto Area Express
MDWP	Modesto Domestic Water Project
MEIR	Master Environmental Impact Report
MGD	million gallon per day
MID	Modesto Irrigation District
MLD	Most Likely Descendent
MRWTP	Modesto Regional Water Treatment Plant
MS4s	Municipal Separate Storm Sewer Systems
NAHC	Native American Heritage Commission
NMTP	Non-Motorized Transportation Plan

NPDES	National Pollution Discharge Elimination System
NRHP	National Register of Historic Places
OPR	Office of Planning and Research
PDM	Pre-Disaster Mitigation
PUA	Planned Urbanizing Area
RPD	Redevelopment Planning District
SDMP	Storm Drainage Master Plan
SHPO	State Historic Preservation Officer
SJVAPCD	San Joaquin Valley Air Pollution Control District
SR	State Route
SRRE	Source Reduction and Recycling Element
StaRT	Stanislaus Regional Transit
SWSP	Surface Water Supply Project
TACs	toxic air contaminants
TCMs	Transportation Control Measures
TDA	Treatment and Delivery Agreement
TDM	Transportation Demand Management
TGBA	Turlock Groundwater Basin Association
TID	Turlock Irrigation District
TOD	Transit Oriented Development
TRRP	Tuolumne River Regional Park
UPRR	Union Pacific Railroad
USFWS	U.S. Fish and Wildlife Service
UWMP	Urban Water Management Plan
v/c	vehicle/capacity
WDR	Waste Discharge Requirements
WSA	Water Supply Assessment
WTP	wastewater treatment plant

# **Chapter I**

## **Introduction to the Modesto Urban Area General Plan**

The City of Modesto, California, (City) is located in Stanislaus County, in the northern section of the San Joaquin Valley. The Central Pacific Railroad founded the original Modesto community in 1870, on a site near the Tuolumne River. Incorporated in 1884, the City of Modesto is the county seat of Stanislaus County (County), and has traditionally served as the regional center for the County and the surrounding area.

### **A. WHAT IS THE GENERAL PLAN?**

In California, the General Plan has often been described as a “blueprint for future growth” or a “constitution for future development” of a community. The General Plan for Modesto is best described as “a set of instructions on how to build a city.” This concept is further underscored by our General Plan’s full name, the City of Modesto Urban Area General Plan.

From a practical matter, the General Plan is a set of policies, charts, maps, and other graphics which collectively respond to California State Law requirements (Section 65300 et. seq. of the Government Code), structured to meet local conditions. The Modesto Urban Area General Plan is intended to guide the physical development of the Modesto community to 2025.

### **B. WHAT IS THE VISION OF THIS COMMUNITY?**

Whether the General Plan is a blueprint, a constitution, or a set of instructions, it must be focused on a community vision. Past community accomplishments are described here, as well as the future vision which guides this General Plan.

#### **1. Past Community Accomplishments**

During the 1950s, a joint effort with staff from the County and surrounding cities produced the City’s first General Plan. A bold vision of open space along the two natural waterways was part of this General Plan. This vision was implemented in the 1960s and 1970s with the establishment of the Tuolumne River Regional Park through a County-Ceres-Modesto Joint Powers Authority and Dry Creek Area Park in Modesto. This vision also included a system of expressways. Briggsmore Avenue was the first expressway to be implemented.

During the 1980s, the vision was expanded to include the Modesto Centre Plaza–Red Lion project which signified a new investment in downtown and a new vision of new development through Specific Plans. More recently, the City has constructed a new City Hall and Fire Station 11, the Gallo Center for the Arts has opened in downtown, the City is acquiring land for the Tuolumne River Regional Park and the Virginia Avenue Corridor, and the City has built the Peggy Mensinger Trail, John Thurman Field, and the Kansas-Needham overcrossing.

Modesto adopted its first General Plan in 1959. Two comprehensive updates of the General Plan occurred: 1973–1974 and 1995. Since then, several individual elements of the General Plan have been updated, the most recent being the Housing Element in 2004. In addition, the City of Modesto Master Redevelopment Plan was adopted in October 2007.

## **2. Visions for the Future**

The Modesto Urban Area General Plan provides an opportunity to address the community’s vision of the future.

### **a. Overall Mission Statement**

The following Mission Statement, originally developed by the General Plan Citizens’ Steering Committee, remains the most appropriate statement to guide the overall future development of the Modesto community:

The Modesto Urban Area General Plan addresses the collective challenges of the future. The Urban Area General Plan presents a blueprint for the preservation of Modesto’s “quality of life” while providing direction for the growth of business and industry to meet the needs of the future generations in the Modesto community.

### **b. Employment Opportunities**

A guiding force in this General Plan is economic development to provide jobs to match population growth. This General Plan provides for a total of 5,000 acres of new Business Park and 1,000 acres of Commercial land uses. Through these new land uses, along with miscellaneous support commercial land uses in future residential areas, opportunities for land use supporting more than 144,000 new jobs are created in this General Plan.

### **c. More Comprehensive Planning**

As Modesto grows, there will be a need for comprehensive planning approaches to deal with increasingly complex land development and public facilities and service issues. Chapter II of this Plan presents a strategy to recognize the urbanized community, as it exists in 2007. The land use pattern in this area, termed the Baseline Developed Area, is not expected to change substantially. Future growth would occur in accordance with existing City zoning designations and with other City policies in existence as of the Base Year (2007) of this General Plan. This strategy allows the City to concentrate its future growth in the Redevelopment Master Plan Area and in the Planned Urbanizing Area. The Redevelopment Master Plan Area encompasses the City’s downtown core and will allow higher density, mixed-use development in order to create a balanced and vibrant downtown core and active neighborhood centers. The Redevelopment Master Plan is designed to serve as the Redevelopment Agency’s blueprint for redevelopment. The purpose of that plan is to identify and prioritize land use and economic development goals, and present recommendations for improvements that will contribute to a visually appealing public realm; efficient automobile, bicycle, and pedestrian circulation; and adequate infrastructure to serve the planned redevelopment.

The Planned Urbanizing Area forms the outer perimeter of the General Plan area. Future projects in the Planned Urbanizing Area are guided by focused policies in the form of Comprehensive Planning Districts. Development sequencing in the Planned Urbanizing Area is guided by the policies of this General Plan and two voter initiatives, Measures A and M.

**d. Defining Modesto's Character**

Modesto's urban identity will be defined by the floodplains of the Stanislaus and Tuolumne Rivers to provide two natural greenbelts. The City will also preserve open space, farmland, scenic vistas, historic buildings, and sensitive environmental areas, where feasible. In the very long-term future, the San Joaquin River floodplain and anticipated wetlands preserves will separate urban expansions of the Freeway 99 corridor from those of the Freeway I-5 corridor.

Redirection of continued urban growth away from the Valley floor outside of Modesto's General Plan area will require regional or state-wide leadership and policy.

**e. Reducing Automobile Traffic Impacts**

This General Plan envisions an expanded street system, supplemented by both an enhanced transit system and non-motorized transportation system, to reduce traffic congestion. The proposed transit system includes an expanded bus system with reduced headways, and a light rail system. An expressway system will provide a circumferential routing about the urban area to facilitate vehicular movement. The non-motorized transportation system will link areas of the city with trails, bike lanes, and bike routes in an interconnected grid.

**f. Maintaining Older Neighborhoods and Upgrading Unsafe Neighborhoods**

Older neighborhoods will not be abandoned in Modesto. The aesthetic appeal and character of existing neighborhoods should be reinforced. Neighborhoods will continue to have sustained public service and investment. Examples have been the investment of Modesto schools' bond funding of the 1980s into a few new schools and upgrade of most;; City investment of Community Development Block Grant (CDBG) funds into target area neighborhoods for housing rehabilitation, investment of City funds in capital projects in older as well as newer neighborhoods, and community-oriented policing to identify and solve the root of problems.

**g. Integrating New Neighborhoods into the Urban Pattern**

"Villages" integrated into the rest of the City, with a strong pedestrian orientation, nearby shopping, and employment, are a departure from past, prototypical neighborhoods and hold the promise of unique differences, one village to another. A development community of small-scale builders provides a variety of housing types in each neighborhood, making possible a diversity of residents that adds to neighborhood vitality. The moderate pace of staged growth helps out as well. Both factors help to avoid the large-scale development of uniform housing geared to one market segment.

## **h. Agricultural Land Preservation**

Agriculture is big business in Stanislaus County. As the leading industry in the County, 2002 gross income from agriculture exceeded \$1.2 billion. The Agricultural Element in Stanislaus County's General Plan projects that with the multipliers of food processing, marketing, and related services, agriculture contributed over \$3.25 billion to the local economy. Stanislaus County ranks seventh in the nation based on the market value of agricultural products sold.

However, agricultural land values are no match for urban development land values. With the continuing population growth pressures of the state destined to be directed to the Central Valley, the past visions of distinct city service centers surrounded by an agricultural hinterland are being threatened by a vision of the San Fernando and Santa Clara Valleys with a carpet of urbanization on the Valley floor from the west-side hills to the Sierra foothills.

## **i. Environmental Concerns**

The loss of some agricultural land is a direct consequence of any urbanization. This General Plan, like the one preceding it, promotes residential development at higher densities to avoid low-density sprawl and promotes staged urban growth so that the conversion of agricultural land to urban uses is focused to a few villages, not spread broadly around the City's urban perimeter.

Traffic congestion remains an environmental concern. Paying for major transportation improvements, including expressway and transit systems at time of need, and new or improved freeway systems continues to be a concern.

Municipal water, stormwater, and wastewater are key environmental issues for the City. Groundwater levels in the City have declined from historic levels, particularly in the downtown area, due to increasing urban uses. As a result, the City will need to continue to protect and conserve water resources while pursuing additional water supplies. As the City continues to develop, and the area of impervious surface within the City increases, the volume of stormwater runoff will increase, requiring new and expanded conveyance and storage facilities. In addition, increasingly restrictive requirements under the Clean Water Act will necessitate additional treatment of stormwater prior to discharge to local waterways, which include Modesto Irrigation District (MID) canals, Dry Creek, and the Tuolumne River. Similarly, increased development will lead to larger volumes of wastewater, requiring new or expanded conveyance and treatment facilities. Stormwater and wastewater issues intersect with the City's current sanitary sewer overflow system, under which stormwater flows exceeding the capacity of conveyance facilities are redirected to the sanitary sewer system, and are subsequently treated at the City's wastewater treatment plant (WWTTP). The volume and the quality of stormwater reaching the WWTTP tax the capacity of the sanitary sewer system.

Air quality is the most difficult of concerns, because of the inability of the eight-county San Joaquin Valley Unified Air Pollution Control District to attain federal standards for various emissions. The City and other agencies within the Air Pollution Control District face challenging targets for reduction of emissions and challenging Transportation Control Measure goals.

### **C. WHAT ARE THE OVERALL GOALS BEHIND THIS COMMUNITY VISION?**

The following goals, phrased as Project Objectives, were instrumental in developing the policies presented in the Modesto Urban Area General Plan. These objectives were derived from concepts initially developed by the General Plan Steering Committee, a citizens group appointed by the City Council in 1992 to oversee the General Plan Rewrite effort.

1. Future urban expansion for residential uses should be designed in the form of mixed-use developments, similar to Village One. These developments should contain housing, shops, schools, parks, and civic facilities essential to the daily life of the residents. This development should implement land use practices that assist in meeting state and federal environmental regulations.
2. Transportation and Circulation systems that adequately provide for intra-city and regional transportation needs should be provided. Alternatives to the drive-alone auto mode, such as light rail, mass transit, ride sharing, bicycling, trail systems, and telecommuting should be encouraged to reduce traffic congestion and enhance air quality. The City's transportation planning should be coordinated with regional transportation planning efforts, wherever possible.
3. The ultimate population projected to occur within the Modesto General Plan boundary is 428,300, which represents the reasonable estimated population within the General Plan boundary, given existing conditions. This population level is not expected to be reached during the General Plan's time horizon. Rather, it would be reached at some undetermined time after 2025/2030. This General Plan presents a vision of future development of the community and a planning horizon through 2025. Existing infrastructure plans for the City contain a projection year of 2030 for circulation and other infrastructure related purposes.
4. Modesto should contain an ample supply of specialized open space, strategically located and well designed, in order to promote frequent use from the community.
5. The natural river corridors in Modesto should be preserved for recreational and open space opportunities.
6. The General Plan should attempt to minimize the loss of agricultural land outside the planning area by having future development be relatively compact and of reasonably high density. Potential conflicts between agricultural and urban uses should be resolved through appropriate land use measures.

### **D. WHAT ARE THE ECONOMIC DEVELOPMENT GOALS OF THIS COMMUNITY VISION?**

In order to provide more employment opportunities for the residents of Modesto, the local and regional economy must grow and become more diversified. Accordingly, the following Economic Development Goals are adopted to attract new private investment, to encourage existing businesses to grow, and to facilitate the creation of new jobs.

1. Development in Modesto should strive for a local jobs/housing balance by facilitating business growth and encouraging the economic revitalization of the downtown. Adequate land, strategically located to facilitate the expansion of Modesto's economic base, should be provided

for the employment opportunities of Modesto residents. These opportunities should be focused on the types of businesses that will thrive in the 21st century.

2. The Modesto Redevelopment Area will be the focal point of community life and the social, cultural, business, governmental, and entertainment center of the northern San Joaquin Valley. The City shall work to preserve and revitalize the City's downtown core as an identifiable center for all of Stanislaus County.
3. Leverage private and public funds to enhance revitalization throughout the City, particularly in the redevelopment project areas.
4. The Modesto community should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
5. Community growth should be managed so that the quality of life is enhanced without imposing significant fiscal burdens on the existing community. To the extent provided by law, the costs of public infrastructure required to serve new development should be financed from revenue attributable to that development. Infrastructure should be provided in advance of or concurrent with development. There may be instances in which it would be appropriate to invest community-wide resources in public infrastructure, when such investment would lead to a significant increase in jobs or other benefits to the community.
6. Utility facilities for Modesto's expansion should have financing programs based on sufficient user fees and service charges that allow for those utility services to be self-supporting.
7. The General Plan is accompanied by a Master Environmental Impact Report (MEIR), which addresses the cumulative impacts of projected development as well as alternative development scenarios. The MEIR is a broad document addressing community-wide environmental effects. The MEIR also establishes a foundation for subsequent tiered environmental review. In this way, project-level environmental review can be streamlined, as allowed by state law.
8. The General Plan Master EIR does not attempt to explore impacts projected to occur after 2025. The City considers any such impacts beyond 2025 to be "too speculative for evaluation" in the Master EIR (Section 15145, CEQA Guidelines).

## **E. WHAT ARE THE HOUSING GOALS OF THIS COMMUNITY VISION?**

State law requires that the City of Modesto's Housing Element contain an analysis of existing and projected housing needs, as well as policies and programs to meet those demands. State law also mandates that the City evaluate its Housing Element every five years to determine its effectiveness in achieving its housing goals and objectives, and to adopt an updated Housing Element, which reflects the results of this evaluation. The City of Modesto's adopted Housing Element is bound separately and is on file with the City's Community and Economic Development Department.

## **F. READER'S GUIDE TO THIS GENERAL PLAN**

Each of the General Plan element's data, analyses, goals, policies, and implementation programs must be consistent with and complement one another. Since the Modesto Urban Area General Plan is "a set

of instructions on how to build the City,” the format of this document is very important. Briefly stated, the “instructions” are presented as chapters, as follows:

- Chapter I, *Introduction*, provides the introduction to these instructions.
- Chapter II, *Community Growth Strategy*, contains policies and a diagram to help define the quality, quantity, and direction of future urban growth.
- Chapter III, *Community Development Policies*, contains the “instructions” for building the actual physical components of the City in a manner consistent with Chapter II.
- Chapter IV, *Housing*, adds “affordable housing” policy requirements to the physical community developed through Chapter III.
- Chapter V, *Community Services and Facilities*, describes the community services and infrastructure needed to support the physical community developed through Chapter III.
- Chapter VI, *Public Safety Issues*, presents policies required by state law to consider certain safety issues such as landslides, flooding, and emergency evacuation rates.
- Chapter VII, *Environmental Resources and Open Space*, presents the local open space plan and physical and environmental resources in the community.
- Chapter VIII, *General Plan Implementation*, presents a variety of tools available to the City to help build the physical City envisioned in Chapter III.
- Appendix A, *The 2005–2009 Consolidated Plan, Executive Summary*, directs the City’s investment of federal funds to meet priority needs for housing, public services, and community and economic development.
- Appendix B, *Amendments to the General Plan*, lists amendments to the 1995 General Plan.

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## **Chapter II**

### **Community Growth Strategy**

This chapter contains policies and a diagram to help define the quality, quantity, and direction of future urban growth for the City of Modesto (City).

Since 1974, the City has maintained policies regulating the quality, quantity, and direction of urban growth in the Urban Area General Plan. The methods and details of these policies have evolved over time, but the legacy of these policies has resulted in a compact urban form, with few infill parcels remaining, neighborhoods offering a diversity of housing types and higher than average densities, and a geographic balance with new growth occurring on all sides of the community. While there may be significant public facility deficiencies in the short term, their resolution is still deemed manageable over the long term. Given the continued growth of the Modesto Urban Area as well as the surrounding area, this section of the General Plan presents an Urban Growth Strategy to manage that anticipated growth.

#### **A. COMMUNITY GROWTH STRATEGY DIAGRAM AND DESIGNATIONS**

A key concept in this General Plan is the Growth Strategy Diagram, as presented in Figure II-1. The Growth Strategy Diagram divides the General Plan into three geographic areas: the Redevelopment Area, the Baseline Developed Area, and the Planned Urbanizing Area. Each of these areas is treated differently, with policies presented throughout this General Plan that are unique to each.

##### **1. Adoption of Growth Strategy Diagram**

Figure II-1 is the “Growth Strategy Diagram,” which is hereby adopted and incorporated into the Modesto Urban Area General Plan as follows: Redevelopment Area, Baseline Developed Area, and Planned Urbanizing Area.

##### **2. Adoption of Growth Strategy Designations**

This section describes the general character and geographic location of the three Growth Strategy Designations depicted on the Growth Strategy Diagram. These designations are hereby adopted into the General Plan.

###### **a. Redevelopment Area**

The approximately 1,970-acre Redevelopment Area covers the land within the boundaries of the Redevelopment Planning District (the “Project Area”) as adopted by the Modesto Redevelopment Agency in October 2007.

**b. Baseline Developed Area**

The Baseline Developed Area is generally defined as the lands that can be served by the City's sanitary sewer system. The area served by the Modesto Municipal Sanitary District Number 1 is 25,953 acres, the area served by the "Will-Serve Agreement" is 888 acres, and the area served by the Ceres Agreement is 914 acres. The Baseline Developed Area, comprising approximately 21,200 acres excluding the Redevelopment Area, contains lands which are mostly developed with urban uses, which are not expected to change substantially during the time horizon of this plan. Also included within the Baseline Developed Area are vacant lands which have a clearly defined future, such as the Beard Tract industrial area.

**c. Planned Urbanizing Area**

Future development within the approximately 20,042-acre Planned Urbanizing Area (PUA) will occur on land which is predominantly flat, vacant and/or developed with agricultural uses, and minimally, if at all, served with urban services and infrastructure, including roads. Approximately 12,640 acres of the PUA are located within the Sphere of Influence, excluding the Redevelopment Area and Baseline Developed Area. The remaining areas of the PUA, approximately 7,402 acres, are located outside the Sphere of Influence. The Planned Urbanizing Area is expected to absorb substantial urban development in a comprehensively planned manner. For this reason, the land uses projected by the Land Use Diagram in Chapter III will be implemented through "Comprehensive Planning Districts," as defined and explained in Chapter III.

As the major growth area, the Planned Urbanizing Area is the geographic area where most of the Project Objectives will be achieved.

**B. COMMUNITY GROWTH POLICIES**

The future development of the Modesto community is guided by two fundamental and mutually supportive needs: economic development and maintaining the sound fiscal base of the City. These needs are addressed in the policies presented in this section.

**1. Economic Development Policies**

The policies described below implement Modesto's Economic Development Goals, as presented in Chapter I, Section D. These policies are categorized further as: increasing economic development opportunities and providing sufficient land supply for such opportunities, providing infrastructure in a timely manner to support economic development opportunities, and expediting the development process for economic development proposals.

**a. Provide Economic Development Opportunities and Sufficient Land Supply**

- (1) Economic development should be a key consideration of future expansion, irrespective of population projections. Expansion for business park areas, particularly between now


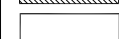



CITY OF MODESTO  
GENERAL PLAN PROGRAM



Figure II-1  
GROWTH STRATEGY  
DIAGRAM

LEGEND




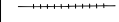

DESIGNATIONS

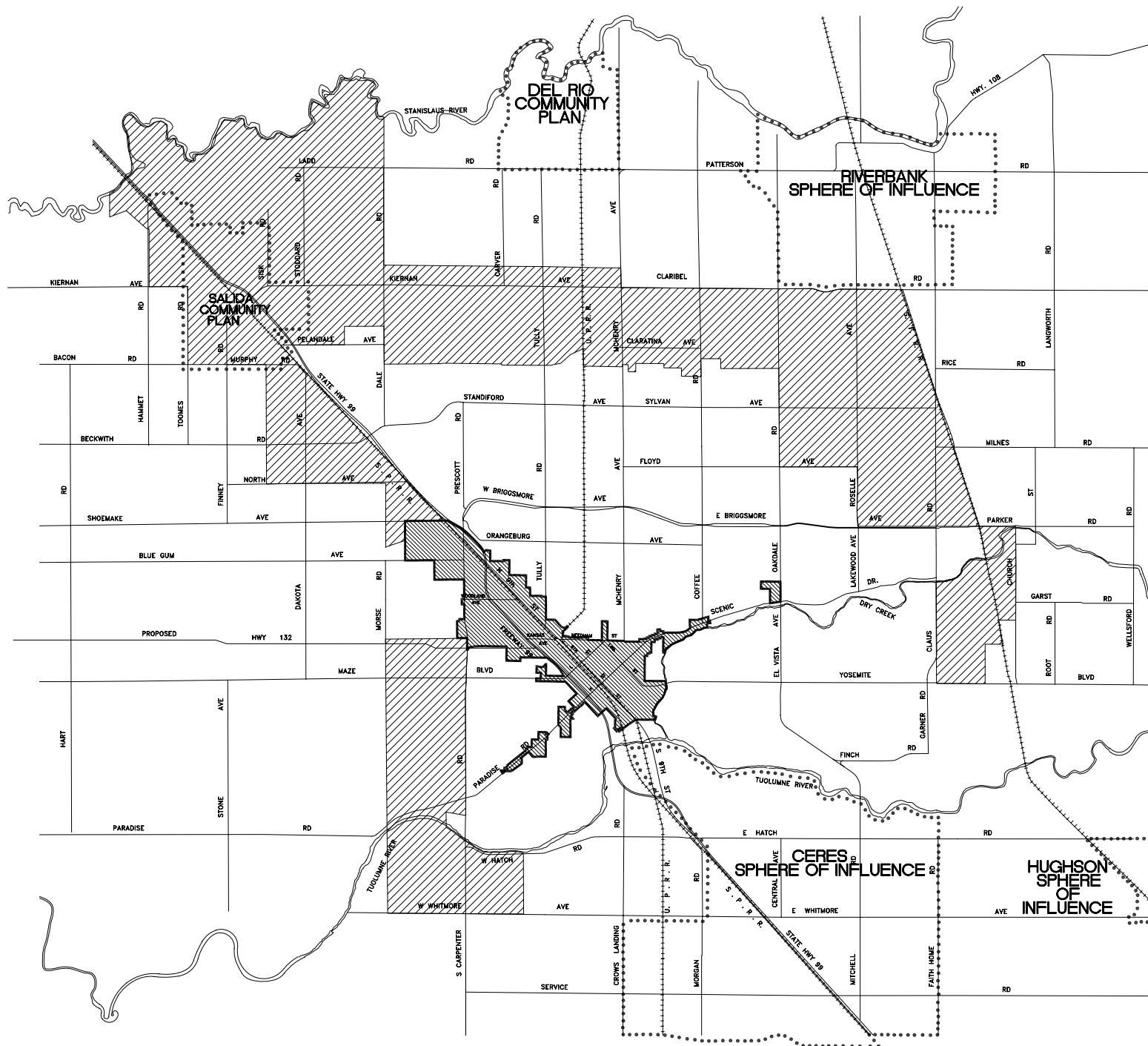
-  REDEVELOPMENT AREA
-  BASELINE DEVELOPED AREA
-  PLANNED URBANIZING AREA

BOUNDARY LINES

-  GENERAL PLAN BOUNDARY
-  BOUNDARY BETWEEN DESIGNATIONS

REFERENCE POINTS

-  STREETS
-  FREEWAYS
-  RAILROADS
-  RIVERS
-  ADJACENT COMMUNITY BOUNDARY



and 2015, should be given top priority. Regional commercial uses should be allowed, where appropriate, within business park areas.

- (2) The Land Use Diagram presented in Chapter III provides adequate land and opportunities to expand and diversify Modesto's economic base to provide for future employment needs through establishment of business park areas. These opportunities should be focused on the types of businesses that will thrive in the 21st century. Simultaneous with this diversification of the economic base, Modesto's current agricultural and industrial bases shall be preserved for as long as possible.
- (3) The Land Use Diagram should locate business parks and other industrial land near existing and proposed transportation corridors such as State Highways 99, 132, 219, and proposed expressways. These business park locations should foster efficient use of land and resources, as well as reduce aggravation of existing circulation problems.
- (4) The Land Use Diagram provides for the expansion of the Modesto Urban Area toward the west to ensure that the downtown redevelopment area remains the "central core" of Modesto, and to provide social and economic development for the west side of Modesto.
- (5) Maintain and expand the City as a regional center for financial services, medical services, shopping, entertainment, and education.
- (6) Provide support for retention and growth of existing firms within the City.
- (7) Target new companies and industries that will help diversity the existing economic base.
- (8) Establish sites and services to attract technology-based business, based on the needs of the local economy.
- (9) Plan for regional retail commercial centers along highway corridors in urbanized areas to encourage growth within the City rather than Stanislaus County.
- (10) Increase business ownership in the minority sector.
- (11) Protect future business park areas in the General Plan from encroachment by low employment density land uses.

#### **b. Provide Timely Infrastructure**

As the City expands and vacant land becomes developed, infrastructure such as roads, sewer, water, and storm drainage is necessary to support that development. As the City directs the extension of this infrastructure, economic development opportunities within the City's limits should receive the highest priority for receiving such infrastructure. The City shall establish the timely provision of infrastructure to support the policies in Section II-B.2.

### **c. Expedite the Development Process**

In order to accommodate the magnitude of job opportunities projected in the future, simply designating an area as business park is not sufficient. The City will proactively assist the private sector to establish viable business parks by expediting the processing of such development requests. The comprehensive planning policies presented in Chapter III, as well as the full utilization of the Master Environmental Impact Report process provided by the state law, will serve to expedite those future development proposals, which stimulate economic growth in accordance with the City's economic development goals.

## **2. Maintenance and Enhancement of the City's Fiscal Base**

The City's overall Community Development Strategy is that new growth and development should, to the extent provided by law, provide public infrastructure and should generate public revenue so that the City's overall fiscal base is maintained and enhanced. In evaluating development proposals, the City should consider the long-range impact on the City's fiscal balance.

- a. In order to achieve desirable levels of community facilities, it will be necessary to address existing deficiencies. The long-term financing strategy should provide for broad-based funding approaches to meet broad-based community needs.
- b. Typically, there is a long lead time to plan, finance, and construct infrastructure to serve new areas. Long-range infrastructure planning should identify cost estimates and accompanying rate structures, and buy-in fees, and staging and coordination issues which can be included in any long-term financing strategy.
- c. Development proposals within the Baseline Development Area do not require the same attention to fiscal impact analysis as in the Planned Urbanizing Area because projects will tend to be smaller, in-fill types, which will be served by existing infrastructure. Nonetheless, community-wide financing strategies should apply to Baseline Development as well.
- d. Community growth should be managed so that the quality of life is enhanced without imposing significant fiscal burdens on the existing community. The City shall ensure the timely provision of infrastructure.
- e. Require new development to support the infrastructure and public services necessary to serve that development. General fund and other broad-based outlays should be limited to those situations where the infrastructure will provide Citywide benefits or will otherwise offer a tangible benefit beyond the area of the new development.
- f. Substantial areas proposed for new development will be required to plan for appropriate infrastructure and its funding consistent with the City's Specific Plan Guidelines. Infrastructure shall be in place before or concurrently with development. Similarly, infrastructure-financing mechanisms shall be required to be in place prior to development within approved specific plans. The City will take a comprehensive approach to financing, using a blend of special taxes, benefit assessments, bonds, and other methods to ensure that infrastructure installation occurs in a timely manner.

- g. New development shall be phased according to the capacity of public facilities and services to serve new development.
- h. The City shall require a fiscal impact analysis to identify operation and maintenance costs for discretionary development proposals of potential fiscal significance.
- i. The City shall develop, collect, and update standard processing/administration fees for staff time to process will-serve letters, water supply assessments/verifications, and/or other future water-related, unfunded state-mandated studies/assessments.

## **C. GENERAL PLAN MAINTENANCE**

### **1. Urban Area Growth Policy Review**

A review of the growth trends in the Modesto Urban Area should be held on a periodic basis. This periodic review should provide for the selection of potential urban areas to be served with urban infrastructure during the ensuing five years. This review should be focused on the information presented in Sections 2, 3, and 4, below, and on the following policies:

- a. In general, maintenance of a five-year supply of available developable land served with urban infrastructure is desirable.
- b. Urban development should be kept as contiguous as possible in order to avoid premature urbanization of valuable farmland, foster resident convenience, and provide for economy in City services.
- c. Residential growth and development within the Modesto Urban Area General Plan shall take place only following annexation to the City.
- d. Urban growth should be directed, as long as economically feasible, to areas currently served with City services.
- e. The Master EIR should be updated when necessary (see Section 3, below).
- f. Broad-based regional financing options will be developed for regional-serving capital projects.
- g. Investments in capital improvements will be increased through maintaining or enhancing existing funding sources, maximizing joint-use efficiencies, strategically prioritizing capital investments, and allocating additional revenues for infrastructure.

### **2. Annual Report to the State/Maintenance of the General Plan and Related Planning Documents**

Each year, the Governor's Office of Planning and Research (OPR) conducts the Local Government Planning Survey to simplify and standardize local governments' compliance with Section 65400 of the Government Code. This section requires California cities and counties to report annually to

OPR and the State Department of Housing and Community Development on their planning activities. The survey also identifies local issues and problems, which OPR may be able to help remedy by providing technical assistance. The following policy governs the maintenance of the General Plan and related planning documents.

- a. The City of Modesto shall fund the ongoing maintenance of the General Plan and related planning documents, which provide the institutional infrastructure for development of the community.

### **3. Maintenance of the Master Environmental Impact Report**

The Master Environmental Impact Report (Master EIR) promotes significant streamlining of subsequent projects if they are consistent with the General Plan, as well as the assumptions, conclusions, and mitigation measures presented in the Master EIR document itself. The following policies govern the process to maintain the currency of the Master EIR.

- a. The City of Modesto shall ensure that the Master EIR be periodically re-evaluated and updated as necessary, so that it can continue to serve as a streamlining document. The MEIR may streamline further CEQA review for subsequent projects, which are defined in Section 21157.1 of the Public Resources Code.
- b. The Master EIR shall not be used to streamline further CEQA review for subsequent projects if either of the following has occurred (per Section 21157.6(a) of the Public Resources Code), except as provided in Section c below:
  - (1) The certification of the Master EIR occurred more than five years prior to the filing of an application for the subsequent project.
  - (2) The filing of an application for the subsequent project occurs following the certification of the Master EIR, and the approval of a project that was not described in the EIR report has affected the adequacy of the environmental review in the Master EIR for any subsequent project.
- c. A Master EIR that was certified more than five years prior to the filing of an application for a subsequent project may be used to review a subsequent project that was described in the Master EIR if the City of Modesto reviews the adequacy of the Master EIR and does either of the following (per Section 21157.6(b) of the Public Resources Code):
  - (1) Finds that no substantial changes have occurred with respect to the circumstances under which the Master EIR was certified or that no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

- (2) Prepares an initial study and, pursuant to the findings of the initial study, does either of the following:
  - (a) Certifies a subsequent or supplemental environmental impact report that has been either incorporated into the previously certified Master EIR or references any deletions, additions, or any other modifications to the previously certified Master EIR.
  - (b) Approves a mitigated negative declaration that addresses substantial changes that have occurred with respect to the circumstances under which the Master EIR was certified or the new information that was not known and could not have been known at the time the Master EIR was certified.
- d. The General Plan Traffic Analysis and Model (Appendix F of the Master EIR) shall be kept current through periodic updates, performed either unilaterally by the City or in conjunction with a Focused Environmental Impact Report, which includes a Comprehensive Traffic Study.

#### **4. General Plan Amendment Process**

Over time, various sections of the Modesto Urban Area General Plan may need to be revised. The policies presented in this General Plan contain some degree of flexibility, but any General Plan Amendments must be judged by relatively fixed criteria. The following process must be followed in reviewing proposed General Plan Amendments:

##### **a. Description of Amendment**

Proposals to amend the General Plan must be accompanied by detailed information to document the change requested. This information should include revised General Plan text (or excerpt thereof) and revised Land Use Diagram, where relevant, depicting the amendment requested.

##### **b. Presentation of Need for Amendment**

Any proposals to amend the General Plan must document the need for such changes. The applicant should indicate the economic, social, or technical issues which create the need to amend the General Plan.

##### **c. Criteria for Analysis of General Plan Amendment**

Any proposal to amend the Modesto Urban Area General Plan must be analyzed for the amendment's effects compared to the adopted General Plan on the following issues:

- (1) Compatibility with surrounding, existing, and planned land uses

- (2) Traffic impacts, both existing and planned
- (3) Air quality impacts, as addressed in the Master EIR
- (4) Water quality impacts, as addressed in the Master EIR
- (5) Water supply and wastewater, as addressed in the Master EIR
- (6) Preservation of open space, both existing and planned
- (7) Public Facilities and Public Services, both existing and planned, including financing approaches

**d. Environmental Review**

The proposed amendment must receive environmental review to determine if it is within the scope of the Master EIR or if further environmental analysis is required. Depending on the nature of the amendment, supplemental environmental analysis may be necessary, according to the California Environmental Quality Act (Sections 15162 and 15178).

## **Chapter III**

### **Community Development Policies**

This chapter contains the “instructions” for building the actual physical components of the City of Modesto (City) in a manner consistent with Chapter II.

This chapter establishes the proposed general distribution and extent of land uses within the Modesto Urban Area General Plan. It contains Land Use policies to guide the physical development of Modesto, within three areas defined in Section II-A: Redevelopment Area, Baseline Developed Area, and Planned Urbanizing Area. This chapter also provides the Land Use Diagram and Land Use Designations for the Modesto Urban Area General Plan. This chapter complies with Section 65302(a) of the California Government Code.

#### **LAND USE POLICIES—OVERALL**

The Housing Element of the Urban Area General Plan identifies future housing need and the approach to meeting those needs. Chapter 6 of the 2004 Housing Element is the Housing Plan, which contains a variety of goals, objectives, policies, and programs intended to achieve a high-quality, balanced housing stock that will meet the needs of existing and future citizens of Modesto. Goal 4 of the Housing Plan is intended to ensure that land use and zoning procedures accommodate housing. Program 4.1 implements Goal 4 by ensuring there is an adequate inventory of sites available for housing.

In order to implement Program 4.1 of the 2004 Housing Element (page 6–19 of the Housing Element), at least 15 percent of the residentially designated areas in the Planned Urbanizing Area shall be planned for multi-family development, at an average of 22 units per acre. Residentially designated areas do not include land planned for commercial or industrial uses. Program 4.1 applies equally to property within City limits and within the City’s Sphere of Influence. Additionally, Map A-1 in the Housing Element identifies sites for which the potential exists to add multi-family residential development and on which such development should be considered. These sites lie within the Baseline Developed Area and the Planned Urbanizing Area.

#### **A. LAND USE DIAGRAM**

Figure III-1 is the Land Use Diagram, which presents the proposed general distribution of the uses of land within the Modesto Urban Area. The Land Use Diagram conforms to Section 65302(a) of the Government Code, and is hereby adopted and incorporated into the Modesto Urban Area General Plan.

The word “Diagram” is distinguished from “Map” in the context of a California Attorney General Opinion (67 Cal.Ops.Atty.Gen. 75,77), to provide a certain limited degree of flexibility in applying the Land Use Designations to specific parcels.

## **B. ADOPTED GENERAL PLAN LAND USE DESIGNATIONS**

The following Land Use Designations are presented on the Land Use Diagram (Figure III-1). These General Plan Land Use Designations describe the extent of the uses of land within the Modesto Urban Area. Each of the Land Use Designations is located in at least one of the three geographic areas within the City presented on the Growth Strategy Diagram (Figure II-1): the Redevelopment Area, the Baseline Developed Area, and/or the Planned Urbanizing Area. Each includes standards of population density and building intensity, in conformance with Section 65302(a) of the Government Code, and each is summarized in Table III-1.



# GENERAL PLAN PROGRAM

## FIGURE III-I ADOPTED LAND USE DIAGRAM

### LEGEND ADOPTED GENERAL PLAN LAND USE DESIGNATIONS

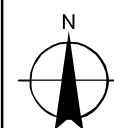
- R Residential
- VR Village Residential
- MU Mixed Use
- C Commercial
- RC Regional Commercial
- I Industrial
- BP Business Park
- OS Open Space
- RPD Redevelopment Planning District
- SCP Salida Community Plan

### BOUNDARIES

- COMPREHENSIVE PLANNING DISTRICTS
- MODESTO SPHERE OF INFLUENCE
- ADJACENT COMMUNITY BOUNDARY
- GENERAL PLAN BOUNDARY

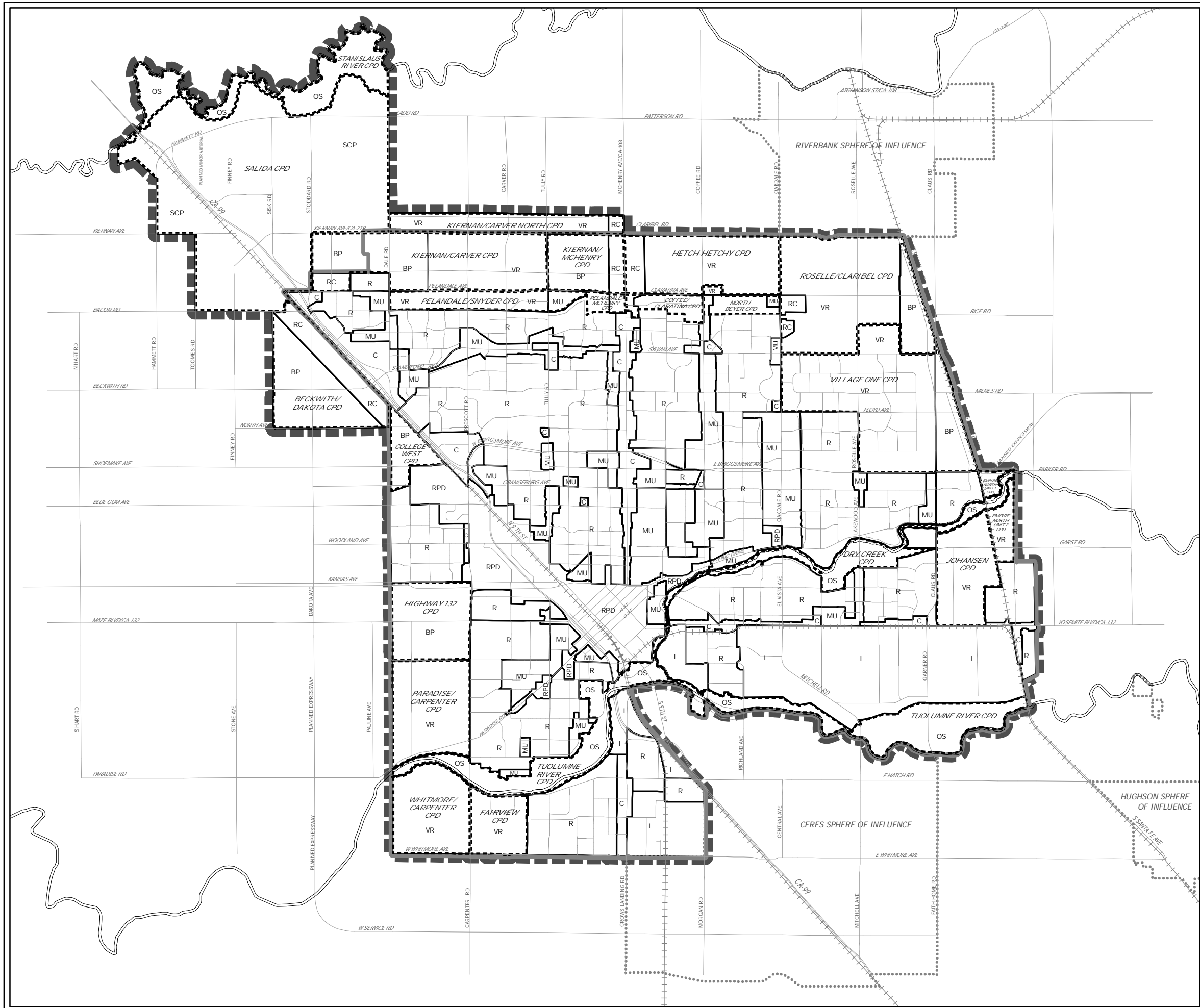
### REFERENCE POINTS

- STREETS
- FREEWAYS
- RIVERS
- MAIN RAILROAD LINES



1:80,000

GP Adopted Land Use Program 2008 Fig III-I BW.mxd  
Oct. 23, 2008



**Table III-1. General Plan Land Use Designations**

Land Use Designation	Non-Residential Intensity	Residential Density	Approximate Population Intensity
Residential	N/A	Single Family—up to 7.5 du/ gross acre	22 persons/ gross acre
		Multi-Family—6.6 to 28 du/ gross acre	19 to 81 persons/ gross acre
Mixed Use	FAR = 0.35 SF bldg/SF of gross acreage of entire site	Average 14 du/gross acre of entire site	41 persons/ gross acre
Commercial	Max. FAR = 0.35 SF bldg/ SF of gross acreage of the site	N/A	N/A
Industrial	Max. FAR = 0.30 to 0.50 SF bldg/SF of gross acreage of the site	N/A	N/A
Redevelopment Planning District	N/A	N/A	2,300 persons*
Village Residential	4% of land designated Village Residential  Max. FAR = 0.35 SF bldg/SF of gross acreage of the non- residential site	6.6 du/gross acre for entire CPD	19 persons/ gross acre
Regional Commercial	Max. FAR = 0.35 SF bldg/SF of gross acreage of the site	N/A	N/A
Business Park	Max. FAR = 0.40 SF bldg/SF of gross acreage of the site	N/A	N/A
Open Space	N/A	Low Density Residential— max. 1.0 du/10 acres	.03 persons/ gross acre

CPD = Comprehensive Plan District

du = dwelling unit

FAR = Floor Area Ratio

N/A = not applicable

SF = square feet

\*Approximately 2,300 residents currently reside in the Redevelopment Planning District (RPD). City staff estimates that the RPD has an approximate market capacity of 2,300 more residents or approximately 500–750 more dwelling units according to the RDA Master Plan, adopted October 2007, for a total approximate population in the RPD of 4,600 residents. No specific intensities and/or densities are applied to this District.

## **1. Residential (R)**

### **a. Purpose and Intent**

To provide for residential uses throughout the Modesto Urban Area. Residential uses include single-family detached housing, single-family attached housing, multi-family housing, and mobile homes. Compatible uses in the residential designation may include schools, parks, and religious or community facilities.

### **b. Location Criteria**

This designation may be applied anywhere within the Modesto Urban Area General Plan where residential land uses would be compatible with other existing and planned land uses.

### **c. Land Use Intensity**

The land use intensity is a typical density of 6.6 dwelling units per gross acre, to a maximum of 7.5 dwelling units per gross acre on an area-wide basis for single-family housing without requiring a General Plan Amendment, and within a range of 6.6 to 28 dwelling units per gross acre for multi-family housing.

## **2. Mixed Use (MU)**

### **a. Purpose and Intent**

To characterize those areas of the Modesto Urban Area that are already developed (as of January 1, 1995) and contain a mixture of all or some of the following uses in close proximity to each other: single-family residential, multi-family residential, commercial, office, and institutional. In addition, it is to provide for additional development opportunities for mixed uses throughout the Urban Area General Plan. In the existing Baseline Developed Area where this designation is applied, zoning controls land use on a specific parcel. In administration of zoning or review of proposed applications, the standard shall be a maximum of 40 percent commercial in a given area.

### **b. Location Criteria**

This designation may be applied to those areas of the Modesto Urban Area that are already developed and contain a mixture of uses as described above. This designation may also be applied to areas outside of the Baseline Developed Area where mixed-use development would be appropriate.

**c. Land Use Intensity**

For any new development site, the land use mix shall be a minimum of approximately 60 percent of the gross land area devoted to residential uses; not more than 40 percent of the gross land area may be devoted to non-residential uses including but not limited to institutional, office, and commercial uses.

For residential uses, the intensity shall average 14 dwelling units per gross acre for the entire site.

For non-residential uses, the guiding intensity is approximately 0.35 square feet of building area per square foot of gross acreage of the entire site.

**3. Commercial (C)**

**a. Purpose and Intent**

To provide for a range of Commercial uses to serve the current and projected needs of Modesto's population. This designation encompasses a variety of service and retail uses, including but not limited to business, medical, and professional offices other than large office campuses, neighborhood retail centers, convenience retail, highway-oriented commerce (restaurants, gas stations, automotive repair, and service), Regional Commercial uses, and the downtown commercial districts.

**b. Location Criteria**

Commercial land uses in Modesto are generally located at intersections along major arterial streets and expressways. The Modesto Zoning Code presents additional criteria for the location and type of Commercial uses.

**c. Land Use Intensity**

The guiding intensity is 0.35 square feet of building area per square foot of gross acreage of the site.

**4. Industrial (I)**

**a. Purpose and Intent**

To provide for industrial uses in the Modesto Urban Area. This designation provides for the full range of industrial uses, including but not limited to manufacturing, food processing, trucking, packing, and recycling, as well as those enterprises which may want to combine office and production aspects of their business in the same complex.

**b. Location Criteria**

Industrial land uses in Modesto are generally located within major tracts oriented to Freeway 99 and to the three railroads serving the Urban Area.

**c. Land Use Intensity**

The guiding intensity is 0.50 square feet of building per square foot of gross area on an area-wide basis.

**5. Redevelopment Planning District (RPD)**

**a. Purpose and Intent**

The Redevelopment Planning District (RPD) is intended to implement the Mission Statement of the Redevelopment Commission, which is as follows:

Redevelopment is an economic development and community development program of prime importance to the Modesto community, one that capitalizes upon all of the area's assets and natural resources.

The Modesto Redevelopment Area will be the focal point of community life and the social, cultural, business, governmental and entertainment center of the northern San Joaquin Valley.

Housing will be an integral part of the Project Area, complemented by and stimulated by creation of a safe and attractive, tree-lined environment. Modern transportation systems shall provide convenient transportation to and within the Project Area.

This vision will be achieved through partnerships between private enterprise and government agencies. The Redevelopment Agency shall take the lead through strategic investments in public infrastructure and by recruiting and assisting with new private investment.

Vertical mixed-use development shall be an allowed use in the RPD.

The Redevelopment Agency may adopt plans, policies, and development standards to implement these policies. Any plans or standards adopted by the Redevelopment Agency shall rely on the Urban Area General Plan for minimum guidance, but will supersede the UAGP wherever plans, policies, or standards exceed those contained in the UAGP.

**b. Location Criteria**

The Redevelopment Planning District shall only be applied in the area designated "Redevelopment Area" on the Growth Strategy Diagram (Figure II-1). These are the same boundaries as the Project Area for the Redevelopment Master Plan adopted in October 2007.

### **c. Land Use Intensity**

The existing population within the Redevelopment Planning District is approximately 2,300 residents. The District also contains 52,950 projected job opportunities. The City is planning a technical update for its Housing Element in 2008, which is expected to result in an increase in the amount of growth that is anticipated in the City's Redevelopment Planning District. The "Amended Redevelopment Plan for the Modesto Redevelopment Project," adopted in November 1991 and as subsequently amended, is incorporated by reference into the Urban Area General Plan. Residential and employment opportunities shall be distributed throughout the Planning District, in accordance with the "Land Use Strategies" diagram on page 35 of the "Modesto Redevelopment Master Plan," adopted by the Redevelopment Agency in October 2007, or as subsequently amended.

The Redevelopment Agency's vision, established as goals in the 2007 "Modesto Redevelopment Master Plan" include:

- Goal 1: Create a unique and recognizable image for Modesto and use it to strenuously promote the city. (page 2)
- Goal 2: Promote the economic viability of the Redevelopment Area by attracting new development. (page 2)
- Goal 3: Implement higher density, mixed-use development to create a balanced, vibrant downtown and active neighborhood centers. (page 2)
- Goal 4: Update the City's development standards to support the goals identified in this document. (page 2)
- Goal 5: Develop a variety of housing types in the Redevelopment Area, particularly in the downtown, to act as a catalyst for other types of development. (page 3)
- Goal 6: Enhance the visual appeal of Modesto's public spaces by upgrading existing parks, plazas, and streets, and by creating new parks and plazas that offer public access. (page 3)
- Goal 7: Develop historic 10<sup>th</sup> and I Streets as attractive, pedestrian-oriented streets. Create a clear sense of arrival at Modesto's downtown by enhancing the Sixth and I Street gateway and the intersection of 10<sup>th</sup> and I Streets. (page 3)
- Goal 8: Promote efficient automobile, bicycle, and pedestrian circulation and linkages into and through the Redevelopment Area. (page 3)

## **6. Village Residential (VR)**

### **a. Purpose and Intent**

To provide for the development of urban “villages.” Villages are mixed-use, compact, pedestrian- and transit-oriented development that are intended to accommodate a variety of residential product types such as detached houses on small lots and multi-family and senior housing in addition to village-serving non-residential uses. Section III-C.3 provides the overall guidance for policy implementation of the Village Residential Designation. Villages should be comprehensively planned using the Specific Plan process presented in Section III-D.

### **b. Location Criteria**

This designation may be applied to areas throughout the Planned Urbanizing Area, as shown in Figure II-1.

### **c. Land Use Intensity**

Section III-C.3 provides the overall guidance for policy implementation of the Village Residential Designation. The Comprehensive Planning Districts (CPDs) presented in Section III-D contain the actual land use mix and intensities for each Village.

Residential: The residential density within a Comprehensive Planning District is typically 6.6 dwelling units per gross acre for the entire district, although the density can range up to 7.5 dwelling units per gross acre without requiring a General Plan Amendment. Consistent with the existing Housing Element, at least 15 percent of the residentially designated land area shall be reserved for multifamily development.

Commercial: Approximately 4 percent of land designated Village Residential shall be devoted to commercial uses, with a guiding intensity of 0.35 square feet of building per square foot of gross area of the site.

## **7. Regional Commercial (RC)**

### **a. Purpose and Intent**

To provide for large-scale commercial areas and regional retail Commercial uses serving the needs of the entire region. Regional Commercial uses serve a much larger population by providing commercial activities not needed on a regular basis. Their location is primarily determined by major transportation routes which allow easy access by both consumers and suppliers.

**b. Location Criteria**

This designation is applied in areas of the Planned Urbanizing Area that are located with adequate access to regional traffic routes and transit corridors.

**c. Land Use Intensity**

The land use intensity is a maximum Floor Area Ratio of 0.35 square feet of building area per square foot of gross area of the site.

**8. Business Park (BP)**

**a. Purpose and Intent**

To provide for areas of light industrial and employment-intensive uses, and to produce an environment conducive to industries and employers seeking an aesthetically attractive “campus-like” setting. Regional Commercial uses are also permitted in Business Parks.

**b. Location Criteria**

This designation may be applied throughout the Planned Urbanizing Area in areas that have adequate access to regional traffic routes and transit corridors.

**c. Land Use Intensity**

Business Parks should have a campus-like setting, with a guiding intensity of 0.40 square feet of building area per square foot of gross area of the site.

**9. Open Space (OS)**

**a. Purpose and Intent**

To provide for regional recreational open space (active and passive) along the Tuolumne River, Stanislaus River, and Dry Creek. Community and neighborhood parks and other smaller open space areas can be accommodated within any Land Use Designation. In the Open Space designation, planned land uses shall include low-impact recreational facilities, public ownership, low density residential, and agriculture. It is not the City’s intention to abate the existing development within the areas designated with this Land Use Designation, which may become legal and non-conforming. New development within this land use category shall be designed such that it shall not detract from habitat value or passive recreational uses, nor increase flood potential.

**b. Location Criteria**

This designation is applied along the Tuolumne and Stanislaus Rivers and Dry Creek.

**c. Land Use Intensity**

For residential uses in the Open Space designation, the density shall not exceed one dwelling unit per 10 acres.

**10. Salida Community Plan (SCP)**

**a. Purpose and Intent**

If the Salida Comprehensive Planning District is annexed to the City of Modesto, the City does not propose to change any land use directions from those established by Stanislaus County. Therefore, the Salida Community Plan, as adopted by Stanislaus County, will continue to guide growth and development for this area, even upon annexation to the City.

**b. Location Criteria**

This designation is applied only in the Salida Comprehensive Planning District, as shown in Exhibit III-1. These are precisely the same boundaries as for the Salida Community Plan adopted by Stanislaus County as of January 1, 1995.

**c. Land Use Intensity**

The Stanislaus County General Plan, in effect as of January 1, 1995, contained ten Land Use Designations to guide development within the Salida Community Plan. School sites were also designated in the Community Plan. These Land Use Designations are described in detail in the “Salida Comprehensive Planning District,” presented in Section III-D.

**C. LAND USE POLICIES**

The Land Use Designations presented above are supplemented by Land Use policies, presented in this section. These Land Use policies are categorized as follows:

**1. Overall Land Use Policies**

- a. The Zoning Code (Title X of the Modesto Municipal Code) and the Zoning Map shall be used as the primary vehicle to guide future development in the Baseline Developed Area. A secondary vehicle is policies in existence in the Base Year (2007) of this General Plan.

- b. Section 65803 of the Government Code indicates that in charter cities such as Modesto, zoning need not be consistent with the General Plan. Notwithstanding, development plans within the Baseline Developed Area may be found consistent with the General Plan if they are consistent with the Zoning Code and Map and the various policies of the General Plan. Zone changes may be approved anywhere in the General Plan Area, if the following findings are made:
- (1) The requested zone change is required by public convenience or necessity.
  - (2) The requested change will result in an orderly planning use of land resources.
  - (3) The requested zone change is in accordance with the community's objectives as set forth in: the "Neighborhood Plan Prototype" policies presented in Section C-2, below (for property within the Baseline Developed Area); or a Specific Plan prepared in accordance with this chapter (for property within the Planned Urbanizing Area); or the Redevelopment Plan (for property within the Redevelopment Area).
  - (4) Adequate environmental mitigation has been provided through the implementation of appropriate mitigation measures established by the Master Environmental Impact Report and any supplements to the MEIR. Traffic and public facility issues are particularly relevant in this analysis.
- c. Additional vehicles to guide future development, in both the Baseline Developed Area and the Planned Urbanizing Area, include: Neotraditional Planning policies (C-3, below) and the Neighborhood Plan Prototype policies (C-2, below).
- d. Specific Plans, adopted pursuant to Section 65450 et seq. of the California Government Code, may be used for the systematic implementation of the General Plan for all or part of the area covered by the General Plan. Accordingly, each Specific Plan shall include a text and a diagram or diagrams which specify all of the following in detail: (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan. (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan. (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable. (4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the preceding items (1), (2), and (3).

Specific Plans may incorporate any of the Land Use Designations presented on the Land Use Diagram, and they may be used within any Growth Strategy Designation: Redevelopment Area, Baseline Developed Area, or Planned Urbanizing Area. Where the Neighborhood Plan Prototype is applied to a Comprehensive Planning District, it shall be implemented by a Specific Plan. Any such Specific Plan shall cover a minimum of approximately 480 acres of area or be based on a logical unit of infrastructure, such as an elementary school service area or park planning area.

- e. Annexation of Noncontiguous Land (not shown on Land Use Diagram).

Section 65300 of the California Government Code allows the General Plan to address policies to any land “outside its boundaries which in the [City’s] judgment bears relation to its planning.”

In addition, Section 56742 a–b of the Government Code allows the City of Modesto, upon approval of the Stanislaus Local Agency Formation Commission, to annex noncontiguous territory not exceeding 300 acres in area, which is located in the same county as that in which the city is situated, and which is owned by the city and is being used for municipal purposes at the time commission proceedings are initiated. The territory that is used by a city for reclamation, disposal, and storage of treated wastewater may be annexed to the city pursuant to this section without limitation as to the size of the territory being annexed.

In the past, the city has relied upon Section 56742 a–b of the Government Code to annex properties noncontiguous to the city, for the purpose of establishing and expanding certain wastewater treatment facilities on Jennings Road, adjacent to the San Joaquin River. Annexation of all of the Wastewater Treatment Plant land is underway at the Jennings Road facilities. Because this site is approximately seven miles from the city limits it is not depicted graphically on the Land Use Diagram. Nevertheless, as long as Section 56742 a–b remains in effect, the city will continue to expand the treatment facilities, and annex the land to the city as appropriate and as needs dictate. The Sphere of Influence should reflect the ability of the City to take this action.

The City will designate a riparian habitat preserve for the Jennings Road and Sutter Avenue wastewater facilities, where they adjoin the San Joaquin and Tuolumne Rivers, respectively, to foster the best conjunctive management of wastewater facilities. The Jennings Road and Sutter Avenue wastewater sites have been incorporated into the Tuolumne River Regional Park (TRRP) Master Plan, and the designation of riparian habitat preserves at these locations is consistent with provisions in the TRRP Master Plan. The designation of riparian preserves at these locations will help preserve open space and protect habitat for threatened and endangered species, including valley elderberry longhorn beetle and Swainson’s hawk.

- f. Work with school districts to avoid overcrowding in existing and/or planned school facilities within the provisions of SB 50 and Government Code Section 65995 et seq.
- g. Design neighborhood roadways to allow for safe and convenient pedestrian accessibility.
- h. Establish and maintain an orderly and compatible land use pattern. Evaluate land use compatibility, noise, traffic, and other environmental hazards when making land use decisions.
- i. All Specific Plans shall follow the policies and procedures established in the City of Modesto’s adopted Specific Plan Procedures and Preparation Guide.
- j. New development projects should incorporate the following transit-related design features:
  - (1) Locate medium- and high-density development near transit services.
  - (2) Link residential areas to transit stops via continuous sidewalks or pedestrian paths.

- (3) Where subdivision sound walls exist or are warranted, appropriate designs should be used to facilitate direct pedestrian access to transit stops.
- (4) A through roadway should connect adjacent developments to permit transit circulation between developments.
- (5) Commercial and industrial developments should have easy access to major arterials and transit stops.

## **2. “Neighborhood Plan Prototype” Policies**

The “Neighborhood Plan Prototype” was developed in 1974 to provide a “blueprint” for development of future residential neighborhoods. The Neighborhood Plan Prototype is designed to create residential areas served by neighborhood parks, elementary schools, a neighborhood shopping center, and a collector street pattern connecting these uses. The Neighborhood Plan Prototype is a model for: subdivision designs, location of parks and other capital facilities, and zoning and pre-zoning studies. As of the baseline year of 1995, much of the Baseline Developed Area has been developed according to this Prototype.

Within the Modesto community, “Neighborhoods” are typically one mile by 3/4 mile (approximately 480 acres in size), and bordered by Arterial streets or Expressways. The term “neighborhoods,” as used in this section, refers to defined geographic areas of the city, not necessarily to social descriptions of neighborhoods.

The following policies describing the Neighborhood Plan Prototype are presented:

- a. Neighborhoods should contain a variety of housing types, as allowed by the R-1, R-2, R-3, and P-D Zones of the Modesto Zoning Code. The location and distribution of the different housing types within a neighborhood are presented in Figure III-2, “Neighborhood Plan Prototype”.
- b. Neighborhoods should contain sufficient elementary schools necessary to serve the residential development within the neighborhood. Schools should be located on Collector streets within the neighborhood, preferably at or near the intersection of two Collector streets.
- c. Neighborhood parks sufficient to serve the residential development within the neighborhood (see Section V-G for parks standards) should be located adjacent to school sites.
- d. A 7–9 acre neighborhood shopping center, containing 60,000 to 100,000 square feet of gross leasable space, should be located in each neighborhood. The shopping center should be located at the intersection of two Arterial streets, as shown in Figure III-2.
- e. A network of Collector streets should be developed within each neighborhood, as shown in Figure III-2. These Collector streets should utilize the following principles:

- (1) Collector streets should provide direct linkages from the residences within a neighborhood to neighborhood facilities within the same neighborhood, such as schools, parks, shopping areas, churches, etc., and a connection to peripheral Arterial streets but not to peripheral expressways or freeways.
  - (2) Collector streets should be designed to intersect Arterial streets at ¼ mile intervals.
  - (3) Collector streets should cross Arterial streets with four-way intersections to facilitate Arterial street traffic signalization but should not be continuous alignments through two or more neighborhoods, as their function is not to serve as through traffic arteries. Several “through” Collector streets are acknowledged based on their pre-existence as county service roads to agricultural areas.
- f. Minor adjustments to the Neighborhood Plan Prototype can be made to accommodate existing development in an area.
- g. If a neighborhood is bordered by an expressway on one or more sides, then the following modifications should be made in implementing the Neighborhood Plan Prototype:
- (1) Zoning adjacent to the expressway should be R-1, rather than R-2 or R-3.
  - (2) The neighborhood shopping center should not be located adjacent to the expressway.
  - (3) If the expressway is a Class A expressway, there shall be no Collector streets intersecting with the expressway.
  - (4) If the expressway is a Class B expressway, there may be no Collector street intersecting with the expressway, or just one Collector street intersection on the half mile, with right turn in, right turn out only (no median break).

### **3. Neotraditional Planning Principles**

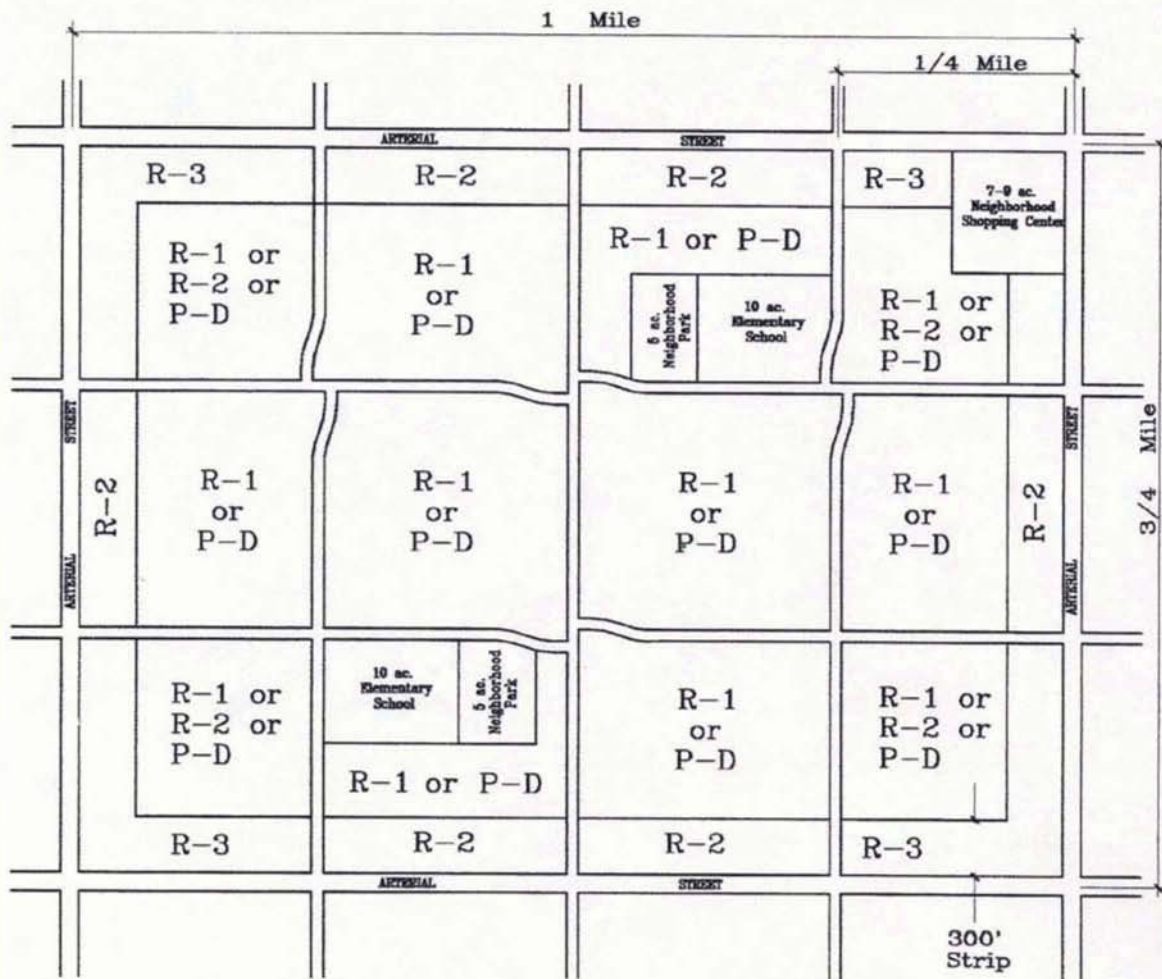
In 1990, the Village One project offered the City the first opportunity to explore a relatively new set of urban design principles, collectively known as “Village Planning” or Neotraditional Planning. In 1992, the Local Government Commission published Land Use Strategies for More Livable Places, which presented a number of design concepts which help to define Neotraditional Planning. Primary among these concepts is that all planning should be in the form of complete and integrated communities containing housing, work places, schools, parks, and civic facilities essential to the daily life of the residents. These concepts can be applied at the community level or at the neighborhood level.

The following policies are established to implement Neotraditional Planning principles for the City of Modesto:

- a. Communities or neighborhoods should be compact so that housing, jobs, daily needs, and other activities are within easy walking distance of each other. Communities should include a mix of compatible land uses within close proximity.

Figure III-2

# NEIGHBORHOOD PLAN PROTOTYPE



60' collector street grid, offset inside neighborhood  
to discourage through traffic

- b. As many activities as possible should be located within easy walking distance of transit stops.
- c. Roadways should be designed to allow for safe and convenient pedestrian accessibility.
- d. Communities or neighborhoods should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within their boundaries.
- e. Businesses within a community or neighborhood should provide a range of job types for the community's or neighborhood's residents.
- f. The location and character of the community or neighborhood should be consistent with a larger transit network.
- g. Each community or neighborhood should have a center focus that combines commercial, civic, cultural, and recreational uses.
- h. Each community or neighborhood should contain an ample supply of specialized open space in the form of squares, greens, and parks whose frequent use is encouraged through placement and design. Linkages should be provided between recreational facilities and surrounding neighborhoods.
- i. Streets, pedestrian paths, and bike paths should contribute to a system of fully connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees, and lighting; and by discouraging high speed traffic. Wherever possible, natural terrain, drainage, and vegetation should be preserved with superior examples contained within parks or greenbelts.
- j. The City will implement minimum lighting and reflective surfaces standards for new development, to minimize the impact of the proposed plan's contribution to introduced or increased light and glare. These standards are reflected in the adopted Small Lot Development Guidelines and Design Guidelines for Commercial and Industrial Development.

## **D. COMPREHENSIVE PLANNING DISTRICTS**

Each of the Comprehensive Planning Districts delineated on the Land Use Diagram (Figure III-1) are further described in this Section. All Comprehensive Plans and Specific Plans adopted to implement a given Comprehensive Planning District shall include a text narrative and a map or diagram, conforming to the requirements of the relevant Comprehensive Planning District. Comprehensive Planning Districts may consist of a Comprehensive Plan and/or one or more Specific Plans. This section presents policies that apply within all Comprehensive Planning Districts, followed by detailed policy narratives focusing on the unique character of each Comprehensive Planning District presented on the Land Use Diagram (Figure III-1).

## **1. Principal Comprehensive Planning District Policies**

The following Principal Comprehensive Planning District policies apply to all Comprehensive Planning Districts, regardless of whether they are located in the Baseline Developed Area or the Planned Urbanizing Area.

- a. Since each Comprehensive Planning District contains a number of properties, unified direction from affected property owners should be encouraged, particularly for privately initiated applications. In the case of disparate or unknown development intentions, the City may proactively seek consensus from affected property owners.
- b. The Specific Plan(s) within each Comprehensive Planning District should establish clear and comprehensive implementation tools and shall follow the policies and procedures as outlined in the City of Modesto's adopted Specific Plan Procedures and Preparation Guide, which identify all subsequent land use approvals required to be consistent with the Comprehensive Plan.
- c. Because of their size, shape, and proximity to existing areas developed under the Neighborhood Plan Prototype policy of the 1974 General Plan, the following Comprehensive Planning Districts do not need to comply with the above Principal Comprehensive Planning District policies (D-1.a and D-1.b):
  - Pelandale/Snyder CPD
  - Coffee/Claratina CPD
  - North Beyer CPD

In the above instances, the "Neighborhood Plan Prototype" policies and the City's Zoning and Subdivision Ordinances provide sufficient guidance for future development of these CPDs. Notwithstanding, all Comprehensive Planning Districts need to comply with the following Principal policies in addition to the above Principal Comprehensive Planning District policies (D-1.a and D-1.b).

- d. The City may adopt guidelines for development projects as directed by City Council. These guidelines shall serve as minimum expectations.
- e. Each Specific Plan shall be accompanied by a long-range financing strategy that provides reasonable estimates of the costs of on- and off-site infrastructure to support the proposed development pattern. The strategy should generally address public facility funding, including schools, for any development project that serves to implement the subject Specific Plan. If new public facilities are required that will also serve the broader community, the Specific Plan should include options for broad-based funding mechanisms.
- f. Specific Plans, as defined in Chapter VIII, shall be used for the implementation of the Comprehensive Planning Districts presented in Figure III-1. Specific Plans, as defined in Section 65450 et seq. of the California Government Code, are particularly suited for this purpose.

- g. More than one Specific Plan may be processed within a given Comprehensive Planning District (CPD), as long as the remaining area within the CPD can still comply with the General Plan policies presented in this chapter. Conversely, a Specific Plan can be used to implement more than one Comprehensive Planning District, when those districts are adjoining. A CPD may consist of more than one Specific Plan provided that the Specific Plans are consistent, compatible, and complement one another; particularly related to, but not limited to land use and circulation plans, and the Specific Plans' financing sections are correlated to provide for adequate infrastructure throughout the Comprehensive Planning District. If Specific Plans are adopted at different times within a Comprehensive Planning District, the first Specific Plan shall include an infrastructure plan addressing the entire District.
- h. A "Focused Environmental Impact Report" shall be required for each Specific Plan in accordance with Section 21158 of the Public Resources Code to implement the policies of each Comprehensive Planning District. A Focused Environmental Impact Report as defined by Section 21158 is an environmental impact report on a subsequent project identified in a master environmental impact report. A focused environmental impact report may be utilized only if the City of Modesto finds that the analysis in the master environmental impact report of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment is adequate for the subsequent project. The focused environmental impact report shall incorporate by reference the MEIR and analyze only the subsequent project's additional significant effects on the environment and any new or additional mitigation measures or alternatives that were not identified in and analyzed by the master environmental impact report.
- i. Upon the review of each Specific Plan, the Master EIR may streamline further CEQA review of that Specific Plan, in accordance with Section 21157.6(a) of the Public Resources Code.
- j. All policy requirements presented in the individual Comprehensive Planning District narratives (Exhibits III-2 through III-23), shall be applied wherever indicated in each individual District's narrative.
- k. The Specific Plan for each Comprehensive Planning District shall address the policies for the relevant Growth Strategy Designation (Baseline Developed Area or Planned Urbanizing Area) presented in Chapters II, III, IV, V, VI, and VII and stormwater collection, retention, and discharge. The developer must pay these costs. Building permits (residential construction) and/or certificates of occupancy (commercial construction) will not be issued until stormwater facilities are installed and approved.
- l. Each Specific Plan or Planning District shall address the need to provide sanitary sewer service, using the Sanitary Sewer Diagram presented in Chapter V.
- m. The exact boundaries of each Comprehensive Planning District may be shifted somewhat as Specific Plans are processed. However, any proposed boundary shifts shall address all public facility and public service requirements of the Planned Urbanizing Area, as specified in Chapter V.
- n. The orderly development of Comprehensive Planning Districts, particularly the planning, installation, and financing of infrastructure, requires that Specific Plans be of sufficient size. "Sufficient size" means a minimum of one-third of the total area of the following

Comprehensive Planning Districts: Beckwith/Dakota, College West, Highway 132, and Kiernan/McHenry. A Specific Plan may encompass a smaller area if the City finds that it will constitute a significant portion of a distinct and cohesive neighborhood and will otherwise correlate with planning, installation, and financing of infrastructure for the Comprehensive Planning District.

“Sufficient size” means a minimum of 480 acres in the following Comprehensive Planning Districts: Hetch Hetchy, Johansen, Kiernan/Carver North, Paradise/Carpenter, Roselle/Claribel, or Whitmore Carpenter. A Specific Plan may encompass a smaller area if the City finds that it will constitute a significant portion of a distinct and cohesive neighborhood and will otherwise correlate with planning, installation, and financing of infrastructure for the Comprehensive Planning District.

No size standard is established for the Dry Creek, Stanislaus River, and Tuolumne River CPDs. No size standard is necessary in those Comprehensive Planning Districts where a comprehensive Specific Plan or Plans have been adopted. Similarly, no size standard is established for the Salida Comprehensive Planning District area.

## **2. Adoption of Comprehensive Planning Districts**

On the following pages, 23 Comprehensive Planning Districts are hereby adopted as Exhibits III-2 through III-23 inclusive. Brief descriptions of these Comprehensive Planning Districts are summarized in Exhibit III-1. The order presented does not imply the order in which each Comprehensive Plan should be processed. To the contrary, no phasing or sequencing of development is intended through the Comprehensive Planning District process, as long as each Specific Plan conforms to the requirements of its respective Comprehensive Planning District.

**EXHIBIT III-1, PAGE 1 OF 3: COMPREHENSIVE PLANNING DISTRICTS SUMMARY**

Exhibit No.	Comprehensive Planning District (CPD)	Land Use Designations within the CPD	Acreage	Dwelling Units	Jobs
<b>BASELINE DEVELOPED AREA</b>					
	Redevelopment Planned Area (RPA)	Residential, Commercial, Industrial	1,970	750	52,950
	Baseline Developed Area -(excludes RPA)	Residential, Commercial, Industrial, Mixed Use	21,200	126,160	93,860
<b>Total Acreage, Dwelling Units, and Jobs in Baseline Developed Area</b>			<b>23,170</b>	<b>126,910</b>	<b>146,810</b>
<b>PLANNED URBANIZING AREA</b>					
<b>Inside Sphere of Influence</b>					
III-3	Coffee/Claratina	Residential	140	1,080	---
		Regional Commercial	30	---	510
III-4	College West	Business Park	230	---	8,190
III-5	Dry Creek	Open Space	510	50	---
III-6	Empire North	Village Residential	220	1,370	150
III-7	Fairview	Village Residential	370	2,360	260
III-8	Hetch Hetchy	Village Residential	830	5,280	580
		Regional Commercial	130	---	2,500
III-9	Highway 132	Business Park	660	---	23,030
III-10	Johansen	Village Residential	600	3,810	420
III-11	Kiernan/Carver	Village Residential	730	4,620	510
		Regional Commercial	80	---	1,510
		Business Park	340	---	11,900
III-13	Kiernan/McHenry	Business Park	370	---	13,050
		Regional Commercial	100	---	1,990
III-14	North Beyer	Residential	130	960	---
		Mixed Use	30	280	270
		Village Residential	20	120	10
III-15	Paradise/Carpenter	Village Residential	810	5,110	570
III-16	Pelandale/McHenry	Residential	50	390	---
		Regional Commercial	30	---	660
III-17	Pelandale/Snyder	Village Residential	330	2100	230
		Mixed Use	60	510	480

**Exhibit III-1, Page 2 of 3: Comprehensive Planning Districts Summary**

Exhibit No.	Comprehensive Planning District (CPD)	Land Use Designations within the CPD	Acreage	Dwelling Units	Jobs
<b>PLANNED URBANIZING AREA</b>					
<b>Inside Sphere of Influence</b>					
III-18	Roselle/Claribel	Village Residential	1,290	8,200	910
		Business Park	260	---	9,010
		Regional Commercial	70	---	1,190
III-21	Tuolumne River	Open Space	1,630	160	---
III-22	Village One	Village Residential	1,590	10,080	1,110
		Business Park	310	---	10,910
III-23	Whitmore/Carpenter	Village Residential	690	4,380	480
<b>Total Acreage, Dwelling Units, and Jobs in the Planned Urbanizing Area (Inside Sphere of Influence)</b>			<b>12,640</b>	<b>50,860</b>	<b>90,430</b>
<b>Outside Sphere of Influence</b>					
III-2	Beckwith/Dakota	Business Park	690	---	24,150
		Regional Commercial	350	---	7,000
III-11	Kiernan/Carver	Business Park	230	---	8,050
III-12	Kiernan/Carver North	Village Residential	460	2,900	320
		Regional Commercial	30	---	660
III-19	Salida	Salida Community Plan	4,472	(B)	(B)
III-20	Stanislaus River	Open Space	810	(B)	(B)
<b>Total Acreage, Dwelling Units, and Jobs in the Planned Urbanizing Area (Outside Sphere of Influence)</b>			<b>7,042</b>	<b>2,900</b>	<b>40,180</b>
<b>GRAND TOTALS</b>					
<b>Total Acreage, Dwelling Units, and Jobs in the Baseline Developed Area and the Planned Urbanizing Area (Inside Sphere of Influence)</b>			<b>35,810</b>	<b>177,770</b>	<b>237,240</b>
<b>Total Acreage, Dwelling Units, and Jobs in the Baseline Developed Area, the Planned Urbanizing Area (Inside Sphere of Influence), and the Planned Urbanizing Area (Outside Sphere of Influence)</b>			<b>42,852</b>	<b>180,670</b>	<b>277,420</b>

(A) Acreages, population estimates, and employment estimates rounded to the nearest 10.

(B) The Salida Community Plan and Stanislaus River Comprehensive Planning District are administered by Stanislaus County. The status of these plans is uncertain at this time.



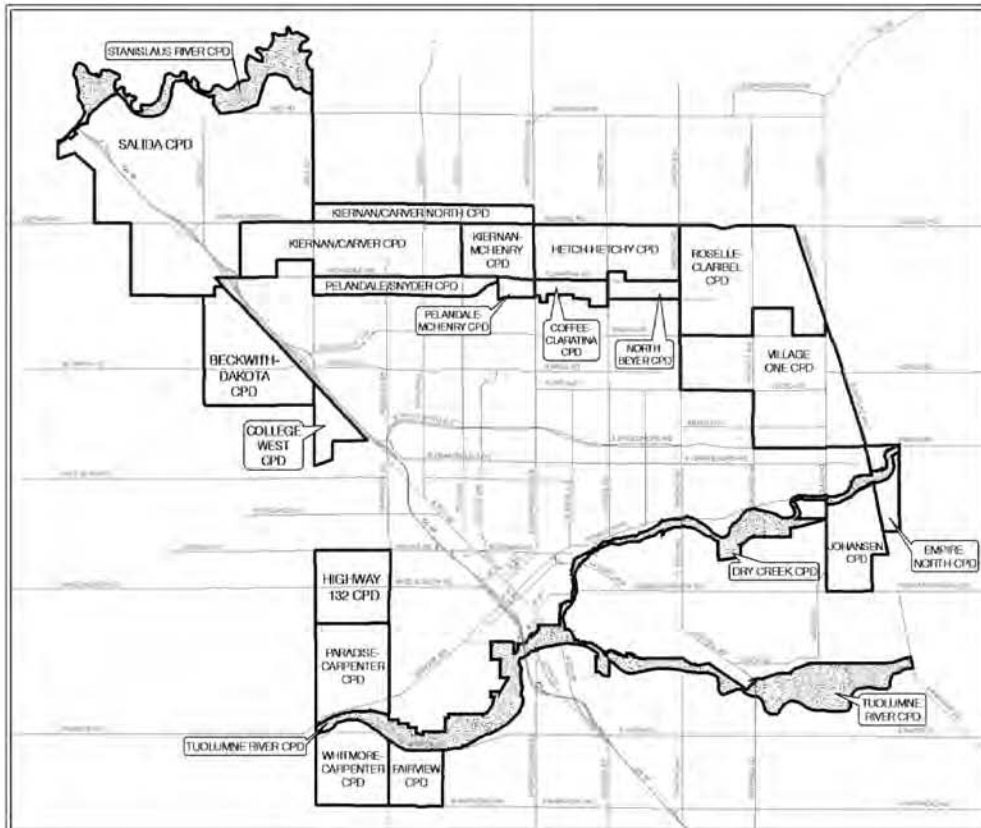
CITY of MODESTO

## GENERAL PLAN PROGRAM

EXHIBIT III-1, Page 3 of 3  
COMPREHENSIVE PLANNING  
DISTRICT SUMMARY

### LEGEND CPD BOUNDARIES

-  COMPREHENSIVE PLANNING DISTRICTS
-  OPEN SPACE COMPREHENSIVE PLANNING DISTRICTS
-  ARTERIAL STREETS



1:70,000

CPG Generated by MapInfo 2000/2002/2004/2006/2008



## **EXHIBIT III-2: BECKWITH/DAKOTA COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 1,040-acre Comprehensive Planning District is comprised of Commercial uses adjacent to a frontage road parallel with the Southern Pacific Railroad and Freeway 99, with Business Park Uses comprising the balance of the Comprehensive Planning District. Primary access to this Comprehensive Planning District would be from the Beckwith interchange with Freeway 99 and with a future expressway along Dakota Avenue, directly linking to the Kiernan Avenue expressway.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

- Approximately 690 acres designated “Business Park”
- Approximately 350 acres designated “Regional Commercial”

Approximately 31,150 jobs

#### **a. Distribution of Land Uses within the CPD**

The Regional Commercial land use should be sited along Freeway 99 to take advantage of the exposure to regional traffic.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, including:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Specific Plan Size Policies Section III-D.1)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) The Commercial uses adjacent to State Route 99 shall be designed to present an attractive gateway to the City.

**c. Housing Policy Implementation**

Because this Comprehensive Planning District does not propose any Residential uses, the Housing policies presented in Chapter IV do not apply to this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. Sewer service for this Comprehensive Planning District may be the installation of the West No. 2 Sanitary Sewer Trunk, or an alternative solution for sewer service may be found at the time of the preparation of a Specific Plan. A limited tie-in to the existing West Trunk may be permitted as an interim measure as determined by the Public Works and Transportation Department.

**6. Focused Environmental Impact Report**

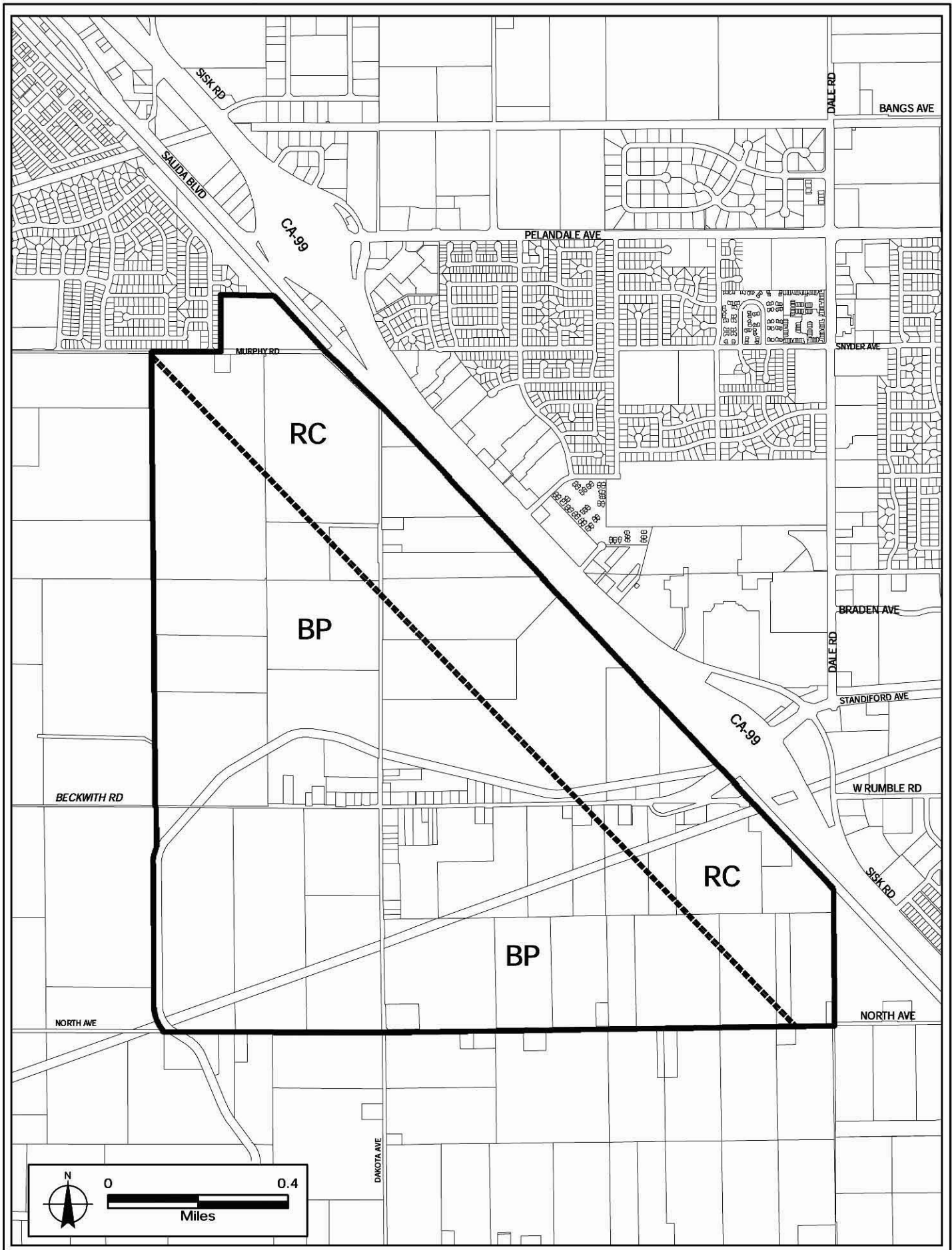
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 31,150 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundary between the Regional Commercial uses and the Business Park uses shall be determined by the Specific Plan.

# BECKWITH/DAKOTA CPD



## **EXHIBIT III-3: COFFEE/CLARATINA COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 170-acre Comprehensive Planning District is essentially an extension of the existing residential development pattern to the south.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- 140 acres designated “Residential”
- 30 acres designated “Regional Commercial”

Approximately 1,080 dwelling units

Approximately 510 jobs

#### **b. Distribution of Land Uses within the CPD**

The Regional Commercial should be located along McHenry Avenue to join the established Commercial uses on McHenry Avenue.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) “Neighborhood Plan Prototype” Policies (Section III-C.2)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 1,000 dwelling units.
- (2) Development in this Comprehensive Planning District should be considered an extension of the existing development immediately to the south.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a subtrunk in Coffee Road that ties into the existing sanitary sewer system.

**6. Mitigated Negative Declaration**

General Plan Policy III-D.(1[g]) specifically exempts the Coffee/Claratina Specific Plan from the requirement to prepare a Focused EIR. CEQA review for this Comprehensive Planning District shall be satisfied by a Mitigated Negative Declaration prepared pursuant to Section 2115.7.1 of CEQA.

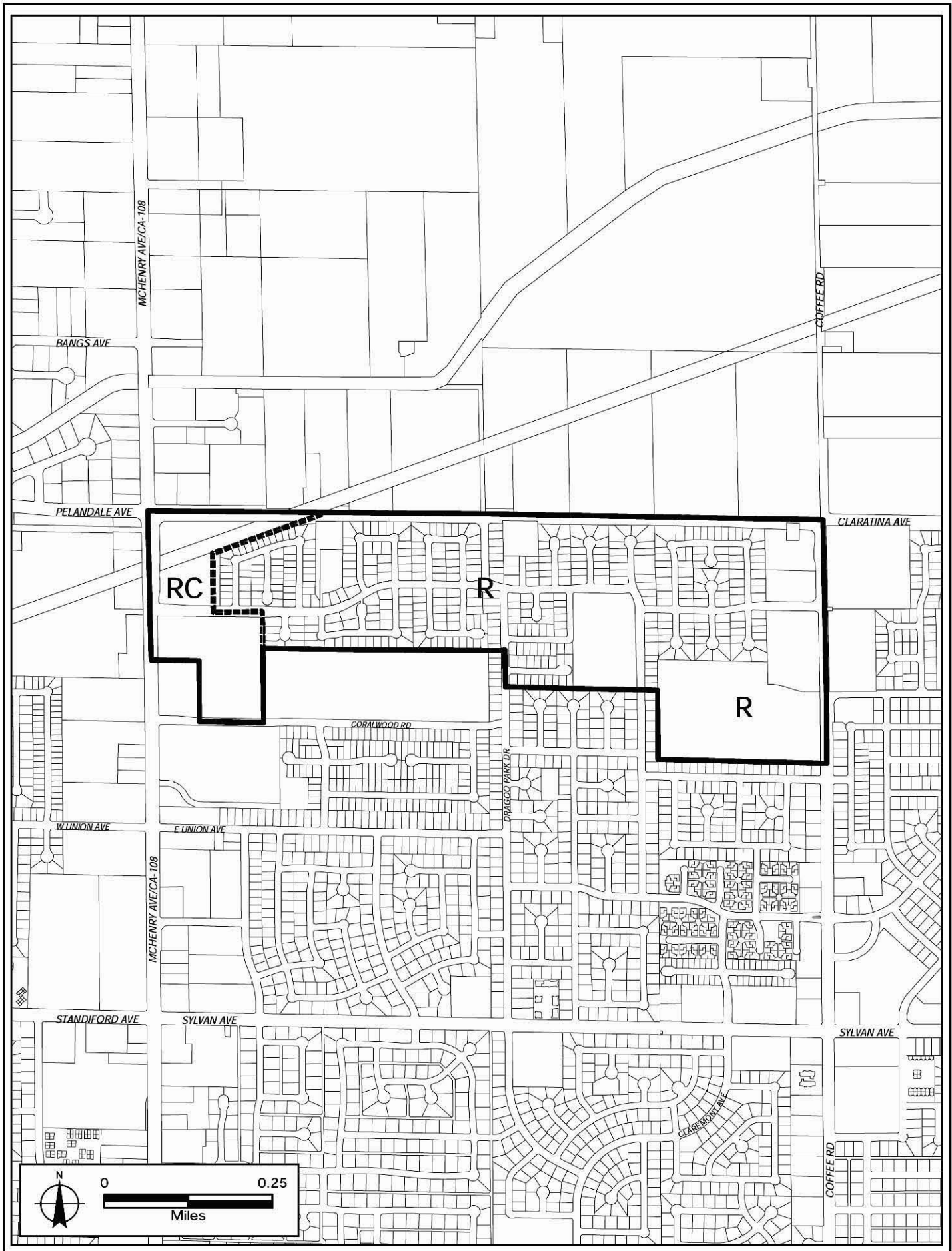
The Mitigated Negative Declaration for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 1,080 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 510 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

None

# COFFEE/CLARATINA CPD



## **EXHIBIT III-4: COLLEGE WEST COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 230-acre Comprehensive Planning District is comprised entirely of Business Park land uses. The site fronts on Brink Avenue frontage road, the Southern Pacific Railroad, and Freeway 99. Access to this Freeway is limited to the Beckwith and Carpenter interchanges.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 230 designated “Business Park”

Approximately 8,190 jobs

#### **b. Distribution of Land Uses within the CPD**

Not applicable, as there is only one land use proposed

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Specific Plan Size Policies (Section III-D.1)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) The Business Park uses located adjacent to State Route 99 shall be designed to present an attractive gateway to the City.

**c. Housing Policy Implementation**

Because this Comprehensive Planning District does not propose any residential uses, the Housing policies presented in Chapter IV do not apply to this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is presently served by the West Sanitary Sewer Trunk.

**6. Focused Environmental Impact Report**

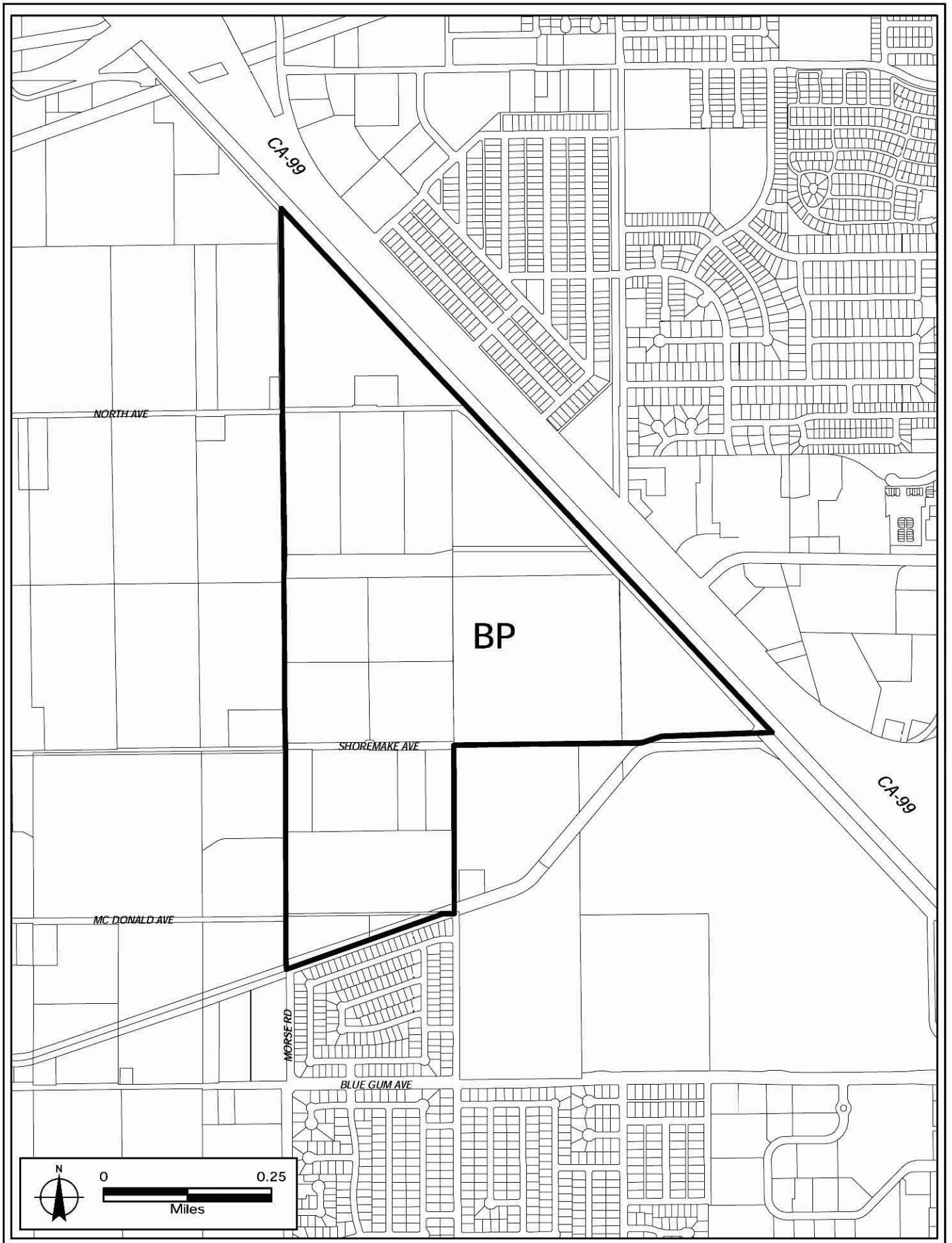
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 8,190 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The Final EIR prepared for the College West Industrial Park in 1991 will need to be reviewed and updated and subsequently consulted for the preparation of the Specific Plan for this Comprehensive Planning District.

# COLLEGE WEST CPD



## **EXHIBIT III-5: DRY CREEK COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 510-acre Comprehensive Planning District contains a significant amount of public land owned by the City of Modesto, along the Dry Creek flood plain. The adoption of a Park Master Plan and the creation of a regional park is anticipated in this Comprehensive Planning District. The Park Master Plan and the Dry Creek CPD are to be generally consistent with the Tuolumne River Regional Park Master Plan's objectives.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall help support the future Park Master Plan and shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 510 acres designated "Open Space"

To account for existing residences, and the limited potential for additional dwelling units, a residential density of one unit per 10 acres is assumed. This results in a total development potential of approximately 50 dwelling units over the 510 acres.

#### **b. Distribution of Land Uses within the CPD**

Not applicable, as there is only one land use proposed

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District anticipates a public park. Prior to acquiring parcels, interim residential uses may be allowed, as provided by the Open Space Land Use Designation presented in Section III-B. These uses may be allowed without a Specific Plan.

**c. Housing Policy Implementation**

Because this Comprehensive Planning District does not propose or facilitate additional residential development, the Housing policies presented in Chapter IV do not apply to this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by adjacent City sewer lines.

**6. Focused Environmental Impact Report**

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 50 dwelling units was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

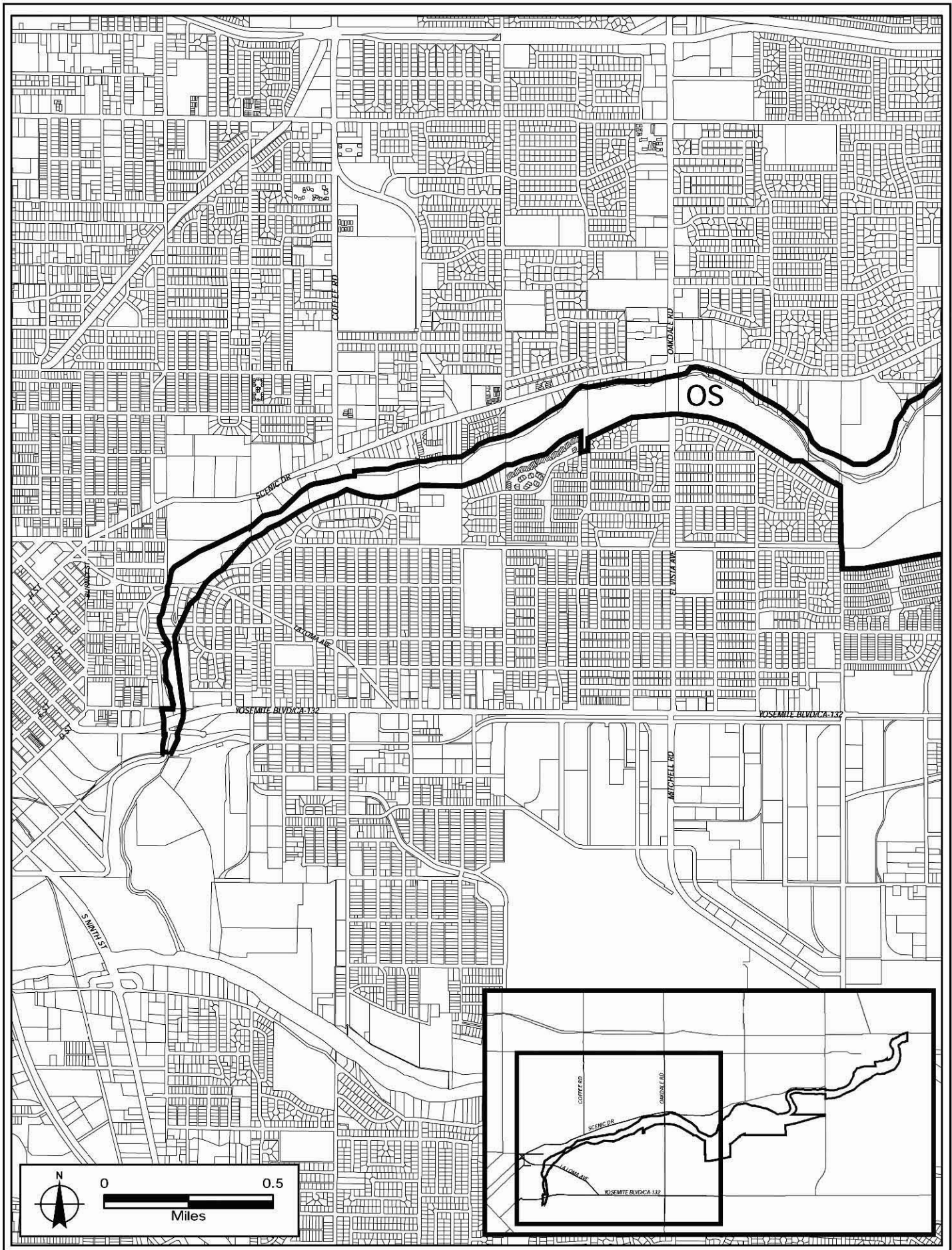
- a. The exact boundaries of this Comprehensive Planning District shall be determined by the Specific Plan.
- b. The preparation of a Park Master Plan for the regional park shall suffice as the Specific Plan for this Comprehensive Planning District. However, until a Park Master Plan is completed for these areas, the Tuolumne River Regional Park Master Plan shall be the guiding plan for the Dry Creek CPD.
  - (1) Provide recreational opportunities that accommodate multiple purposes and changes in recreational preferences over time.
  - (2) Expand park and trail systems as land becomes available.

- (3) Create active and passive recreational areas with universal access.
- (4) Develop adequate support facilities for recreational activities.
- (5) Consider the natural forces influencing the development of recreational areas, including potential flooding, prevailing winds, sun orientation, and topography.
- (6) Create identifiable park entrances. Develop an identifiable and comprehensive program of park signage and graphics.
- (7) Provide adequate circulation, free of modal conflicts, throughout the park in order to accommodate pedestrians, bicyclists, and vehicles, as well as equestrians and boaters, if appropriate. Provide opportunities for park access via public transportation.
- (8) Provide a continuous trail linkage throughout the park that includes a range of experiences.
- (9) Provide vehicular and pedestrian connections to the park that are direct and user-friendly.
- (10) Provide adequate parking for park activities.
- (11) Protect and enhance sensitive habitats and natural areas, including wetlands and riparian corridors, when feasible.
- (12) Preserve and enhance existing wildlife habitat areas, when feasible.
- (13) Protect and enhance aquatic species and habitat, when feasible.
- (14) Promote a flood management program that provides protection from catastrophic flooding and contributes to the ecological values of the river corridor.
- (15) Preserve and protect historical and archaeological resources, when feasible. The location of archaeological resources shall not be disclosed to the public.
- (16) Principles of river restoration, recreation and preservation of open space values as outlined in the Tuolumne River Regional Park Master Plan shall apply.

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# DRY CREEK CPD

## MAP 1



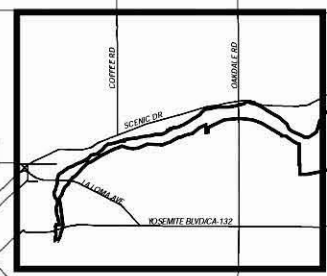
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YOSEMITE BLVD CA-132

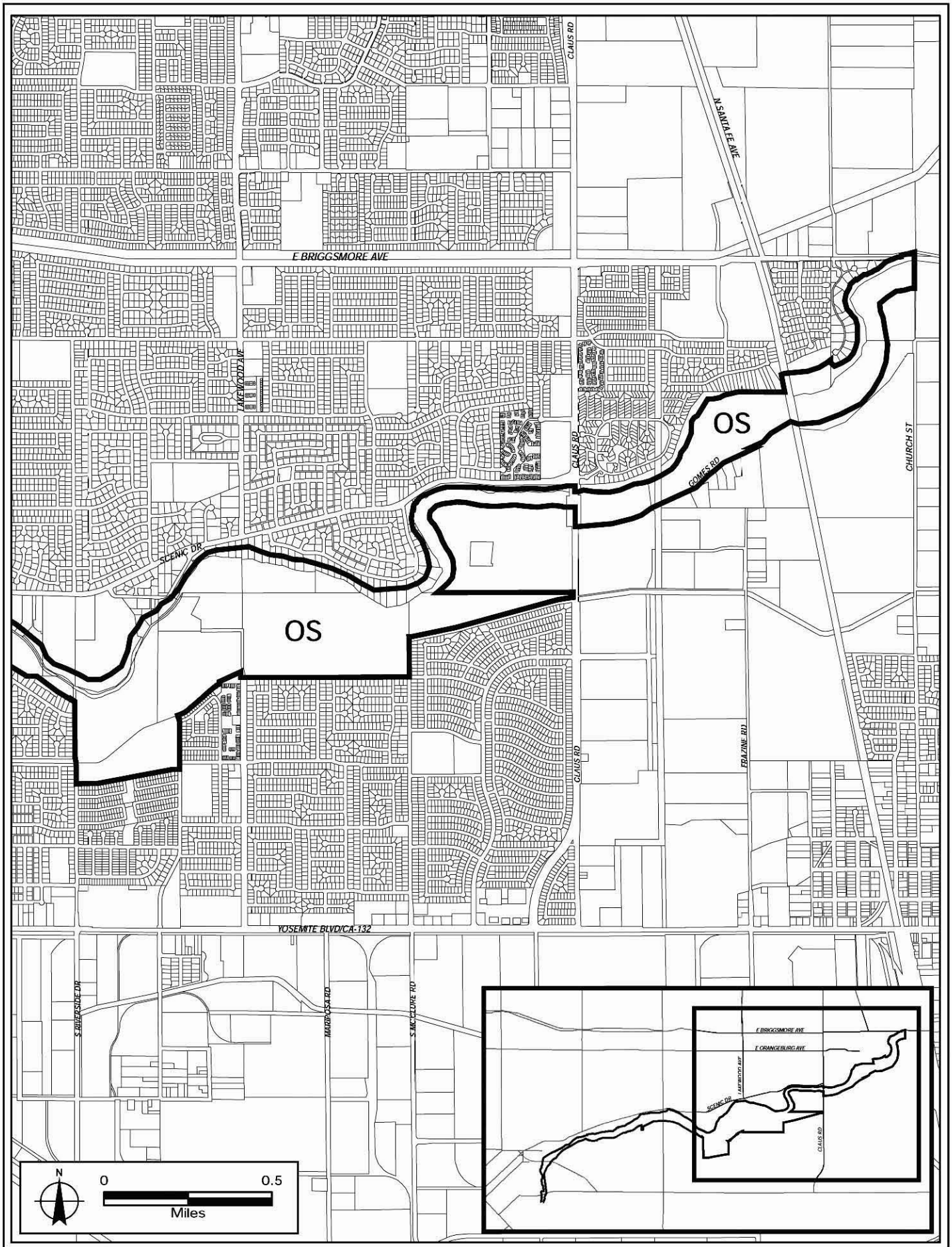


Miles



# DRY CREEK CPD

## MAP 2



## **EXHIBIT III-6: EMPIRE NORTH COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This 220-acre Comprehensive Planning District proposes predominantly “Village Residential” uses immediately north of existing residential development in Empire. This two-part Comprehensive Planning District is divided by the Dry Creek Comprehensive Planning District which includes the Dry Creek flood plain area.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 220 acres designated “Village Residential”

Approximately 1,370 dwelling units

Approximately 150 jobs

#### **b. Distribution of Land Uses within the CPD**

- Approximately 60 acres north of Dry Creek CPD designated “Village Residential”
- Approximately 160 acres south of Dry Creek CPD designated “Village Residential”

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)

This area may develop without application of neotraditional principles:

- The Comprehensive Plan north of Dry Creek CPD

This area shall develop according to neotraditional principles as described in Chapter III C, Land Use Policies:

- The Comprehensive Plan south of Dry Creek CPD
- (3) Specific Plan Size Policies (Section III-D.1)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 1,370 dwelling units.
- (2) Compatibility with Burlington Northern Santa Fe Railroad, as a significant noise generator, should be addressed in the Specific Plan for this Comprehensive Planning District.
- (3) The Specific Plan for this Comprehensive Planning District should incorporate open space and recreational opportunities along Dry Creek, to be compatible with the Dry Creek Comprehensive Planning District. These may incorporate the River Greenway Program policies presented in Section B.6 of Chapter VII.
- (4) Notwithstanding the Park Planning Area on Figure V-5, No. 74, the residential area north of Dry Creek does not need to provide access to any neighborhood parks south of Dry Creek.

#### **c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

### **5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the Yosemite Sanitary Sewer Trunk. As an interim measure, a tie-in to the existing sanitary sewer lines in Empire may be permitted, as determined by the Public Works and Transportation Department.

## **6. Focused Environmental Impact Report**

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 1,370 dwelling units was assumed for the Comprehensive Planning District.
- b. A total of 150 employees was assumed for the Comprehensive Planning District.
- c. A biological analysis will need to be prepared.

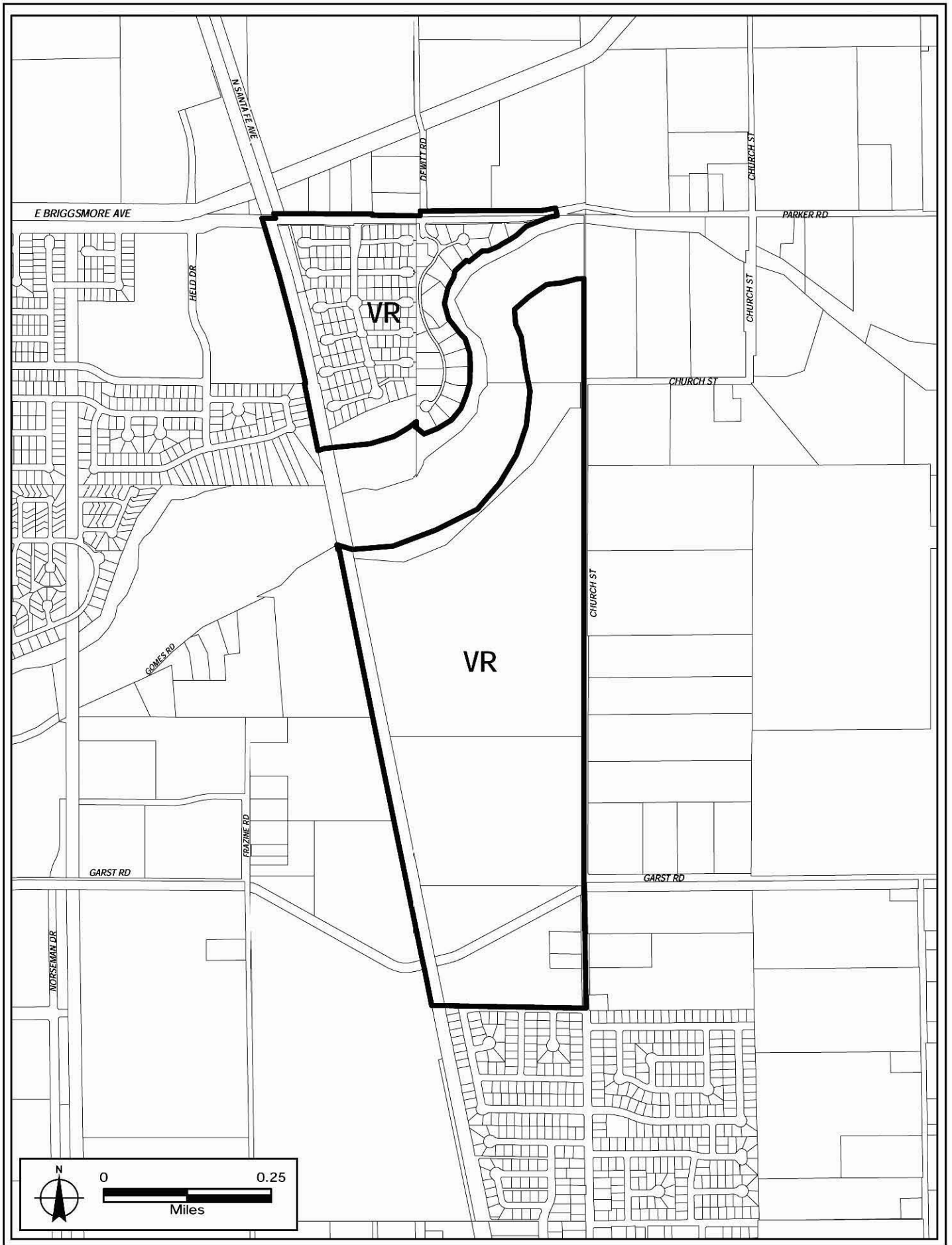
## **7. Special Considerations Unique to this Comprehensive Planning District**

The portion of this CPD south of Dry Creek has been combined with the Johansen CPD for planning purposes. Constraints on development of this area include:

- a. The Burlington Northern Santa Fe Railroad
- b. The Dry Creek and the flood plain
- c. The segmented nature of the CPD
- d. The Eastside Mosquito Abatement District's Airstrip

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# EMPIRE NORTH CPD



## **EXHIBIT III-7: FAIRVIEW COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This Comprehensive Planning District proposes the preparation of a Specific Plan that will provide for the orderly development of approximately 370 acres of agricultural land with a variety of residential uses, a neighborhood commercial center, an elementary school, and neighborhood parks. Approximately 2,250 residential units are proposed, although approximately 2,360 units are assumed, based upon Land Use Designation densities. The project boundaries include Fairview Elementary School, and a second elementary school is proposed within the project site. Approximately 25 acres of parks are proposed.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- 370 acres designated “Village Residential”

Approximately 2,360 dwelling units

Approximately 260 jobs

#### **b. Location**

The support commercial uses in the Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District shall contain a maximum of 2,360 dwelling units.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a short subtrunk extension from the trunk sewer in South Modesto.

**6. Focused Environmental Impact Report**

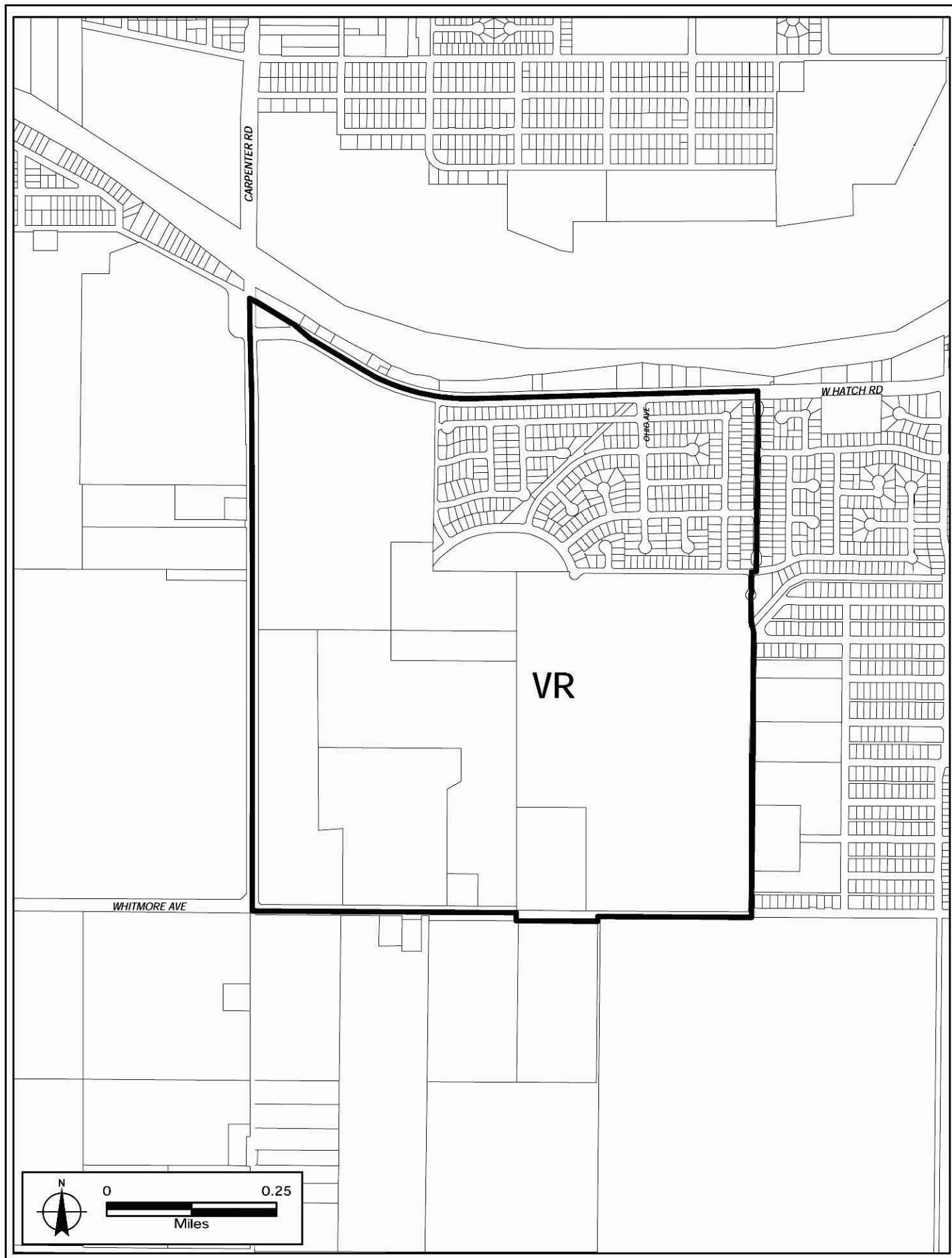
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 2,360 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 260 employees was assumed for this Comprehensive Planning.

**7. Special Considerations Unique to this Comprehensive Planning District**

A Specific Plan amendment is under way to make the Specific Plan consistent with the Urban Area General Plan. A new EIR will also be required because substantial new information has become available since the 1995 EIR was certified.

# FAIRVIEW CPD



## **EXHIBIT III-8: HETCH HETCHY COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 960-acre Comprehensive Planning District, located between Claribel Road and Claratina Avenue (a proposed expressway), proposes predominantly “Village Residential” uses. The Hetch Hetchy electrical transmission lines and aqueduct, which ultimately serve the City and County of San Francisco, traverse this site in a 110-foot-wide right-of-way.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 830 acres designated “Village Residential”
- Approximately 130 acres designated “Regional Commercial”

Approximately 5,280 dwelling units

Approximately 3,080 jobs

#### **b. Distribution of Land Uses within the CPD**

- (1) The Regional Commercial uses are located along the east side of McHenry Avenue to accommodate the established Commercial uses along McHenry Avenue.
- (2) The supporting Commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)

- (2) Neotraditional Planning Principles (Section III-C.3)
- (3) Specific Plan Size Policies (Section III-D.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District shall contain a maximum of 5,280 dwelling units and 3,080 jobs.
- (2) The Hetch Hetchy right-of-way, power lines, and aqueduct that traverse this Comprehensive Planning District present a significant design constraint that should be addressed.
- (3) The Regional Commercial uses should be located along the east side of McHenry Avenue to join the established Commercial uses along McHenry Avenue.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by an extension of the North Trunk from Dale Road easterly through two Comprehensive Planning Districts: Kiernan/Carver and Kiernan/McHenry.

**6. Focused Environmental Impact Report**

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

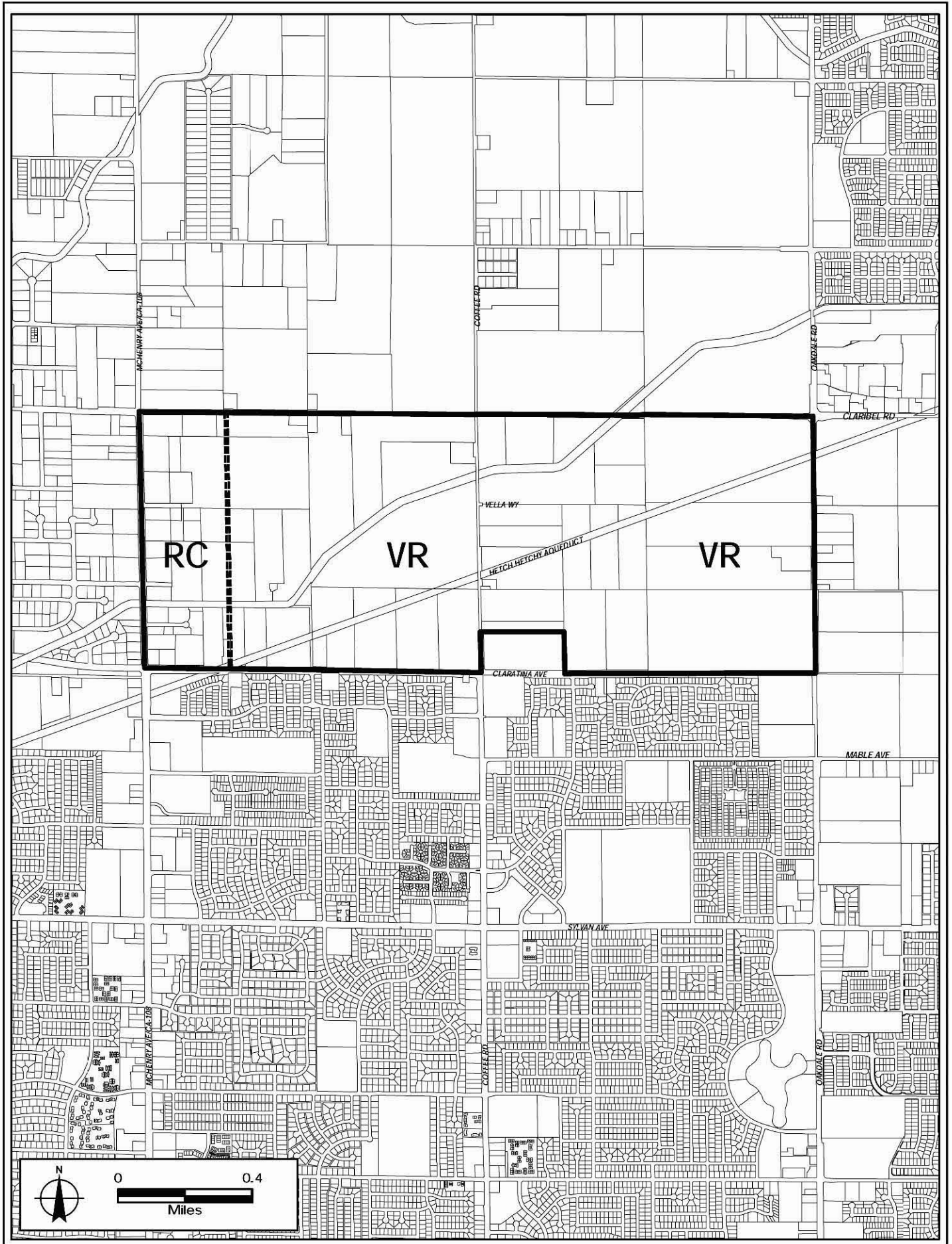
- a. A total of 5,280 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 3,080 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundary between the Village Residential and Regional Commercial uses will be determined by the Specific Plan.

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# HETCH HETCHY CPD



## **EXHIBIT III-9: HIGHWAY 132 BUSINESS PARK COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 660-acre Comprehensive Planning district proposes a Business Park that would benefit from its proximity to Highway 132.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 660 acres designated “Business Park”

Approximately 23,030 jobs

#### **b. Distribution of Land Uses within the CPD**

Not applicable, as there is only one land use proposed

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Specific Plan Size Policies (Section III-D.1)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) The Business Park uses adjacent to Highway 132 shall be designed to present an attractive gateway to the City.

- (2) Adequate buffering shall be provided between Business Park uses and residential uses to the north, east, and south.

**c. Housing Policy Implementation**

Because this Comprehensive Planning District does not propose any residential uses, the Housing policies presented in Chapter IV do not apply to this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is already served by the West Sanitary Sewer Trunk.

**6. Focused Environmental Impact Report**

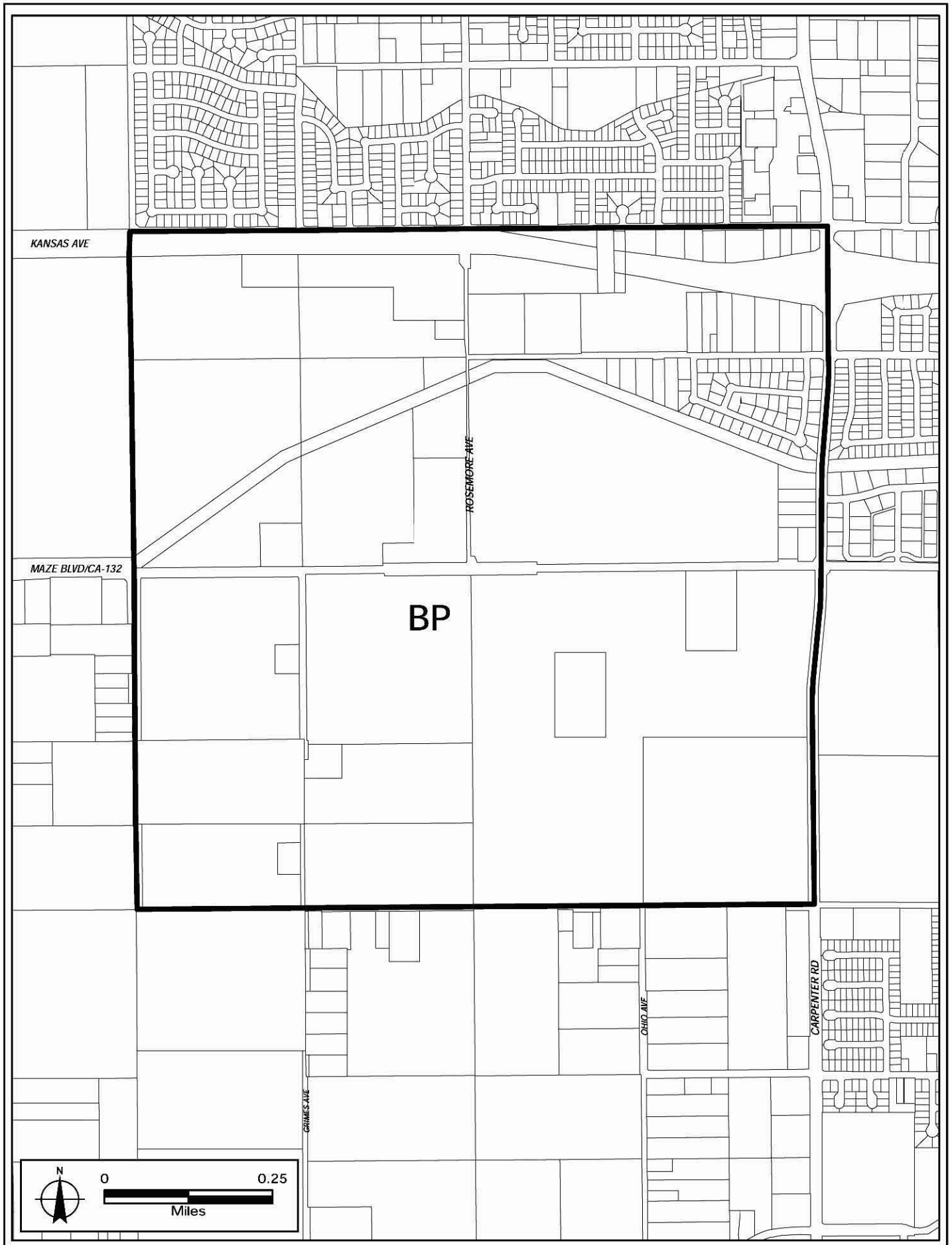
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 23,030 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

None

# HIGHWAY 132 CPD



## **EXHIBIT III-10: JOHANSEN COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 600-acre Comprehensive Planning District proposes predominantly “Village Residential” uses located immediately east of the Claus Expressway. Johansen High School, with significant community and recreational facilities, will serve as a major focal point in this future community.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- 600 acres designated “Village Residential”

Approximately 3,810 dwelling units

Approximately 420 jobs

#### **b. Distribution of Land Uses within the CPD**

Not applicable, as there is only one land use proposed

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)
- (3) Specific Plan Size Policies (Section III-D.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District shall contain a maximum of 3,810 dwelling units and 420 jobs.
- (2) Johansen High School and Sutton Community Park, as significant existing public facilities, should be a focal point in this Comprehensive Planning District.
- (3) Compatibility with Burlington Northern Santa Fe Railroad, as a significant noise generator, should be addressed in the Specific Plan for this Comprehensive Planning District.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the easterly extension of the Yosemite Sanitary Sewer Trunk along Yosemite Boulevard from Claus Road adjacent to the West, to the Town of Empire.

**6. Focused Environmental Impact Report**

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

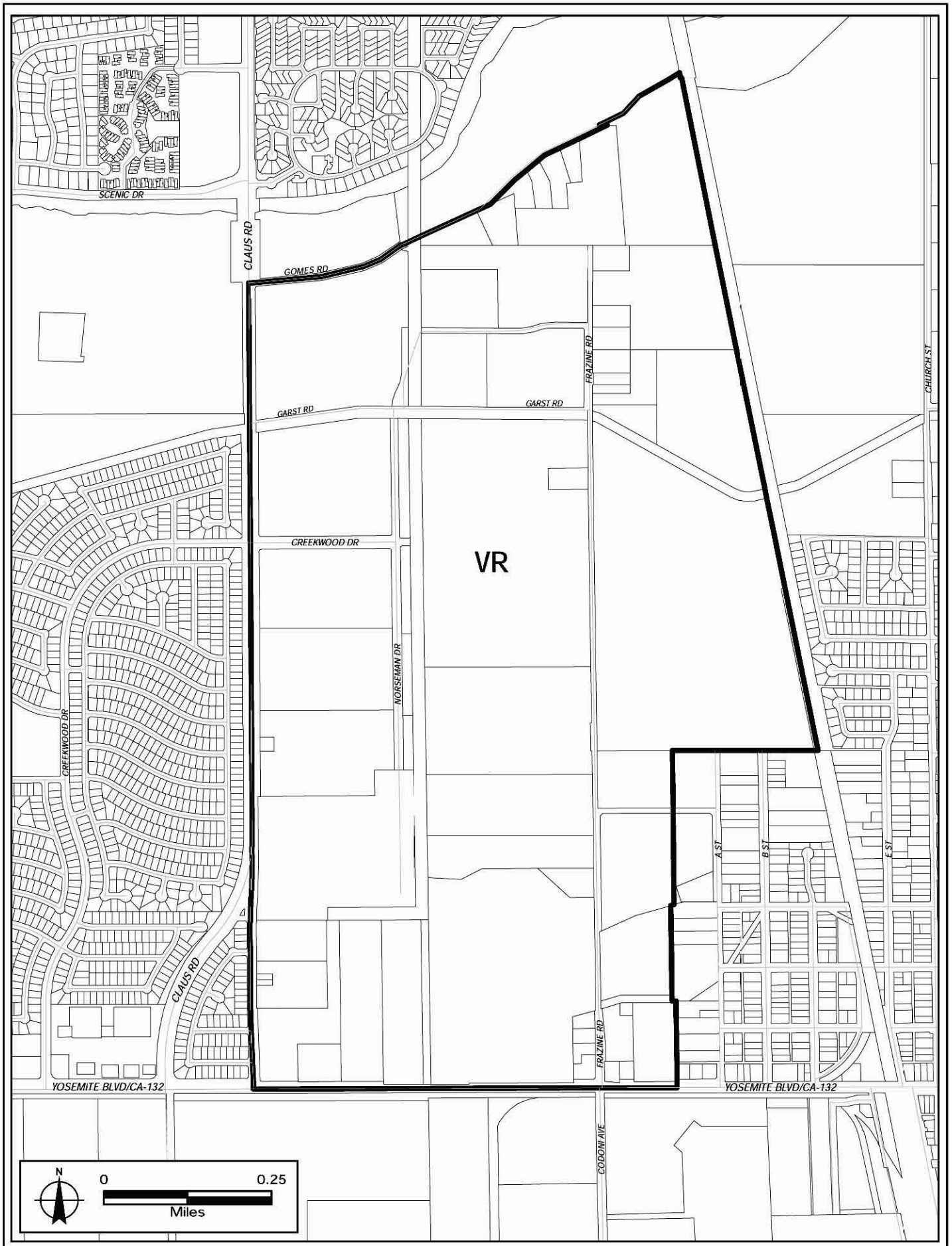
- a. A total of 3,810 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 420 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The portion of the Empire North CPD South of Dry Creek has been combined with the Johansen CPD for planning purposes. The entire area will be planned as a single unit, which presents some difficulties, due to the locations of the Burlington Northern - Santa Fe Railroad, the MID canal, and existing development.

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# JOHANSEN CPD



## **EXHIBIT III-11: KIERNAN/CARVER COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 1,380-acre Comprehensive Planning District proposes a 570-acre Business Park fronting on the future Pelandale Avenue and Kiernan Avenue expressways, and 730 acres of Village Residential uses on the eastern half of the Comprehensive Planning District. Also included are 80 acres of Regional Commercial on Pelandale Avenue.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 730 acres designated “Village Residential”
- Approximately 570 acres designated “Business Park,” which lie outside the City’s Sphere of Influence.
- Approximately 80 acres designated “Regional Commercial”

Approximately 21,970 jobs

Approximately 4,620 dwelling units

#### **b. Distribution of Land Uses within the CPD**

- (1) The Regional Commercial uses should be located near Highway 99 to take advantage of regional traffic.
- (2) The supporting commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Adequate buffering should be provided between the Business Park uses and Residential use to the south and east.
- (2) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 4,620 dwelling units.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by an extension of the North Sanitary Sewer Trunk.

**6. Focused Environmental Impact Report**

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 21,970 employees was assumed for this Comprehensive Planning District.
- b. A total of 4,620 dwelling units was assumed for this Comprehensive Planning District.

The following areas of this Comprehensive Planning District have been analyzed by a Final Focused EIR (SCH #94082005), and projects consistent with the General Plan, and the applicable Specific Plans do not need further environmental analysis under CEQA:

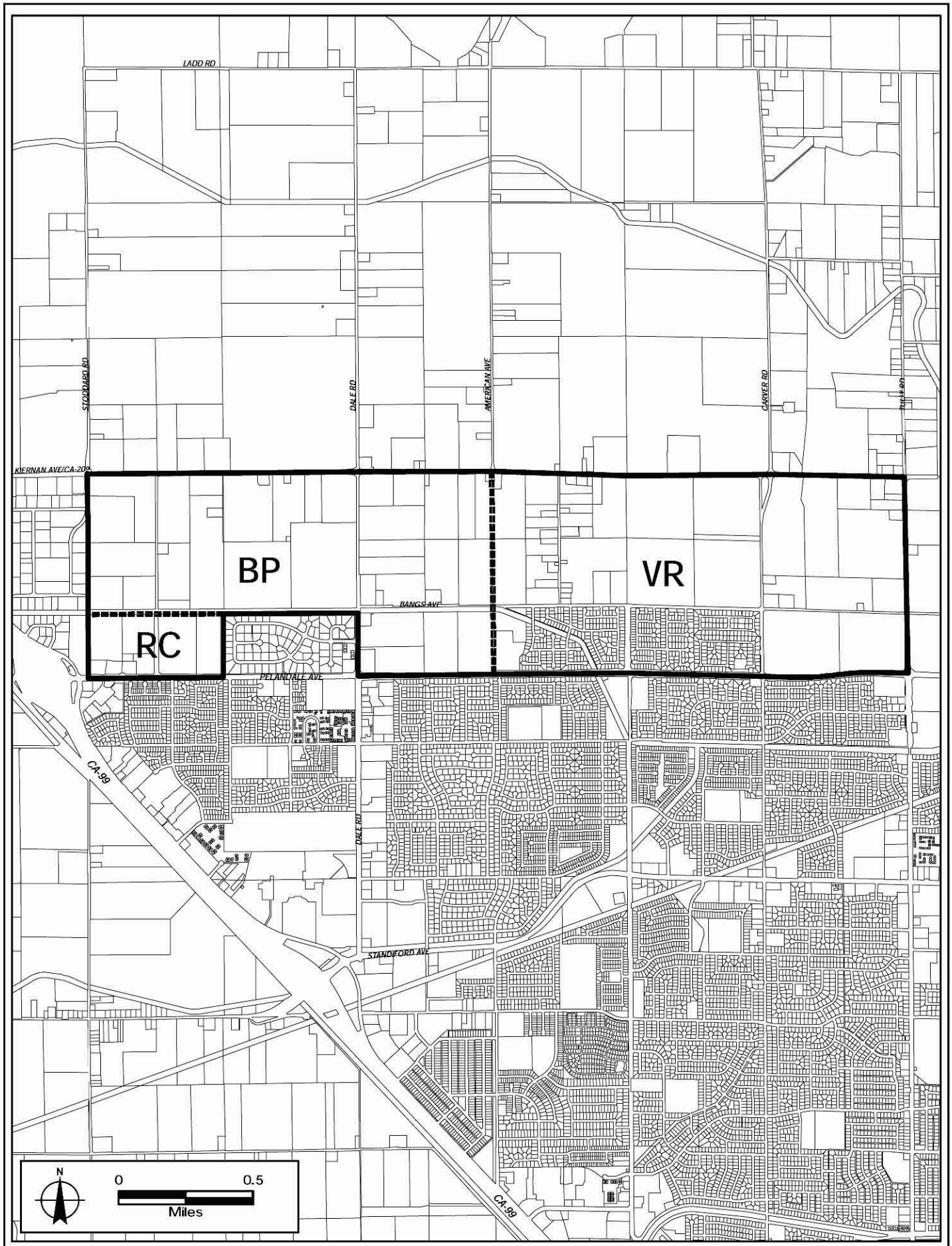
- a. Parcels located within the Kiernan Business Park Specific Plan
- b. Parcels located within the Carver-Bangs Specific Plan
- c. Assessor's Parcel Nos. 78-15-17 and 78-15-11

**7. Special Considerations Unique to this Comprehensive Planning District**

The final boundaries of the Business Park shall be determined by the Specific Plan.

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# KIERNAN/CARVER CPD



## **EXHIBIT III-12: KIERNAN/CARVER NORTH COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 490-acre Comprehensive Planning District, location on the north side of Kiernan Avenue (a proposed expressway), proposes predominantly “Village Residential” uses, with Regional Commercial uses along McHenry Avenue. The entire Comprehensive Planning District lies outside the City’s Sphere of Influence.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- 460 acres designated “Village Residential”
- 30 acres designated “Regional Commercial”

Approximately 980 jobs

Approximately 2,900 dwelling units

#### **b. Distribution of Land Uses within the CPD**

- (1) The Regional Commercial uses are along the west side of McHenry Avenue to accommodate the established Commercial uses on McHenry Avenue.
- (2) The supporting Commercial uses in the Village Residential portion of this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)

- (2) Neotraditional Planning Principles (Section III-C.3)
- (3) Specific Plan Size Policies (Section III-D.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 2,900 dwelling units.
- (2) The Regional Commercial uses should be located along the west side of McHenry Avenue to join the established Commercial uses along McHenry Avenue.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by an extension of the North Trunk from Dale Road easterly through the Kiernan/Carver Comprehensive Planning District.

**6. Focused Environmental Impact Report**

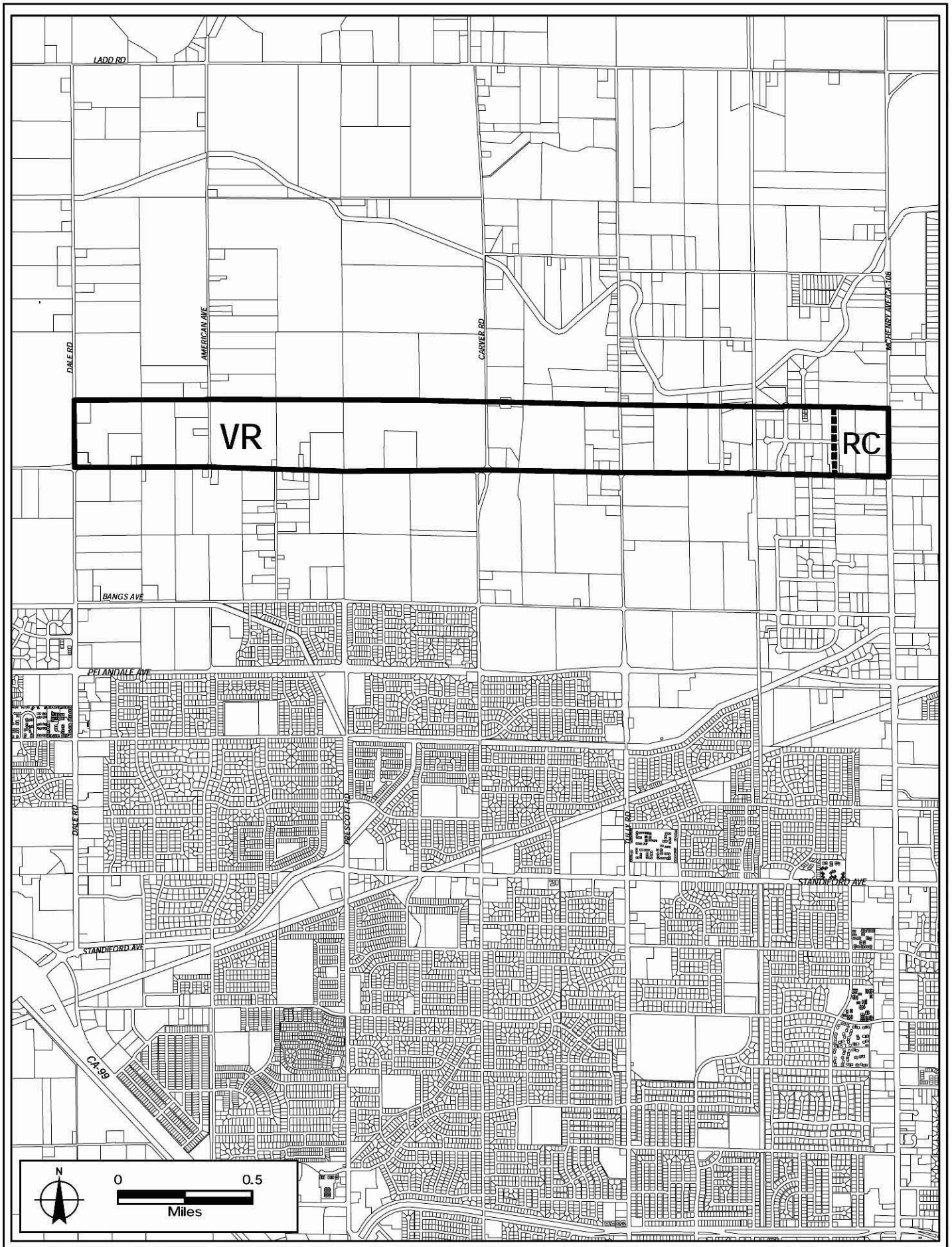
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 2,900 employees was assumed for this Comprehensive Planning District.
- b. A total of 980 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundary between the Village Residential and Regional Commercial uses will be determined by the Specific Plan.

# KIERNAN/CARVER NORTH CPD



## **EXHIBIT III-13: KIERNAN/McHENRY COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 470-acre Comprehensive Planning District is composed of Commercial and Business Park uses, designated to take advantage of access along Kiernan Avenue (State Route 219). This Comprehensive Planning District may also support future light rail transit along the present Union Pacific Railroad tracks.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 370 acres designated “Business Park”
- Approximately 100 acres designated “Regional Commercial”

Approximately 15,040 jobs

#### **b. Distribution of Land Uses within the CPD**

The Regional Commercial is sited along McHenry Avenue to join the existing Regional Commercial uses on McHenry Avenue.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Specific Plan Size Policies (Section III-D.1.)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) The design of this Comprehensive Planning District should support the future use of light rail along the Union Pacific tracks.

**c. Housing Policy Implementation**

Because this Comprehensive Planning District does not propose any residential uses, the Housing policies presented in Chapter IV do not apply to this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the North Sanitary Sewer Trunk after it is extended easterly through the Kiernan/Carver Comprehensive Planning District.

**6. Focused Environmental Impact Report**

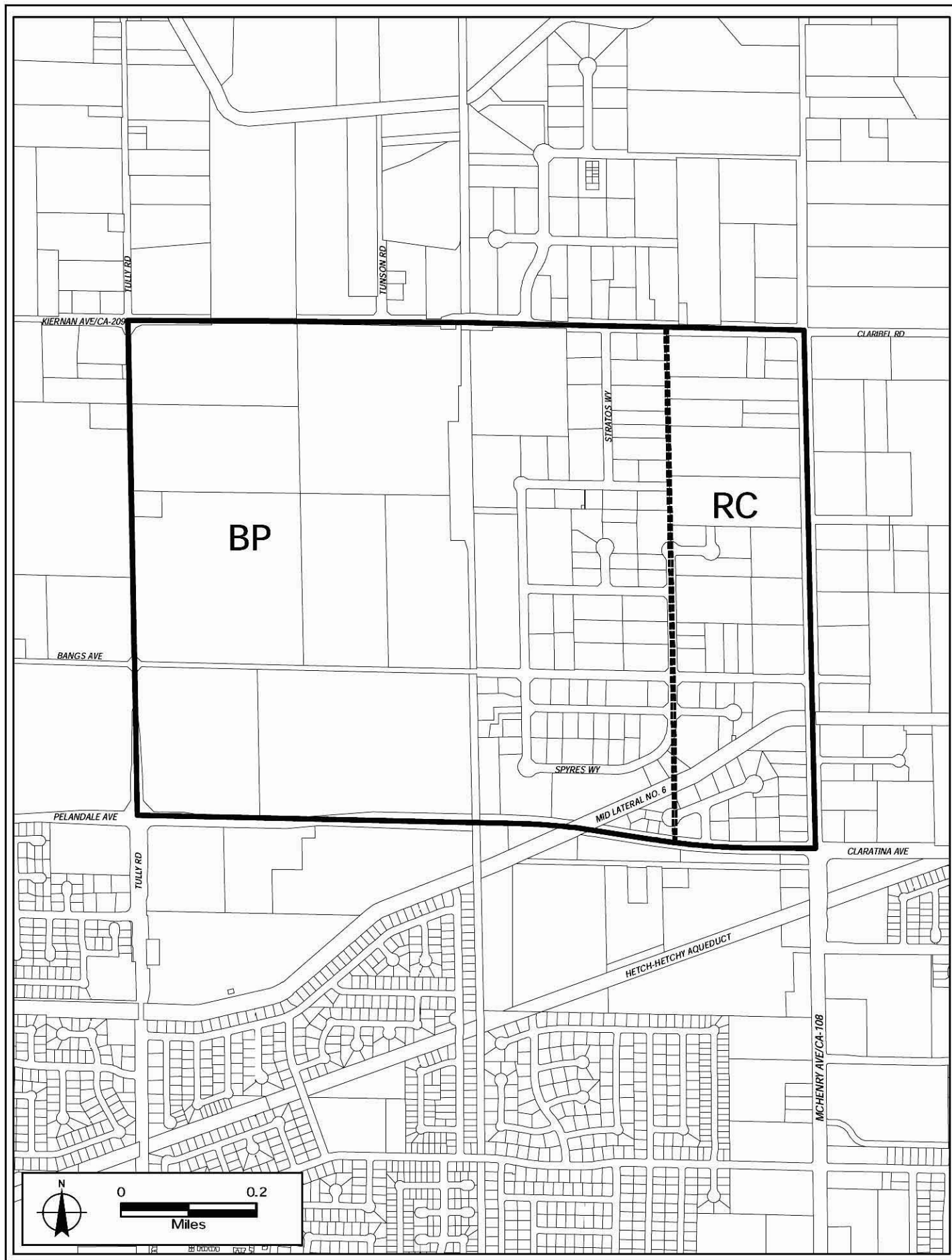
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 15,040 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundary between the Business Park and Regional Commercial uses will be determined by the Specific Plan.

# KIERNAN/MCHENRY CPD



## **EXHIBIT III-14: NORTH BEYER COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 180-acre Comprehensive Planning District is essentially an extension of the existing residential development (Beyer Neighborhood) south of Mable Avenue.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 130 acres designated “Residential”
- Approximately 30 acres designated “Mixed Use”
- Approximately 20 acres designated “Village Residential”

Approximately 1,360 dwelling units

Approximately 280 jobs

#### **b. Distribution of Land Uses within the CPD**

The Mixed Use areas are located: 1) along Coffee Road between Pelandale Expressway and Mable Avenue; 2) on the southwest corner of the Oakdale Road Pelandale Expressway intersection.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) “Neighborhood Plan Prototype” Policies (Section III-C.2)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 1,200 dwelling units.
- (2) Neighborhood Shopping Center(s) developed within the Mixed Use areas shall be consistent with the City's Neighborhood Shopping Center Policy.
- (3) The Village Residential 20 acres shall be developed as a church or remain as golf a course/driving range. If the 20 acres of Village Residential is proposed to be developed as any other use, it will be required to develop with the Hetch Hetchy CPD, and be subject to all development guidelines contained in the Hetch Hetchy CPD Exhibit III-8.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a subtrunk in Coffee Road that ties into the existing sanitary sewer system.

**6. Focused Environmental Impact Report**

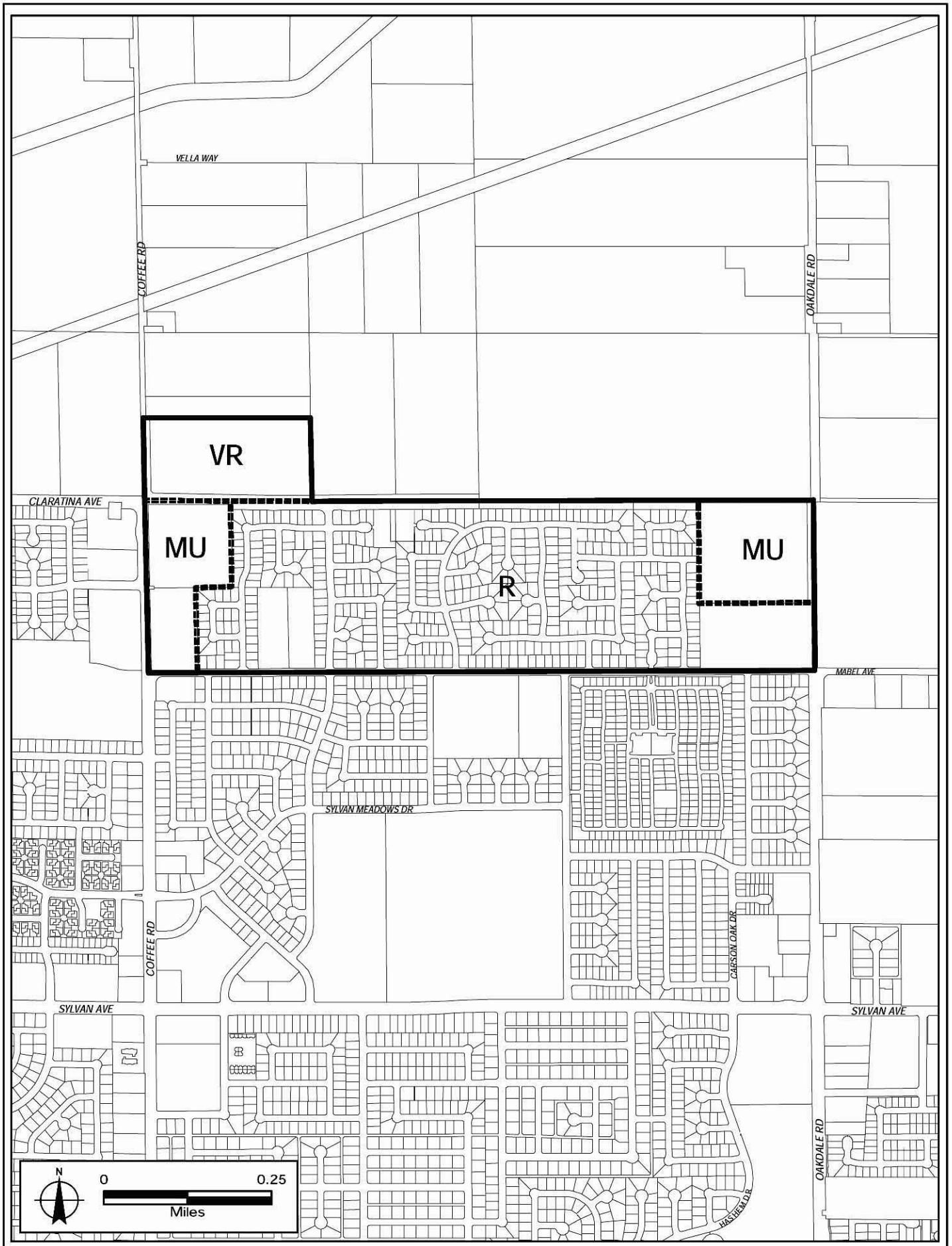
General Plan Policy III-D.1[g] specifically exempts the North Beyer CPD from the requirement to prepare a Focused EIR. CEQA review for the Specific Plan for the North Beyer Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A maximum of 1,200 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 280 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

None

# NORTH BEYER CPD



## **EXHIBIT III-15: PARADISE/CARPENTER COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 810-acre Comprehensive Planning District promotes predominantly “Village Residential” uses. The eastern boundary of this Comprehensive Planning District would take access to a future Carpenter Road Expressway.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 810 acres designated “Village Residential”

Approximately 570 jobs

Approximately 5,110 dwelling units

#### **b. Distribution of Land Uses within the CPD**

The Support Commercial uses in this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential development.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)
- (3) Specific Plan Size Policies (Section III-D.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 5,110 dwelling units.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is already served by the West Sanitary Sewer Trunk.

**6. Focused Environmental Impact Report**

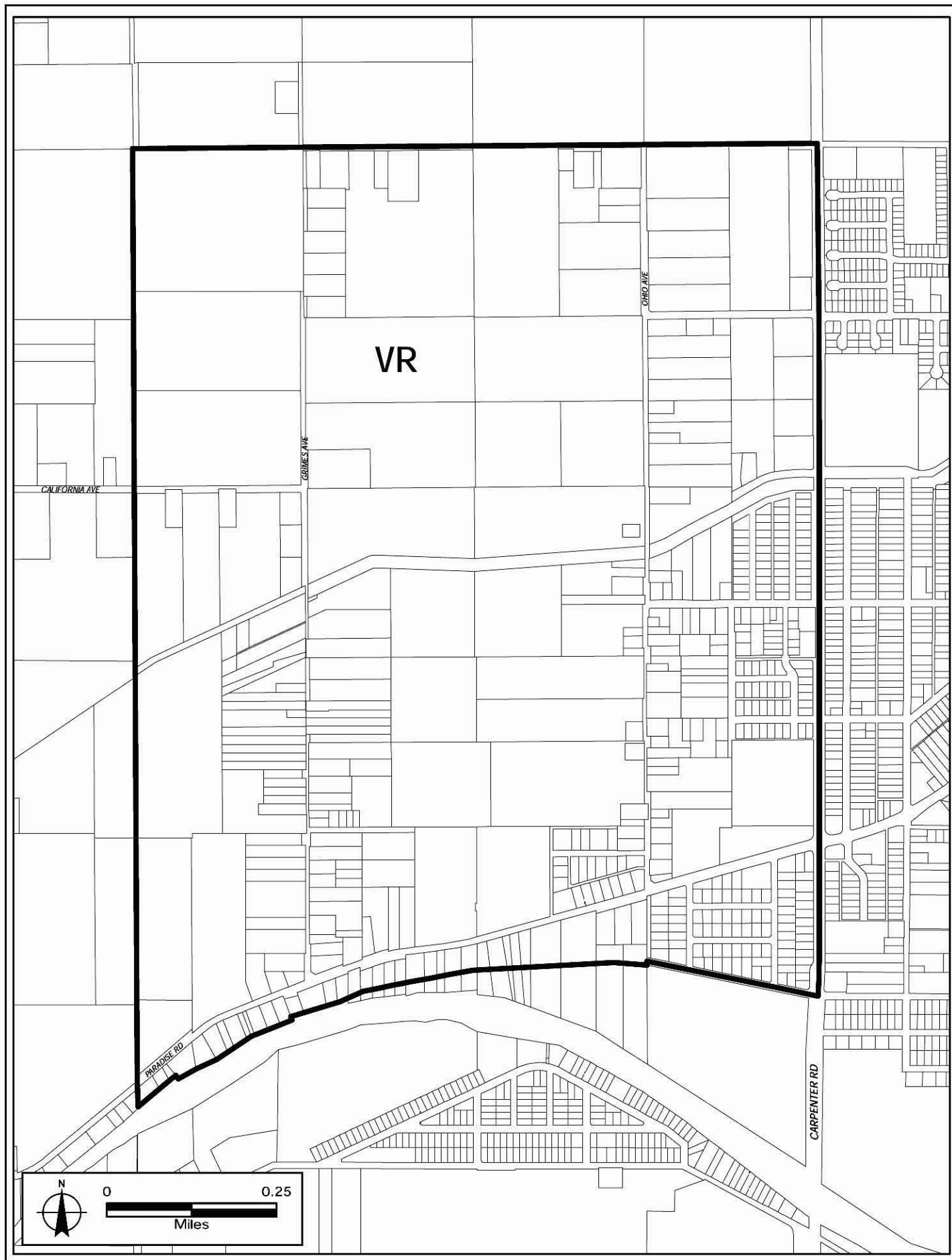
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 5,110 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 570 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundaries of this Comprehensive Planning District will be determined by the Specific Plan.

# PARADISE/CARPENTER CPD



## **EXHIBIT III-16: PELANDALE/McHENRY COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 80-acre Comprehensive Planning District is composed of Residential and Commercial uses, designed to take advantage of access along McHenry Avenue. This Comprehensive Planning District, in conjunction with the Kiernan/McHenry Comprehensive Planning District, may also support future light rail transit along the present Union Pacific Railroad Tracks.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 50 acres designated “Residential”
- Approximately 30 acres designated “Regional Commercial”

Approximately 660 jobs

Approximately 390 dwelling units

#### **b. Distribution of Land Uses within the CPD**

The Regional Commercial uses should be located along the West side of McHenry Avenue to join the established Commercial uses along McHenry Avenue.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) “Neighborhood Plan Prototype” Policies (Section III-C.2)
- (3) Specific Plan Size Policies (Section III-D.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 390 dwelling units.
- (2) The uses in this Comprehensive Planning District should support the future use of light rail along the Union Pacific tracks.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by the North Sanitary Sewer Trunk extension after it passes through these Comprehensive Planning Districts to the west: Kiernan/Carver; Kiernan/McHenry.

**6. Focused Environmental Impact Report**

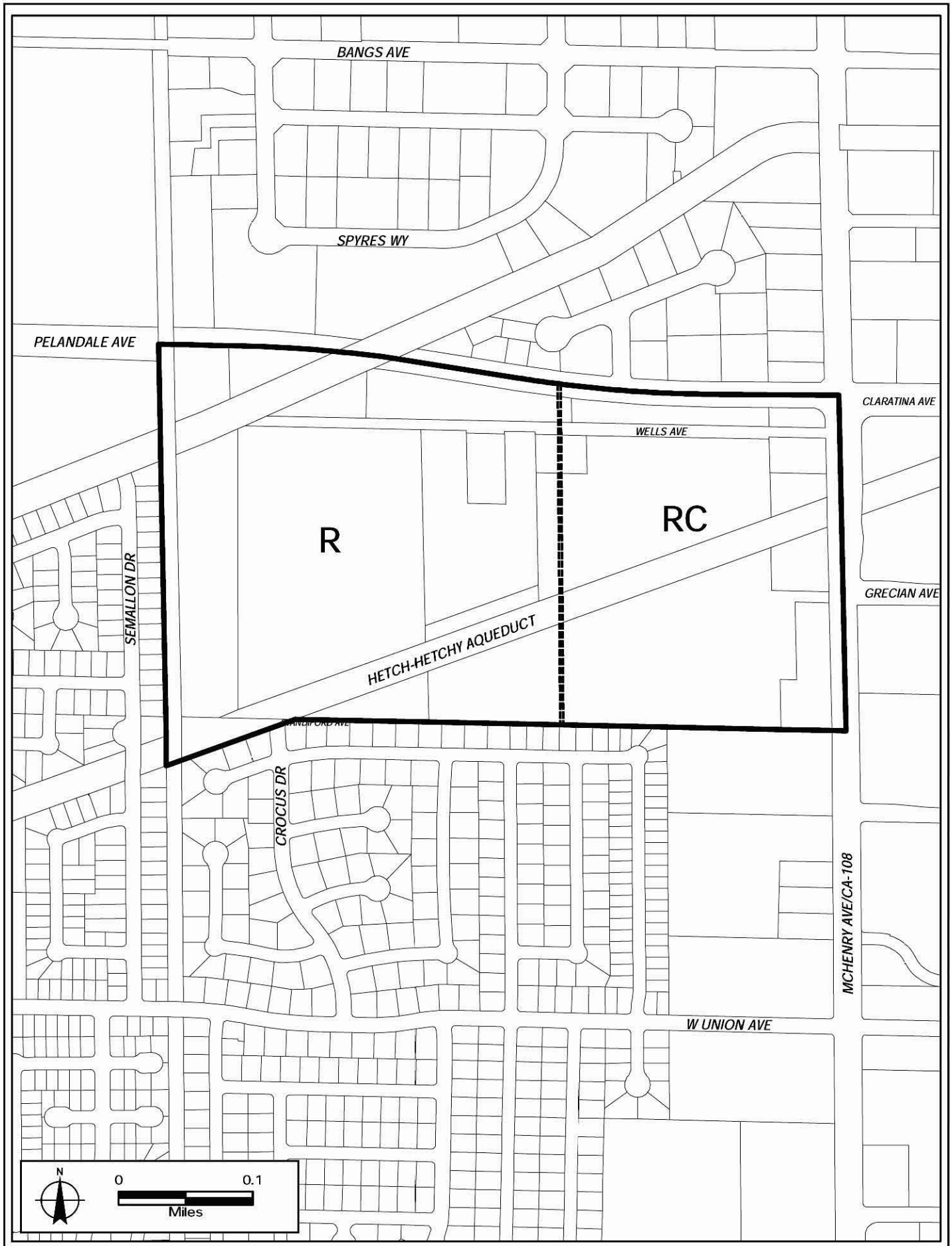
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 390 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 660 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundary between the Residential uses and the Regional Commercial uses will be determined by the Specific Plan.

# PELANDALE/MCHENRY CPD



## **EXHIBIT III-17: PELANDALE/SNYDER COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 390-acre Comprehensive Planning District is essentially an extension of the existing residential south of Snyder Avenue.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 330 acres designated “Residential”
- Approximately 60 acres designated “Mixed Use”

Approximately 710 jobs

Approximately 2,610 dwelling units

#### **b. Distribution of Land Uses within the CPD**

Not applicable, as there is only one land use proposed

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) “Neighborhood Plan Prototype” Policies (Section III-C.2)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 2,610 dwelling units.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District can be served one of two ways: a subtrunk from the North Trunk near Dale Road; or extension of the adjacent North Trunk sanitary sewer to serve the Kiernan/Carver Comprehensive Planning District, as well as this Comprehensive Planning District.

**6. Focused Environmental Impact Report**

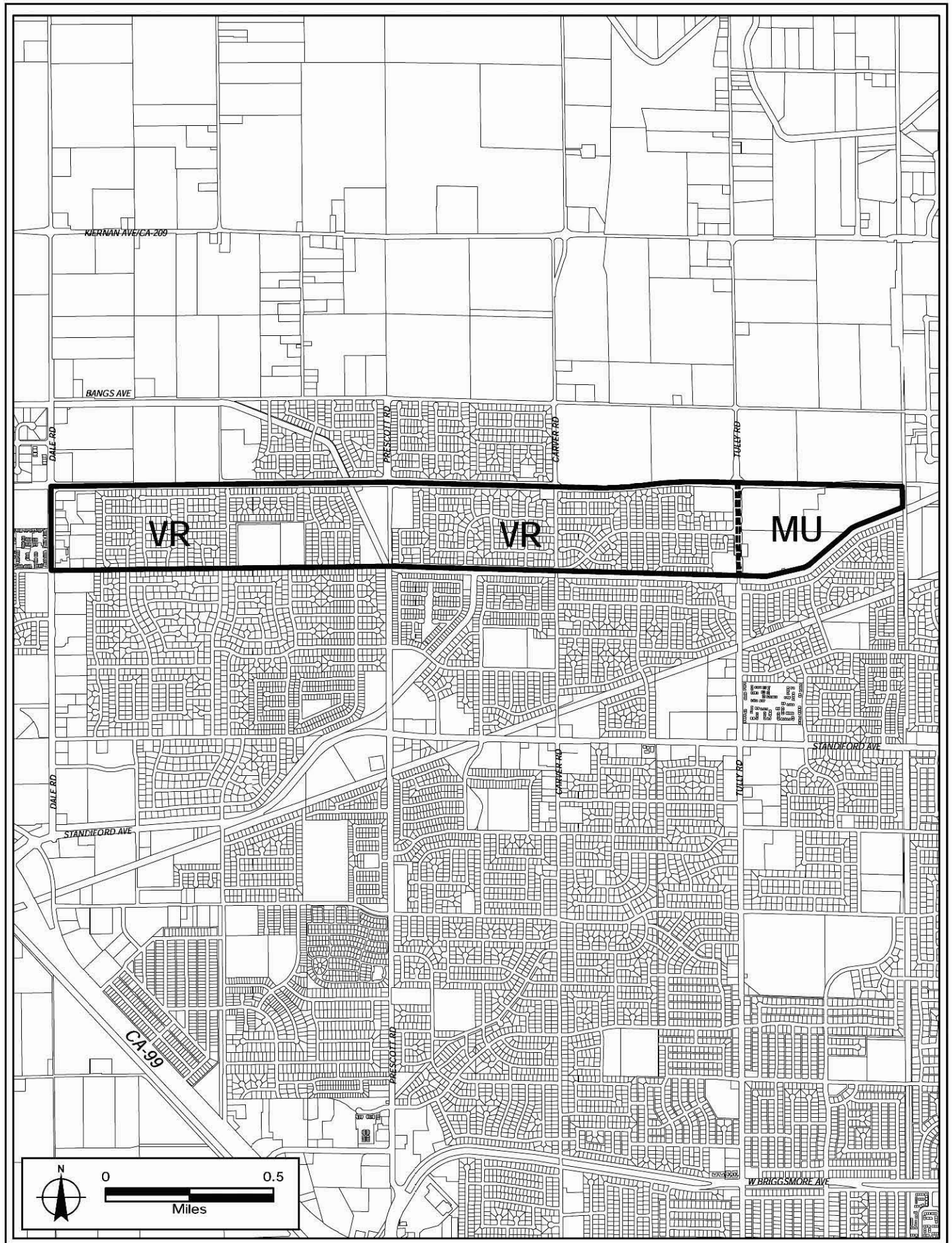
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 2,610 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 7120 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

None

# PELANDALE/SNYDER CPD



## **EXHIBIT III-18: ROSELLE/CLARIBEL COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 1,620-acre Comprehensive Planning District is intended to create a mixed-use, pedestrian-oriented community similar in nature to Village One. In addition, a Business Park is proposed adjacent to the Burlington Northern–Santa Fe Railroad.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 1,290 acres designated “Village Residential”
- Approximately 260 acres designated “Business Park”
- Approximately 70 acres designated “Regional Commercial”

Approximately 11,110 jobs

Approximately 8,200 dwelling units

#### **b. Distribution of Land Uses within the CPD**

- (1) The Business Park should be located adjacent to the Burlington Northern–Santa Fe Railroad.
- (2) The Support Commercial uses in this Comprehensive Planning District should be sited to facilitate pedestrian access from the residential areas.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)

- (3) Specific Plan Size Policies (Section III-D.1)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 8,650 dwelling units.
- (2) Adequate buffering shall be provided between the Residential uses and the Business Park uses in this Comprehensive Planning District.
- (3) Special consideration shall be given in the design of this Comprehensive Planning District and the following edges: the high school site proposed by Village One; the Burlington Northern–Santa Fe Railroad; and the southern edge of the Riverbank General Plan/Sphere of Influence boundary.
- (4) The Tivoli Specific Plan may have commercial development in the Village Residential designation exceeding the recommended 4 percent, may have residential development exceeding the overall recommended density of 6.6 dwelling units per gross acre, and may have a neighborhood center focus to include a neighborhood park and elementary school.

#### **c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

### **5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District can be readily served by extensions of the Roselle and Lakewood Sanitary Sewer Trunks that are adjacent in the Village One Comprehensive Planning District.

### **6. Focused Environmental Impact Report**

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

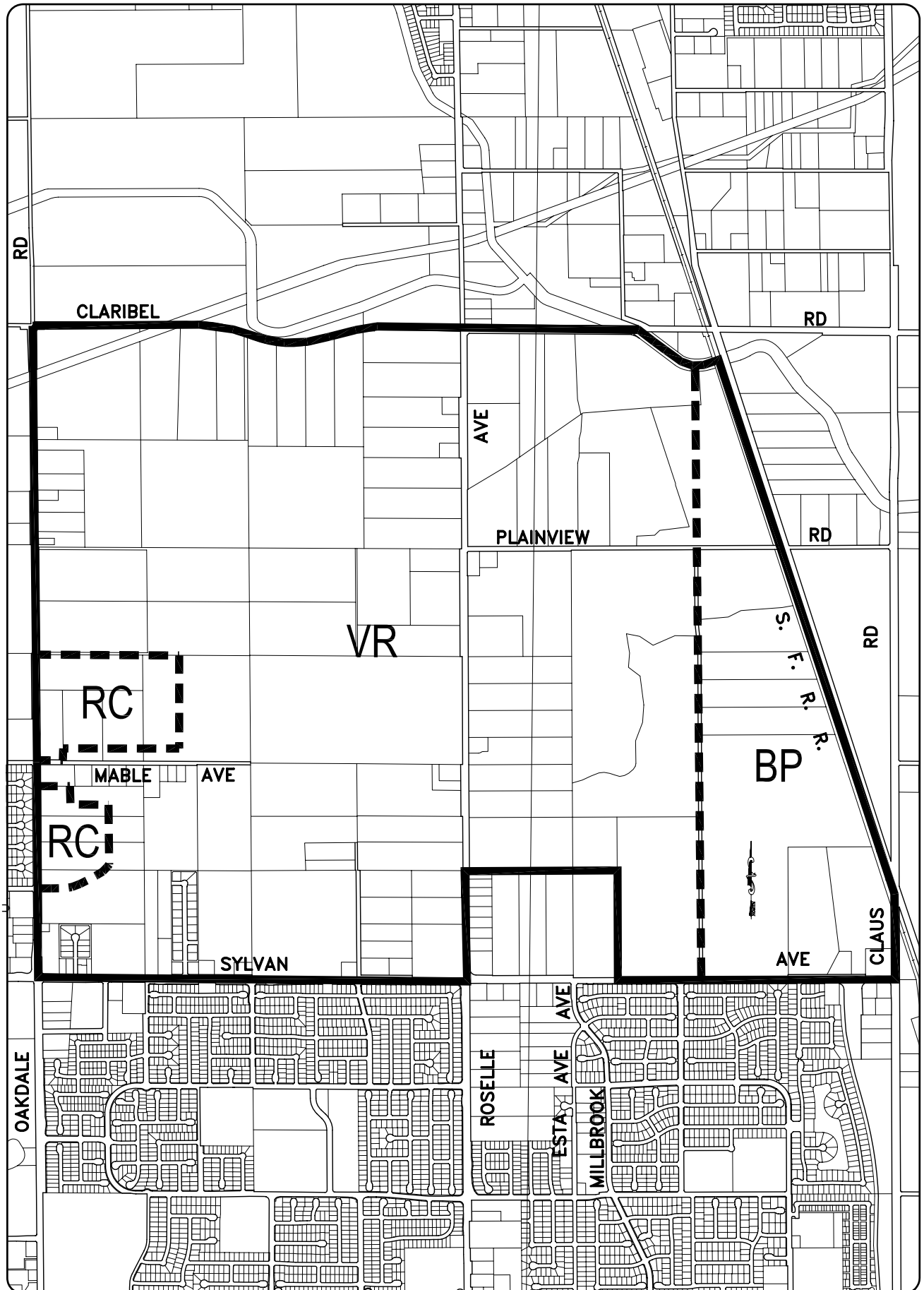
- a. A total of 8,650 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 9,970 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundary between the Village Residential uses and the Business Park uses shall be determined by the Specific Plan.

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# ROSELLE/CLARIBEL C.P.D.



## **EXHIBIT III-19: SALIDA COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This 4,472-acre Comprehensive Planning District is intended to match the land uses adopted by Stanislaus County for the Salida Community Plan adopted on August 29, 2000. The 2000 Salida Community Plan was subsequently invalidated. The Stanislaus County Board of Supervisors subsequently adopted a revised Salida Community Plan on August 7, 2007. The Salida Community Plan is administered by Stanislaus County, and the City has no intention to annex Salida during the planning period. Therefore, for the purposes of the City of Modesto's General Plan, the City will utilize the Land Use Designations described below, which match the land uses in the Draft 2000 Salida Community Plan.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types**

The land uses proposed for this Comprehensive Planning District are exactly the Land Use Designations contained in the 2000 Salida Community Plan.

#### **Low Density Residential (LDR)**

“Intent. The intent of this designation is to provide appropriate locations and adequate areas for single-family detached homes, in either conventional or clustered configurations. Single-family detached dwellings are the predominant housing types in areas so designated, and would remain so under this designation. Semi-detached dwellings and manufactured housing would be consistent with this designation.

Zoning. R-A (Rural Residential) and R-1 (Single-Family Residential) zones are appropriate within this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. The use of the US (Urban Service) combining district in conjunction with any of the above zones would be appropriate for areas adjacent to unincorporated towns so that annexation to and service from the adjoining sanitary sewer district or community services district is required prior to development.

Residential building intensity when served by a community services district or sanitary sewer district and public water district is zero to eight units per gross acre. Building intensity for areas not served by public water and sewer service is zero to two units per gross acre. Population density ranges from zero to 25 persons per gross acre in areas served by public water and sewer and zero to six persons per gross acre in other areas. Small second units, as

permitted by state law may increase both the building intensity and the population density to a limited degree within this designation.

**Appropriate Locations.** The Low Density Residential designation is appropriate in established residential areas characterized by single-family dwellings. It would also be appropriate in areas: (a) designated by the Board of Supervisors for ranchettes of 1/2 to 1 acre in size if the area is of diminished agricultural importance but capable of supporting rural residential development based on the eight factors to be considered in locating “Estate Residential” land; or (b) adjacent to unincorporated towns which can serve the development after annexation to and service by a sanitary district or community services district.”

### **Medium Density Residential (MDR)**

“Intent. The intent of this designation is to provide appropriate locations for single and multiple family units, primarily in semi-detached or clustered arrangements. Typical housing types would be single-family detached manufactured houses, duplexes, triplexes and low-mass multi-family units (townhouses and garden apartments). All lands within this designation shall be within the boundaries of a community services district, sanitary district or similar public district which provides urban services except where such designation existed at the time of adoption of this plan.

**Zoning.** The R-2 (Duplex Residential) zone is appropriate within this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. PD zoning which allows sewage generated on site to be metered into the disposal system during non-peak hours are encouraged in communities with limited system capacity. Residential buildings intensity varies from zero to 14 units per gross acre. Population density ranges from zero to 45 persons per gross acre.

**Appropriate Locations.** The Medium Density Residential designation would be appropriate in areas adjacent to unincorporated towns where the Board of Supervisors has determined, pursuant to a community plan, that medium density residential use is needed. These areas will be developed only after annexation to and service by a sanitary district or community services district.”

### **Medium High Density Residential (MHDR)**

“Intent. The intent of this designation is to provide appropriate locations for housing types including duplexes, triplexes, fourplexes, and apartment buildings. This designation shall be within the boundaries of a community services district, sanitary district or similar public district which provides urban services.

**Zoning.** The R-3 (Multiple-Family Residential) zone is appropriate within this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. PD zoning which allows sewage generated on site to be metered into the disposal system during non-peak hours is encouraged in communities with limited system capacity. Residential building intensity

varies from zero to 25 units per gross acre. Population density ranges from zero to 85 persons per gross acre.

**Appropriate Locations.** The Medium High Density Residential designation is appropriate in established residential areas characterized by duplexes, triplexes, fourplexes, and apartment buildings. It would also be appropriate in areas adjacent to unincorporated towns where the Board of Supervisors has determined, pursuant to a community plan, that medium high density residential use is needed. These areas will be developed only after annexation to and served by a sanitary district or community services district.”

### **Commercial (C)**

“Intent. The intent of this designation is to indicate areas best suited for various forms of light or heavy commercial uses, including, but not limited to, retail, service and wholesaling operations. The County has one designation to correspond to the various commercial zoning districts. This designation is intended for lands which demonstrate a valid supportive relationship to other existing or projected urban development.

**Zoning.** C-1 (Neighborhood Commercial), C-2 (General Commercial), and H-1 (Highway Frontage Commercial) zones shall be considered consistent with this designation. PD (Planned Development) zoning may also be appropriate provided the development does not exceed the established building intensity of this designation. The building intensity shall be determined by Zoning Ordinance development standards for setback, landscaping, height, parking and other requirements except that residential building intensity shall not exceed 25 units per gross acre. In no case shall buildings exceed 75 feet in height nor shall they cover so much of the lot that insufficient area remains for parking, landscaping, etc. In commercial zones which allow dwelling units, population density can range from zero to 85 persons per gross acre.

**Appropriate Locations.** The Commercial designation is appropriate in areas already committed to commercial use. In unincorporated towns this designation is appropriate for Central Business Districts and other areas within the sanitary sewer or community services district in sufficient amount to serve the needs of the community. Areas adjacent to community services district may also be appropriate if the US (Urban Service) combining zone is utilized.”

### **Planned Industrial (PI)**

“Intent. The intent of this designation is to provide locations for light industrial development. Such locations may be so designated on the initiative of the county or may be requested by a property owner or group of property owners. The Planned Industrial designation shall be preferred to the Industrial designation as it allows more control of development to ensure that impacts on adjoining properties are reduced. It shall be used largely in areas without public sewer and/or water service but shall only be used if it is practical, both physically and financially to provide sewage disposal and water service as needed by the proposed development.

**Zoning.** Building intensity will be determined by the County on an individual basis, depending upon the nature and location of the proposed planned development. However, no buildings shall cumulatively occupy more than 70% of the area of any parcel. Population density is almost nonexistent as only one residential unit per parcel is allowed if it is secondary to the industrial use of the property. The A-2 (Exclusive Agriculture), PI (Planned Industrial), PD (25), PD (30), PD (43), PD (77), PD (88) and PD (126) zones shall be consistent with this designation.

**Annexation.** Areas designated Planned Industrial on the General Plan and rezoned for development which are located within the adopted Sphere of Influence of a city shall include the requirement that an agreement be signed in a form satisfactory to the City Attorney of the affected city and Stanislaus County Counsel guaranteeing that the property on which the planned industrial designation is applicable will be annexed to the affected city upon demand by the city and with the approval of the Stanislaus County Board of Supervisors.

**Appropriate Locations.** Appropriate locations for the Planned Industrial designation shall be based on the same criteria as used for designating new Industrial areas. The Planned Industrial designation shall be more appropriate than Industrial in locations with limited or no sanitary sewer capacity or in other locations where restricting the permitted uses is desirable. Based on these criteria, the following areas of the Salida Plan have been designated Planned Industrial.

- a. The area generally bounded by Sisk Road, MID Lateral No. 6, Dale Road and Ladd Road, and
- b. the area east and west of Highway 99 and north of the Hammet Road interchange, and
- c. the east side of Pirrone Road generally between Hammet Road and Kiernan Road.”

### **Neighborhood Parks**

Parks and vacant land acreage is based on a calculation need of 3 acres/1,000 residents projected in the Community Plan. Vacant parkland is representative of the Community Plan “Proposed Parks” symbol, which denotes general location.

### **Elementary Schools**

Vacant land inventory for schools includes the planned middle school to be constructed at the northwest corner of Kiernan Avenue and Toomes road, and for three additional elementary schools that will be needed.

### **Middle Schools**

A total of 40 acres will be provided for Middle School sites.

**Private School**

Modesto Christian School, total of 40 acres

**b. Distribution of Land Uses within the CPD**

The distribution of the above land uses in this Comprehensive Planning District shall be as presented in Figure III-1.

**4. Land Use Policies**

**a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

None

**c. Housing Policy Implementation**

Any County Housing policies applicable to the Salida Community Plan, prior to the adoption of the Specific Plan, shall be incorporated into the Comprehensive Plan.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District is currently served by the Salida Sanitary Sewer District.

**6. Focused Environmental Impact Report**

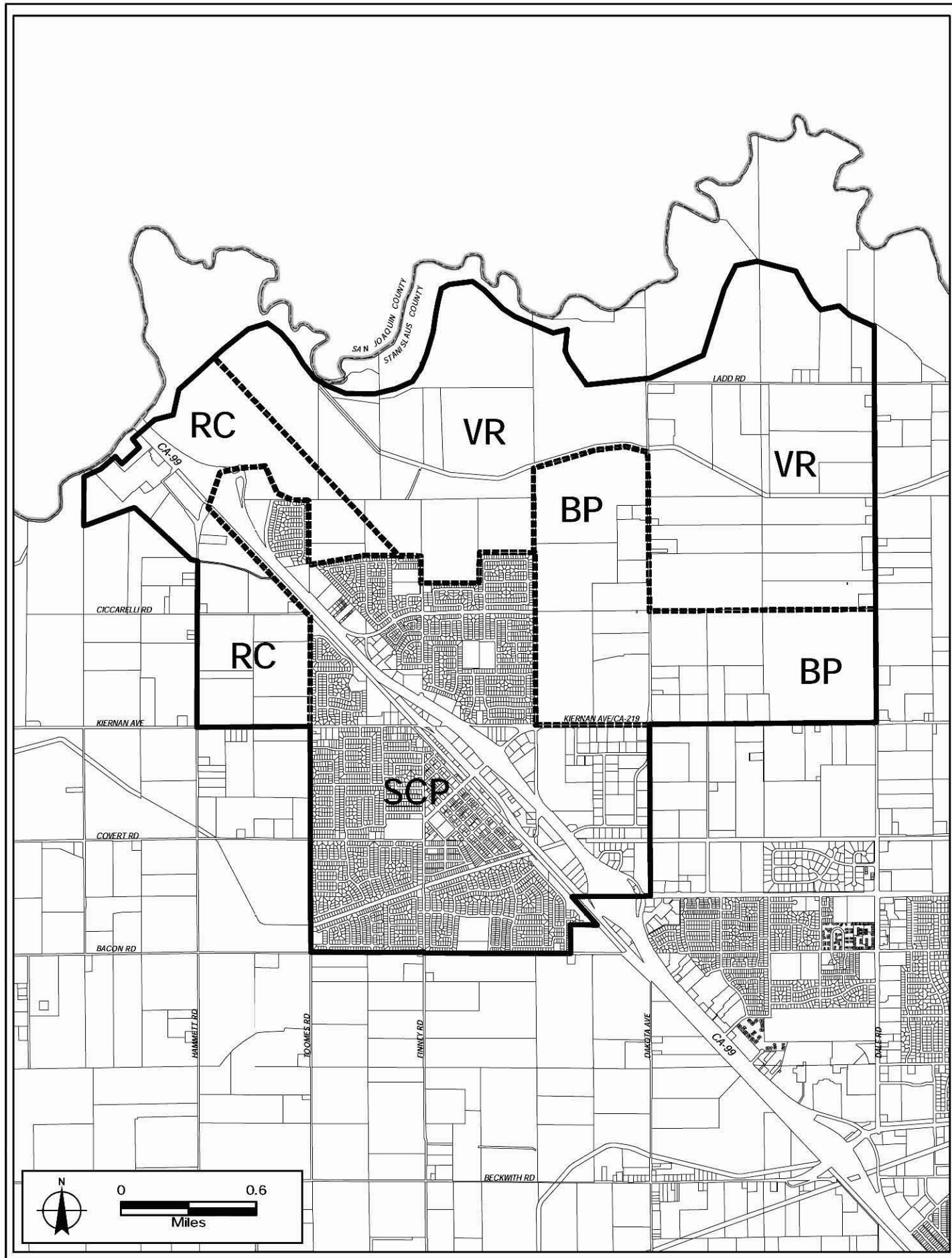
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. The County's traffic model, which assumed continuing development of the Salida Community Plan at 2015, was used as the basis for traffic modeling for this Comprehensive Planning District in the Master EIR. Because Salida is expected to have continuing development by the year 2015, this assumption is also valid for the 2025 ongoing development of the General Plan.

## **7. Special Considerations Unique to this Comprehensive Planning District**

All development shall comply with the Salida Community Character and Design Guidelines adopted August 29, 2000. A Mello-Roos Community Facilities District was adopted in 1988, covering much of the property in the Salida Community Plan.

# SALIDA CPD



## **EXHIBIT III-20: STANISLAUS RIVER COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This 810-acre Comprehensive Planning District is intended to provide for a regional park along the Stanislaus River. The Stanislaus River Comprehensive Planning District is administered by Stanislaus County, and the City has no intention to annex the area at this time. Therefore, for the purposes of the City of Modesto's General Plan, the City will utilize the Land Use Designations described below,

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- 810 acres designated "Open Space"

#### **b. Distribution of Land Uses within the CPD**

Not applicable, as there is only one land use proposed

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District anticipates a public park. Prior to acquiring parcels, interim residential uses may be allowed, as provided by the Open Space Land Use Designation presented in Section III-B.

**c. Housing Policy Implementation**

Because this Comprehensive Planning District does not propose any residential uses, the Housing policies presented in Chapter IV do not apply to this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served with sanitary sewer from the adjacent Stoddard Comprehensive Planning District.

**6. Focused Environmental Impact Report**

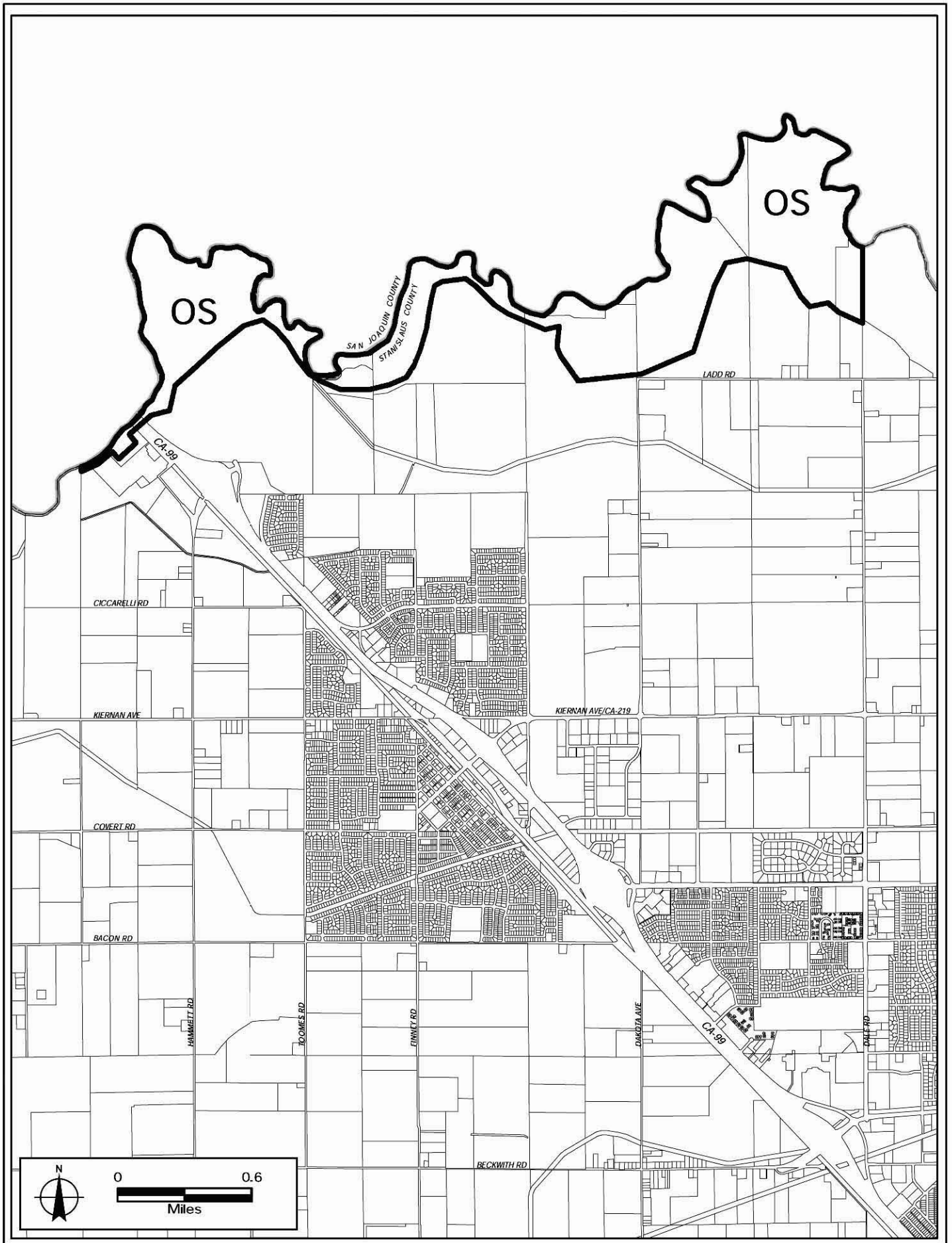
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 80 dwelling units was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

- a. The exact boundaries of this Comprehensive Planning District will be determined by the Specific Plan.
- b. The preparation of a Park Master Plan for the regional park shall suffice as the Specific Plan for this Comprehensive Planning District.

# STANISLAUS RIVER CPD



## **EXHIBIT III-21: TUOLUMNE RIVER COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 1,630-acre Comprehensive Planning District contains a significant amount of public land, owned by a joint powers agreement between the cities of Modesto and Ceres, and Stanislaus County. A linear park is anticipated in this Comprehensive Planning District, as provided in the Tuolumne River Regional Park Master Plan (TRRP Master Plan).

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall help implement and support the TRRP Master Plan and shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 1,630 acres designated “Open Space”

Approximately 160 dwelling units

#### **b. Distribution of Land Uses within the CPD**

Not applicable, as there is only one land use proposed

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)

#### **b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) This Comprehensive Planning District anticipates a public park as discussed in the TRRP Master Plan. Prior to acquiring parcels, interim residential uses may be allowed, as provided by the Open Space Land Use Designation presented in Section III-B. These uses may be allowed without a Specific Plan.

### **c. Housing Policy Implementation**

Because this Comprehensive Planning District does not propose any residential uses, the Housing policies presented in Chapter IV do not apply to this Comprehensive Planning District.

## **5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will take its sanitary sewer service from adjacent Comprehensive Planning Districts.

## **6. Focused Environmental Impact Report**

The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 160 dwelling units was assumed for this Comprehensive Planning District.

## **7. Special Considerations Unique to this Comprehensive Planning District**

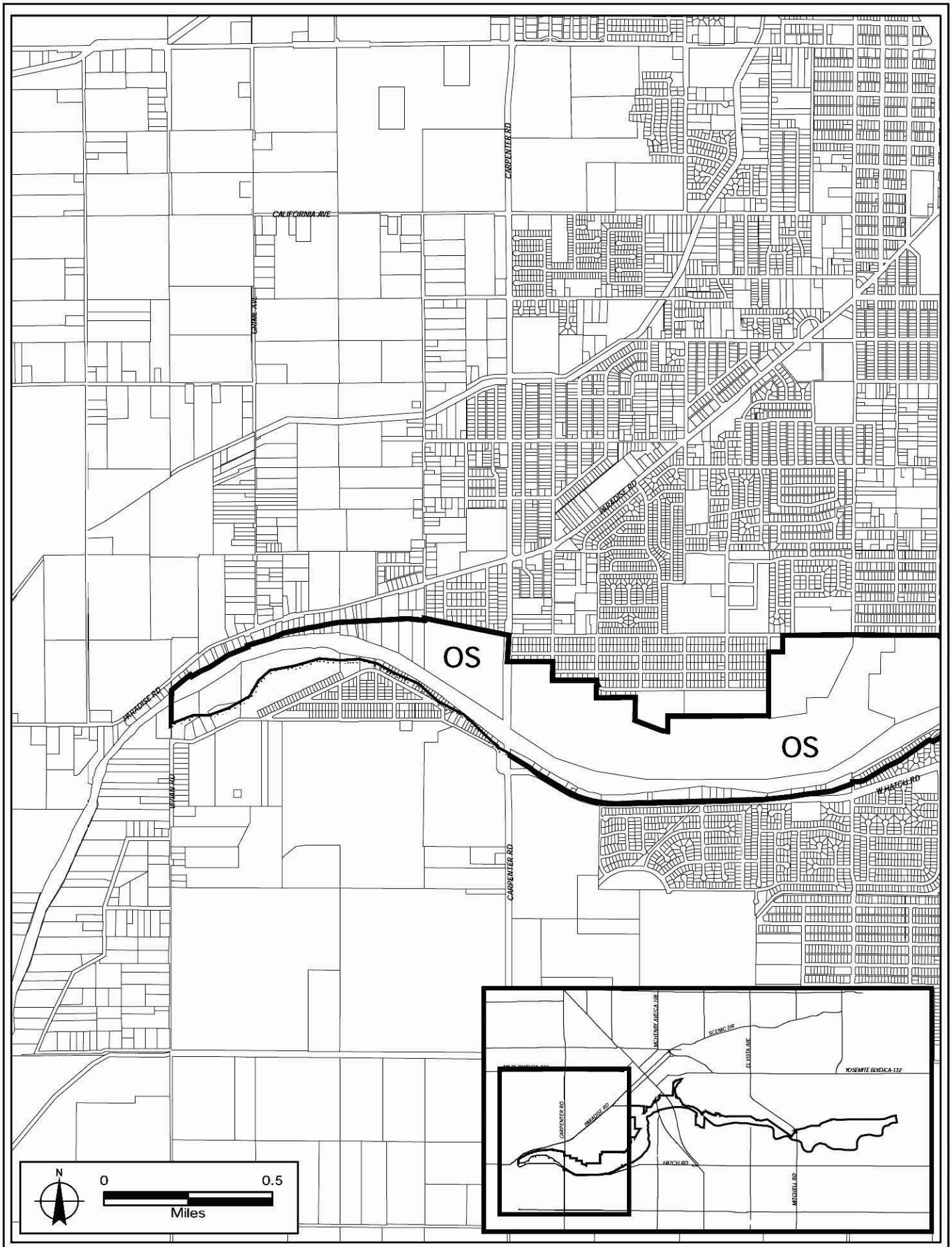
- a. The exact boundaries of this Comprehensive Planning District will be determined by the Specific Plan.
- b. The Tuolumne River Regional Park Master Plan shall be the guiding plan for areas that are located within the Comprehensive Planning District but outside of the TRRP Master Plan boundaries.
- c. The TRRP Master Plan shall suffice as the Specific Plan for this Comprehensive Planning District. The Tuolumne River Comprehensive Planning District shall support the following TRRP Master Plan policies:
  - (1) Provide recreational opportunities that accommodate multiple purposes and changes in recreational preferences over time.
  - (2) Expand park and trail systems as land becomes available.

- (3) Create active and passive recreational areas with universal access.
- (4) Develop adequate support facilities for recreational activities.
- (5) Consider the natural forces influencing the development of recreational areas, including potential flooding, prevailing winds, sun orientation, and topography.
- (6) Create identifiable park entrances. Develop an identifiable and comprehensive program of park signage and graphics.
- (7) Provide adequate circulation, free of modal conflicts, throughout the park in order to accommodate pedestrians, bicyclists, and vehicles, as well as equestrians and boaters, if appropriate. Provide opportunities for park access via public transportation.
- (8) Provide a continuous trail linkage throughout the park that includes a range of experiences.
- (9) Provide vehicular and pedestrian connections to the park that are direct and user-friendly.
- (10) Provide adequate parking for park activities.
- (11) Protect and enhance sensitive habitats and natural areas, including wetlands and riparian corridors, when feasible.
- (12) Preserve and enhance existing wildlife habitat areas, when feasible.
- (13) Protect and enhance aquatic species and habitat, when feasible.
- (14) Promote a flood management program that provides protection from catastrophic flooding and contributes to the ecological values of the river corridor.
- (15) Preserve and protect historical and archaeological resources, when feasible. The locations of archeological resources shall not be disclosed to the public.
- (16) Principles of river restoration, recreation and preservation of open space values as outlined in the Tuolumne River Regional Park Master Plan shall apply.

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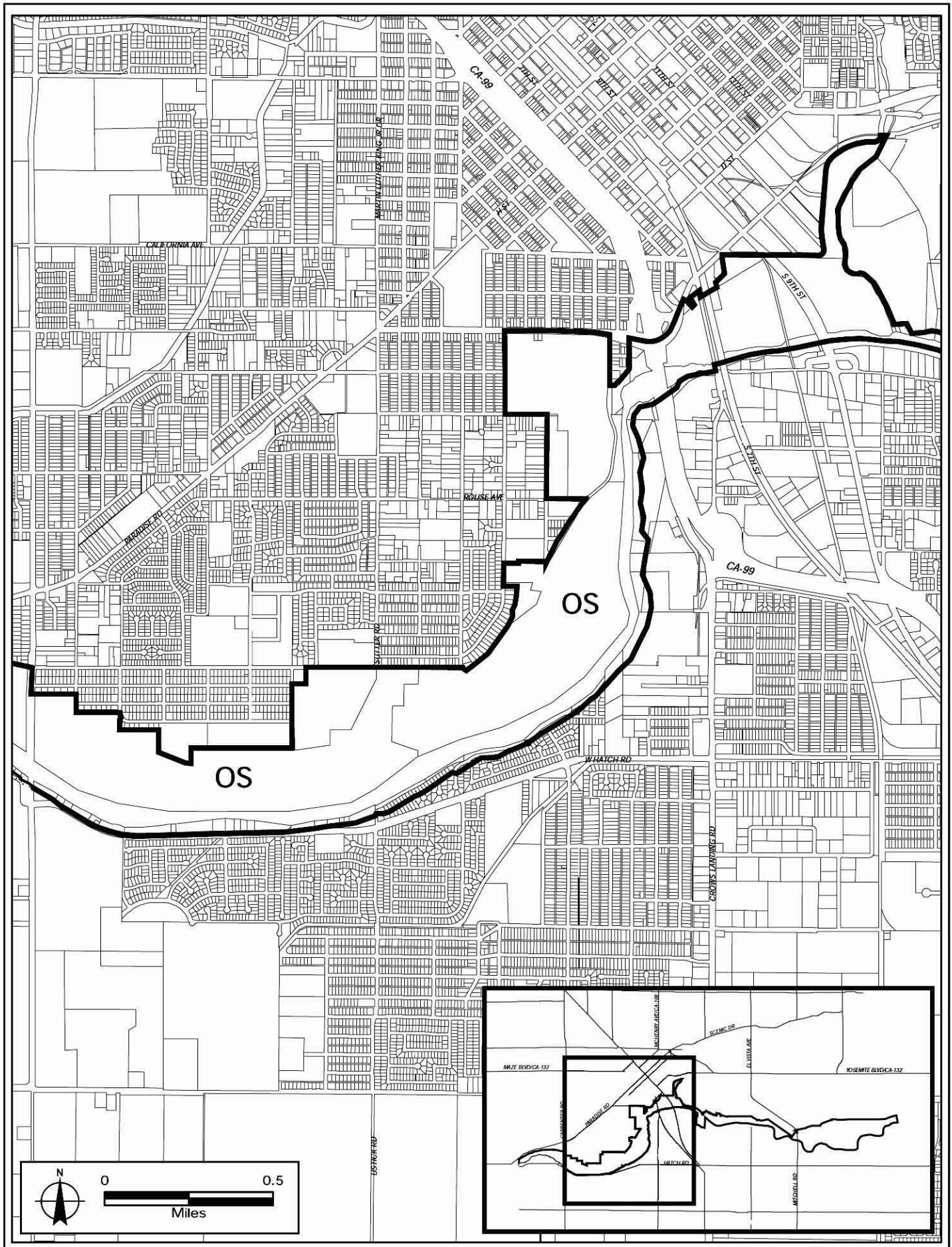
# TUOLUMNE RIVER CPD

## MAP 1



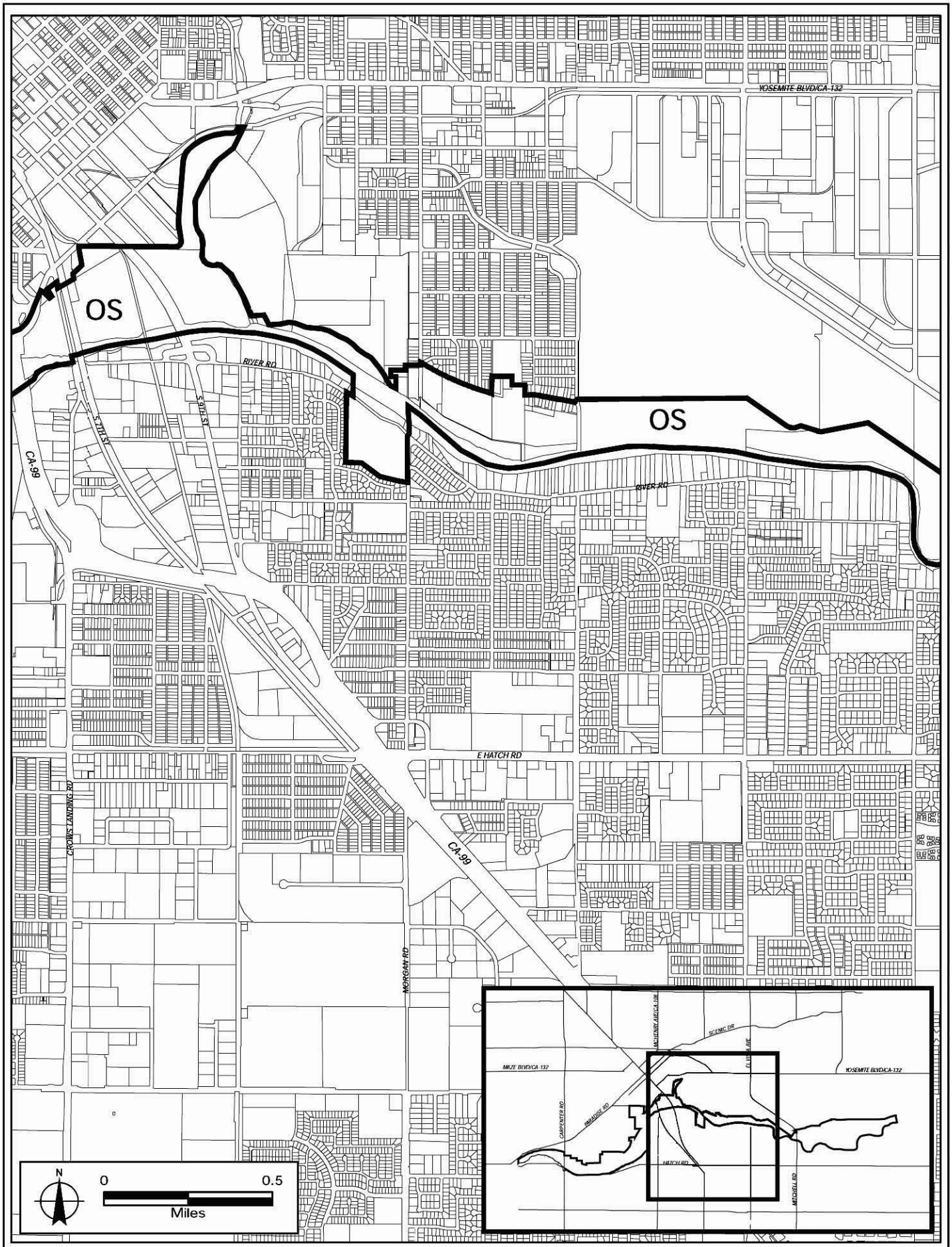
# TUOLUMNE RIVER CPD

## MAP 2



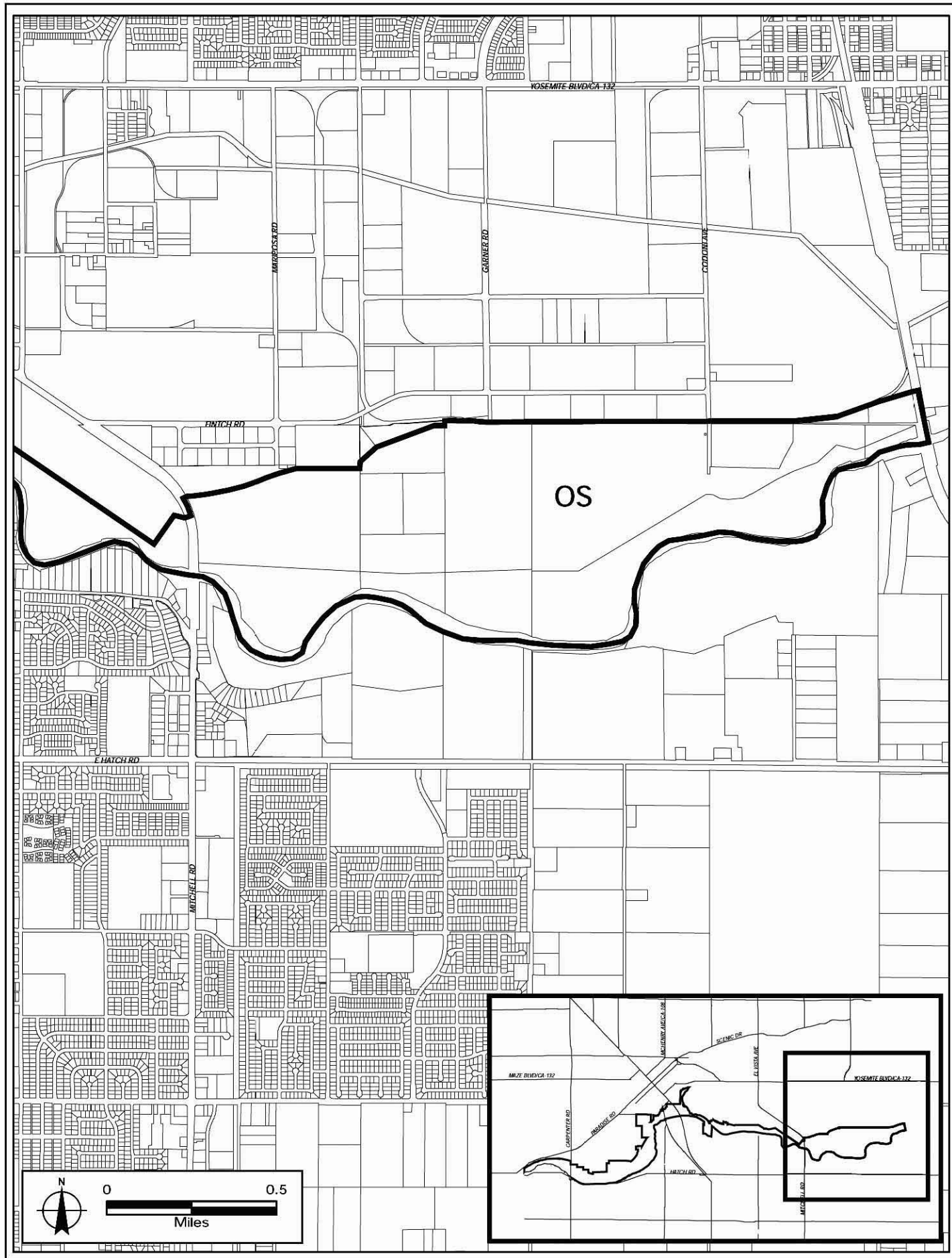
# TUOLUMNE RIVER CPD

## MAP 3



# TUOLUMNE RIVER CPD

## MAP 4



## **EXHIBIT III-22: VILLAGE ONE COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 1,900-acre Comprehensive Planning District is intended to reflect the Village One Specific Plan, as adopted by the City Council in 1990, and amended several times since. The proposed residential neighborhoods are centered around public uses such as parks and schools.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 1,590 acres designated “Village Residential”
- Approximately 310 acres designated “Business Park”

Approximately 12,020 jobs

Approximately 10,080 dwelling units

#### **b. Distribution of Land Uses within the CPD**

- (1) The Village Center should be located at the intersection of Roselle Avenue and Floyd Avenue to facilitate pedestrian access from the residential areas of the Comprehensive Planning District.
- (2) The Business Park should be sited east of Claus Road to take advantage of the proposed Claus Road expressway and the proposed Amtrak Station on the Santa Fe Railroad.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 10,080 dwelling units.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. The Roselle and Lakewood Sanitary Sewer Trunks have been extended to serve this area.

**6. Focused Environmental Impact Report**

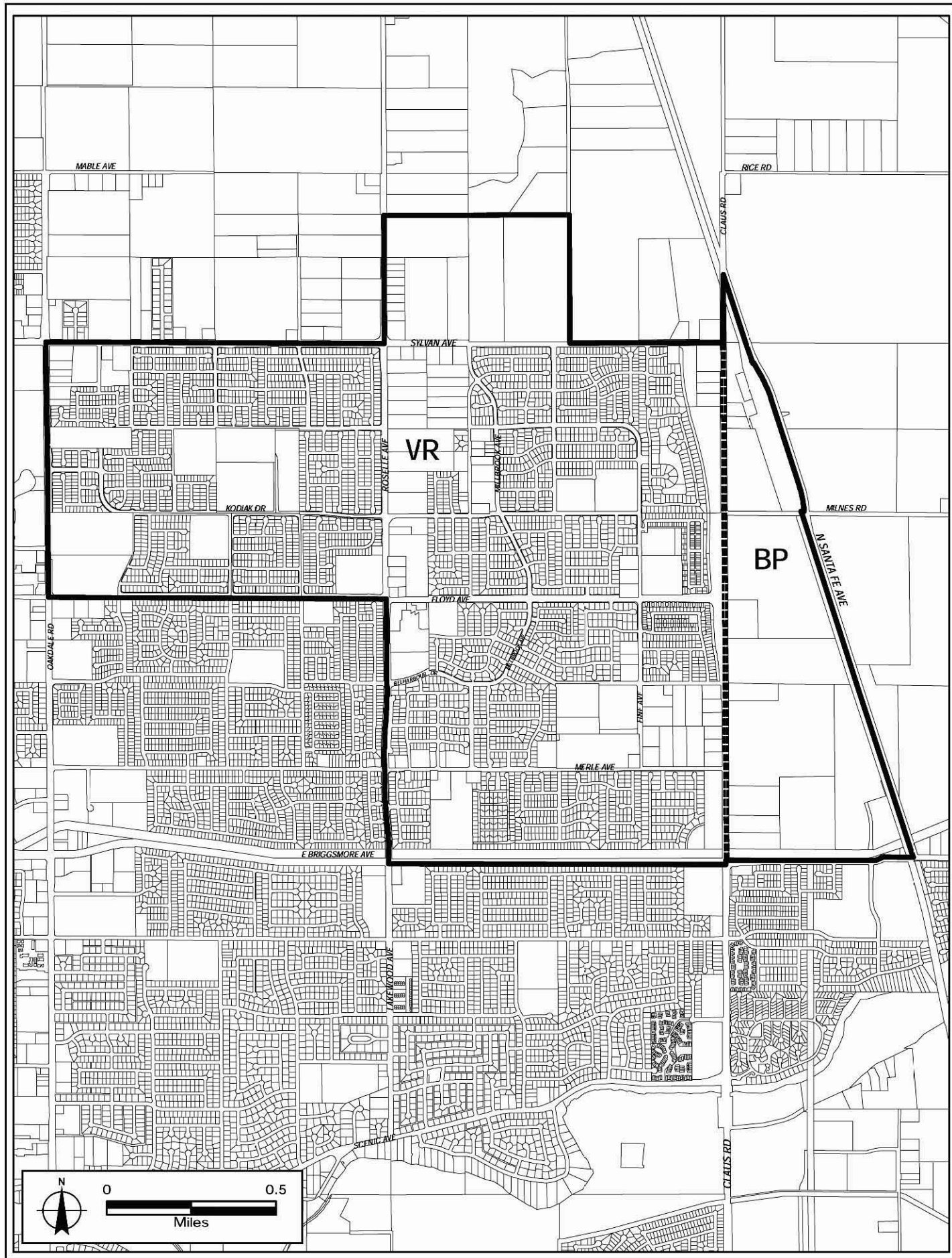
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 10,080 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 12,020 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The Village One Specific Plan, as adopted in 1990 and amended from time to time, shall suffice as the Specific Plan for this Comprehensive Planning District. Entitlements for this Specific Plan are nearly complete.

# VILLAGE ONE CPD



## **EXHIBIT III-23: WHITMORE/CARPENTER COMPREHENSIVE PLANNING DISTRICT**

### **1. Overview**

This approximately 690-acre Comprehensive Planning District located south of the Tuolumne River proposes predominantly “Village Residential” uses.

### **2. Principal Comprehensive Planning District Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Principal Comprehensive Planning District policies presented in this chapter.

### **3. Land Use Description**

#### **a. Land Use Types (see Section III-B)**

- Approximately 690 acres designated “Village Residential,” of which approximately 120 acres is a landfill site

Approximately 480 jobs

Approximately 4,380 dwelling units

#### **b. Distribution of Land Uses within the CPD**

Support commercial uses in this Comprehensive Planning District should be located to facilitate pedestrian access from the residential areas.

### **4. Land Use Policies**

#### **a. Implementation of Adopted Land Use Policies**

The Specific Plan to implement this Comprehensive Planning District shall address the Land Use policies presented earlier in this chapter, as follows:

- (1) Overall Land Use Policies (Section III-C.1)
- (2) Neotraditional Planning Principles (Section III-C.3)
- (3) Specific Plan Size Policies (Section III-D.1)

**b. Supplemental Land Use Policies**

In addition, the Specific Plan shall also address the following Land Use policies, which apply to this particular Comprehensive Planning District:

- (1) Notwithstanding the land use intensities presented in Section III-B, this Comprehensive Planning District shall contain a maximum of 4,380 dwelling units.
- (2) The landfill located in this Comprehensive Planning District presents a significant design constraint. This constraint should be addressed in the Specific Plan.

**c. Housing Policy Implementation**

The Specific Plan that implements this Comprehensive Planning District shall address the relevant Housing policies presented in Chapter IV for the residentially designated portion of this Comprehensive Planning District.

**5. Provision of Public Facilities and Services**

The Specific Plan to implement this Comprehensive Planning District shall address the Public Facilities and Services policies presented in Chapter V. In addition, the Specific Plan shall also address the following policies, which apply to this particular Comprehensive Planning District:

- a. This Comprehensive Planning District will be served by a new South No. 2 Sanitary Sewer Trunk over Tuolumne River to the primary treatment plant at the foot of Sutter Street.

**6. Focused Environmental Impact Report**

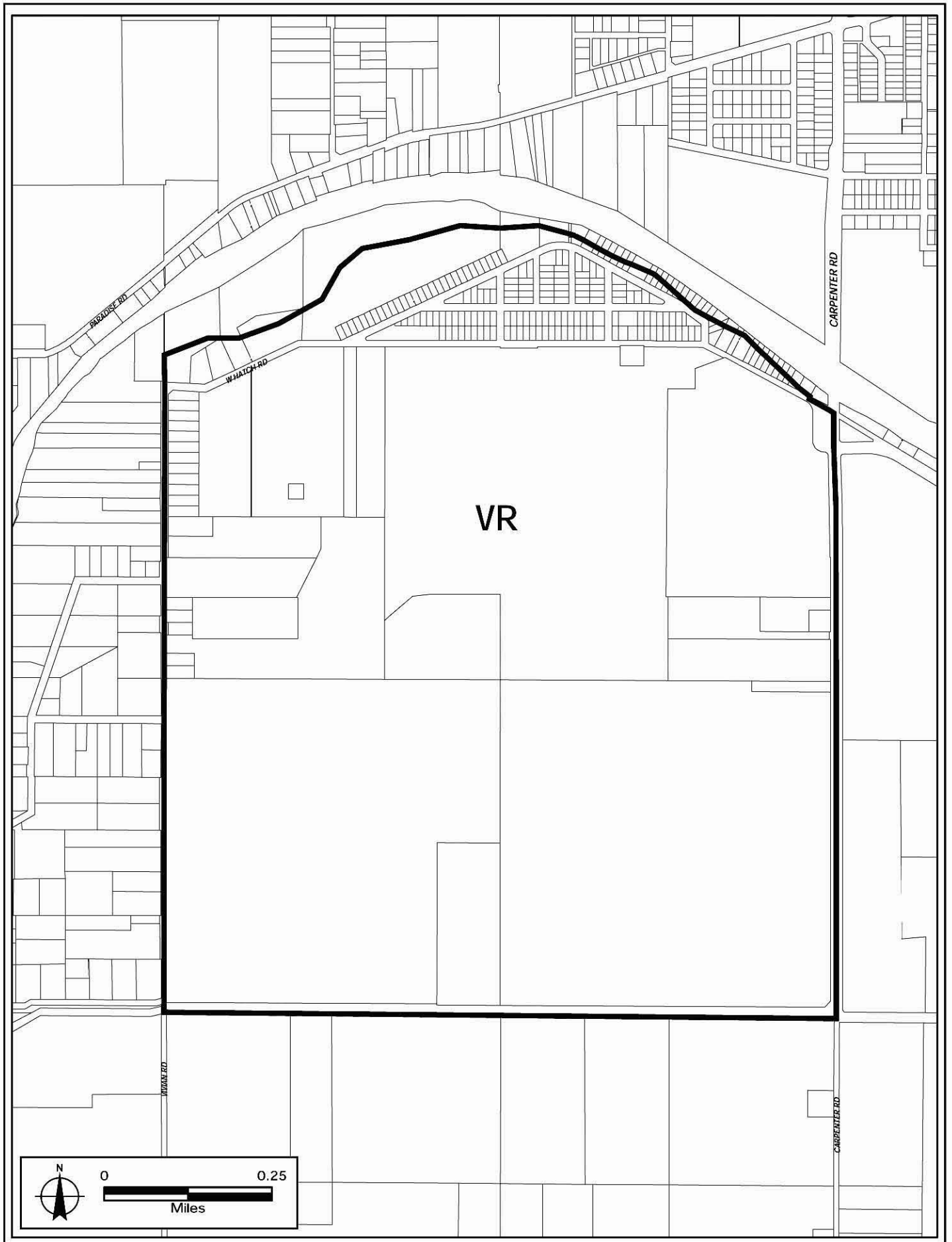
The Focused Environmental Impact Report for this Comprehensive Planning District shall consider the following issues identified in the Master Environmental Impact Report for the General Plan:

- a. A total of 4,380 dwelling units was assumed for this Comprehensive Planning District.
- b. A total of 480 employees was assumed for this Comprehensive Planning District.

**7. Special Considerations Unique to this Comprehensive Planning District**

The exact boundary between this Comprehensive Planning District and the Tuolumne River Comprehensive Planning District shall be determined by the Specific Plan.

# WHITMORE/CARPENTER CPD



## **Chapter IV**

### **Housing**

State law requires that the City of Modesto's Housing Element contain an analysis of existing and projected housing needs as well as policies and programs to meet those demands. State law also mandates that the City evaluate its Housing Element every five years to determine its effectiveness in achieving its housing goals and objectives and to adopt an updated Housing Element which reflects the results of this evaluation. The City of Modesto's adopted Housing Element is bound separately and is on file with the City's Community and Economic Development Department.

The City has also adopted a separate federal "consolidated plan" to support its request for federal housing funds. The consolidated plan is also on file with the City's Community and Economic Development Department.

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## **Chapter V**

### **Community Services and Facilities**

#### **A. INTRODUCTION**

This chapter describes the community services and infrastructure needed to support the physical community developed through Chapter III.

The policies in this chapter provide guidance for conformance with Government Code Section 65400 et seq. (Administration of General Plans), particularly Section 65401 (Review of public works projects for conformity with the Plan) and Section 65402 (acquisition and disposal of real property).

The distinctions between Community Services and Community Facilities are not critically important; they are distinguished in this chapter for categorical purposes only. The important issue is that both Services and Facilities, as Community Infrastructure, are provided concurrent with need, to support the physical development, and ongoing maintenance, of the community. For this reason each of the sections below is tailored for use in either the Baseline Developed Area or the Planned Urbanizing Area, as those concepts are defined in Chapter II, Community Growth Strategy.

#### **1. General Community Facilities and Services Goals**

- a. Ensure that services and infrastructure capacities are adequate to meet the needs of the community. This will include requiring that new development projects provide necessary services and infrastructure to meet concurrently or before development occurs.
- b. Ensure that infrastructure plans for the City are updated as needed.
- c. Maintain and encourage regional partnerships for water and wastewater development.
- d. Continue to identify opportunities for the collaborative delivery of police, fire, recreation, and neighborhood services in order to improve service delivery efficiency and effectiveness.

#### **B. CIRCULATION AND TRANSPORTATION**

##### **1. Overview**

The Circulation Element was first required by state law in 1955 (Government Code Section 65302(b)). Its purpose was to develop a balanced, multi-modal transportation system, within local jurisdictions. Modesto has discussed circulation in the early General Plans of 1959 and 1965. In 1974 a combined Land Use and Circulation Elements to the Modesto Urban Area General Plan was adopted. In 1986, the Circulation Element updated the circulation portion of the 1974 Land Use and Circulation Elements. A comprehensive General Plan update was conducted in 1995.

Transportation is the process by which people and goods move within, to, and from the community. The ability to provide efficient and effective transportation services is one of the major determinants of the direction of growth and the physical form of Modesto. The transportation needs of the City for both new and existing development should be met through the implementation of transportation policies that foster safe and efficient movement of people and the delivery of goods.

The makeup of Modesto is changing; increasing numbers of people who live in Modesto are working outside the City or even outside of Stanislaus County. This trend has placed additional demand on the major roads and highways that connect Modesto with the rest of the region, as well as increasing congestion on the City streets that provide access to regional freeways and highways.

The commuter rail system known as ACE (the Altamont Commuter Express) as well as the bus services provided by the MAX (Modesto Area Express) and StaRT (Stanislaus Regional Transit) have been successful, linking the residents of Modesto with jobs in the Bay Area and elsewhere.

The transportation system of the Modesto urbanized area must accommodate a complex combination of automobiles, trucks, trains, and bicycles as well as transit vehicles and pedestrian traffic. Because of the variety of existing transportation modes in the planning area, a comprehensive and flexible plan is required that will encourage the development of the entire transportation system, rather than the isolated development of one particular mode.

This section presents, as required by Section 65302(b) of the Government Code, “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 [Chapter III of this General Plan].”

Transportation modes in Modesto currently include pedestrian, bicycle, bus, two- and four-wheel private motor vehicles, trucks, freight and passenger rail, emergency vehicles, and air (addressed in Section V-F. Community Facilities—Modesto City-County Airport). Each mode has its own requirements, but mode choice and route choice are generally made considering speed, efficiency, comfort, and safety. When transportation decisions are made, tradeoffs that encourage or promote one mode or route to the disadvantage of another mode or route should be considered.

## **2. General Circulation and Transportation Goal**

- a. The purpose of transportation and the circulation system is to move people and goods safely, conveniently, and efficiently. The transportation and circulation systems should be designed to make transportation safe and convenient for all users.

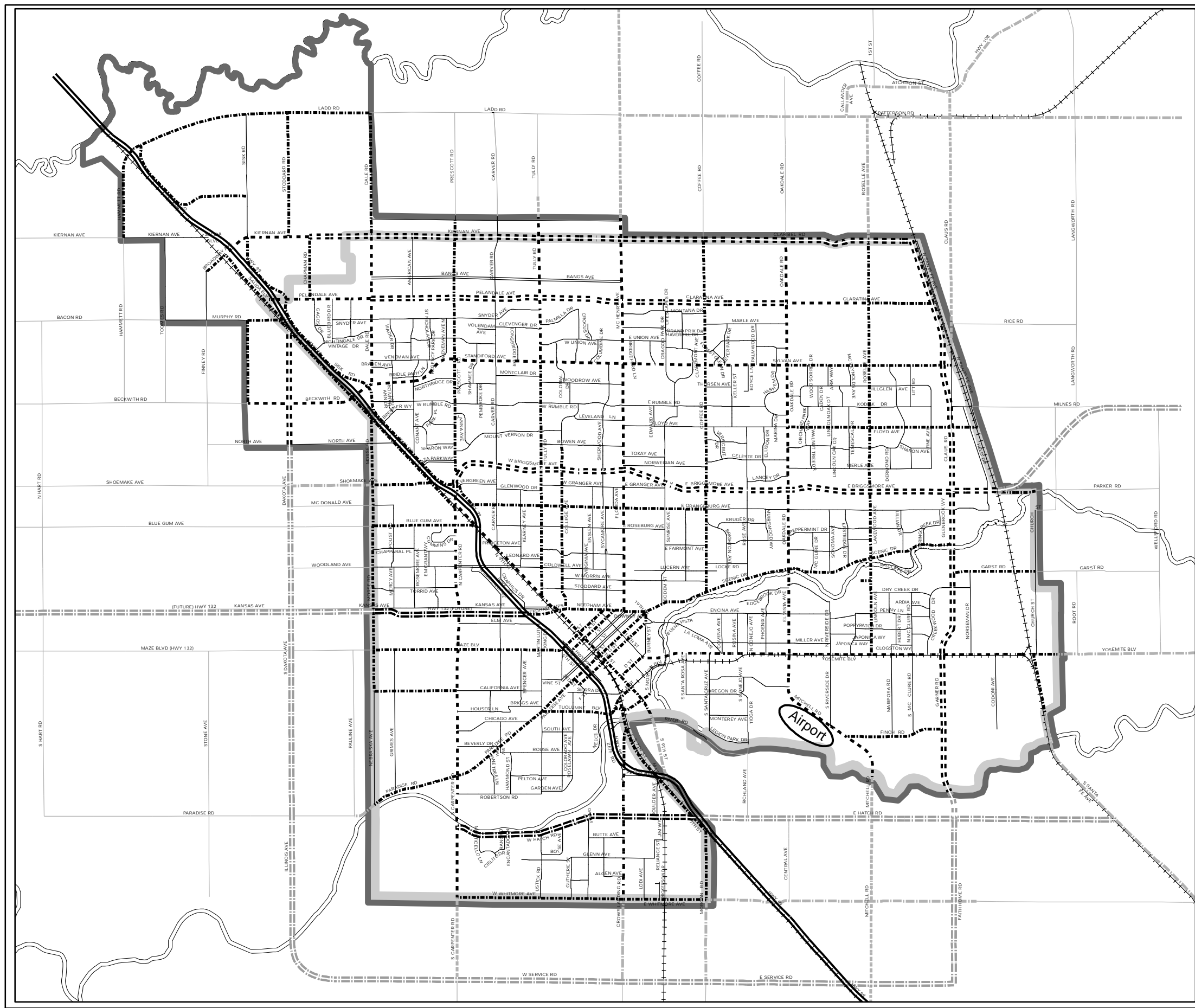
## **3. Circulation and Transportation Diagram**

Figure V-1 presents the Circulation and Transportation Diagram, which describes the proposed general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public facilities within the Modesto Urban Area. The Diagram conforms to Section 65302(b) of the Government Code, and is hereby adopted and incorporated into the Modesto Urban Area General Plan.



# CITY of MODESTO GENERAL PLAN PROGRAM

Figure V-1  
(Sheet 1 of 2)  
**CIRCULATION AND  
TRANSPORTATION DIAGRAM**



## LEGEND FACILITY DESIGNATIONS

- FREEWAY**
- EXPRESSWAY**  
6 Lanes, see sheet 2 for Classifications
- EXPRESSWAY**  
4 Lanes, see sheet 2 for Classifications
- PRINCIPAL ARTERIAL**  
8 Lanes
- PRINCIPAL ARTERIAL**  
6 Lanes
- MINOR ARTERIAL**  
4 Lanes
- MAJOR COLLECTOR**  
4 Lanes
- MINOR COLLECTOR**  
2 Lanes

## REFERENCE POINTS

- GENERAL PLAN BOUNDARY**
- MODESTO SPHERE OF INFLUENCE**
- RAILROADS**
- RIVER**
- AIRPORT**

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Miles

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GP Circulation Diagram fig 5-1 1of2.mxd  
Oct. 23, 2008



# CITY of MODESTO GENERAL PLAN PROGRAM

Figure V-1  
(Sheet 2 of 2)  
**CIRCULATION AND  
TRANSPORTATION DIAGRAM**

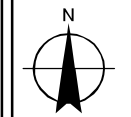
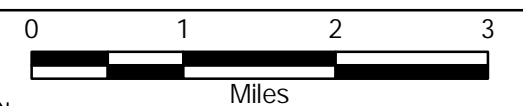
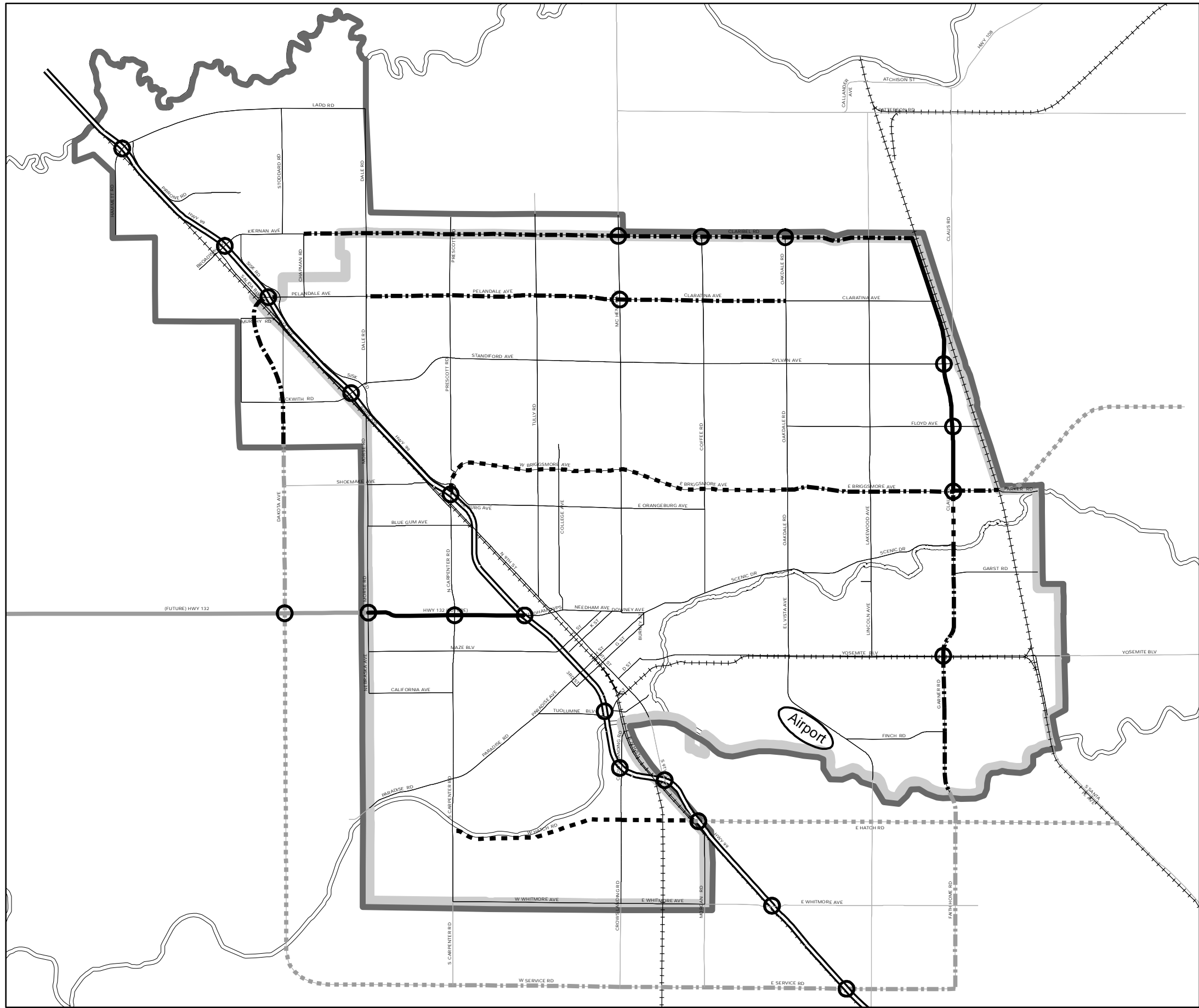
### LEGEND EXPRESSWAY FACILITY DESIGNATIONS

- FREEWAY
- Class A Expressway
- Class B Expressway
- Class C Expressway

- Interchange Location
- Arterials

### REFERENCE POINTS

- GENERAL PLAN BOUNDARY
- MODESTO SPHERE OF INFLUENCE
- RAILROADS
- RIVER
- AIRPORT



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Oct. 23, 2008



Street designations outside the General Plan boundary shown in Figure V-1 are illustrative only, and subject to the plans and policies of other jurisdictions.

The word “Diagram” is distinguished from “Map” in the context of a California Attorney General Opinion (67 Cal.Ops.Atty.Gen. 75, 77), to provide a limited degree of flexibility in applying the Circulation and Transportation Designations to specific streets.

#### **4. Circulation and Transportation Designations (Shown on Diagram)**

With the exception of local streets, the following Designations, along with typical right-of-way requirements, are presented on the Circulation and Transportation Diagram. These Designations conform to Section 65302(b) of the Government Code, and are hereby adopted and incorporated into the Modesto Urban Area General Plan. The specifications included in the facility types below apply to new development that will occur in the Planned Urbanizing Area. More detail is provided in the City’s adopted *Standard Specifications*.

##### **a. Freeway**

This classification defines the highest volume, total access–control highways with high design speeds (55–65 mph). Freeways are an important part of the transportation network for urban, inter-city, and inter-regional movement of people and goods.

##### **b. Expressways**

This classification defines high-volume, access-controlled roadways that do not provide for pedestrian or bicycle movements in the traveled way, although separate Class I bicycle facilities are proposed adjacent to expressway facilities in the Planned Urbanizing Area. The location, class, and number of lanes for expressway alignments are shown in the Circulation and Transportation Diagram, Figure V-1. In addition, Figure V-2 presents expressway design features that should be incorporated into the construction of future expressways. Street Details in the City of Modesto’s *Standard Specifications* illustrate the intersection cross-section requirements for expressway intersections with arterial and collector streets.

- (1) “Class A” Expressway is an access-controlled roadway with design speeds of 50–55 mph. The typical right-of-way is 110 or 135 feet (4 or 6 lanes, respectively) between interchanges and 175 or 300 feet at interchanges (4 or 6 lanes, respectively). The spacing between interchanges with arterial roadways on Class A expressways is one mile. Driveway access to Class A expressways is not permitted under any circumstance.
- (2) “Class B” Expressway is defined as a partial access–controlled roadway with signalized intersections at arterial streets and right-turn-only access to collector streets. The design speed is 45–50 mph. The typical right-of-way is 110 or 135 feet (4 or 6 lanes, respectively) between intersections and 134 or 159 feet at intersections (4 or 6 lanes, respectively). The distance between signalized intersections with arterial roadways on Class B expressways is one mile. Collector roadway intersections are

permitted at ½-mile increments, with right-in/right-out operations only. Site-specific access to expressways will be established through standard specifications, consistent with adopted policies.

State Highway 219 (Kiernan Avenue, between Highway 99 and McHenry Avenue) will be a Class B expressway, with a right-of-way of 181 feet as specified by Caltrans.

- (3) “Class C” Expressway is defined as a limited access–controlled roadway. The design speed is 40–45 mph. The typical right-of-way is 110 or 135 feet between intersections (4 or 6 lanes, respectively) and 134 or 159 feet at intersections. Note: Class B or C expressways on limited rights-of-way may be 100 feet for four lanes and 124 feet for six lanes, respectively. The distance between signalized intersections with arterial roadways on Class C expressways is one mile. Unsignalized intersections with collector streets allowing right-in and right-out only are permitted at ¼-mile increments. Site-specific access to expressways will be established through standard specifications, consistent with adopted policies.

### **c. Arterial Streets**

This classification defines moderate- to high-volume streets with a primary function of providing mobility and a secondary function of land access. Arterial streets serve the major centers of activity of the urban area and provide mobility of people and goods. Sidewalks are generally provided on arterial roadways, and on-street parking may or may not be permitted. There are two classes of arterial streets (Principal and Minor) in the Planned Urbanizing Area:

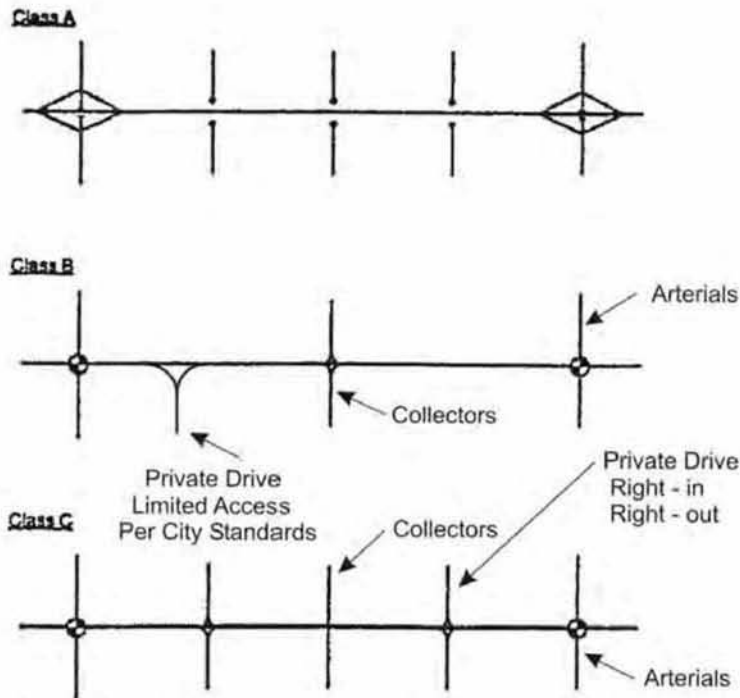
- (1) Principal Arterial without Bike Lane streets have six vehicle travel lanes and no bicycle lanes. The design speed is 45 mph. The typical right-of-way is 114 feet.
- (2) Principal Arterial with Bike Lane streets have six vehicle travel lanes and two bicycle lanes. The design speed is 45 mph. The typical right-of-way is 127 feet.
- (3) Minor Arterial streets have four travel lanes. Minor arterials should provide for bicycle lanes. The design speed is the same as principal arterials. The typical right-of-way is 100 feet.

### **d. Collector Streets**

This classification defines low-traffic–volume streets that serve pedestrian and bicycle traffic as well as provide traffic circulation within residential neighborhoods, and commercial and industrial areas. Collector streets distribute trips from the arterials through the area to their ultimate destination, and collect traffic from local streets and channel it into the arterial streets. Sidewalks are provided on collector roadways.

Figure V-2

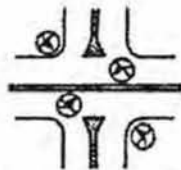
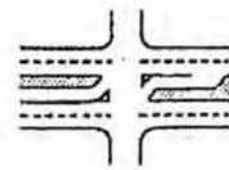
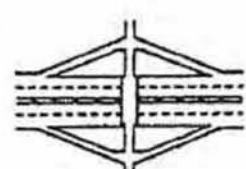
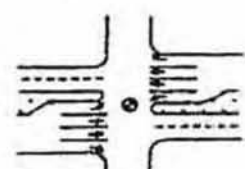
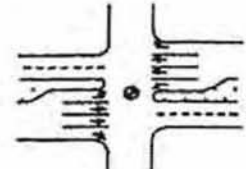
## EXPRESSWAY DESIGN FEATURES



This diagram illustrates levels of side-street and driveway access permitted on a one-mile section of typical Class A, Class B, and Class C expressways, see next figure for greater detail on individual types of access

**Note: Design of Expressway access shall conform to City Standard Specifications**

### Expressway Design Classes

Type of Access Point	Minimum Spacing along Expressway (If permitted at all)	Typical Design of Access Point		
		Class A Expressway	Class B Expressway	Class C Expressway
Driveway	>300ft.	(Not Permitted)	Permitted in limited Circumstances Per City Standard	Permitted in limited Circumstances Per City Standard
Collector	1/4-1/2 ml.	(Not Permitted)	 (Per City Standards)	
Arterial	1 ml.			

### Expressway Access Management

There are two classes of collector streets:

- (1) A Major Collector street is a four-lane facility, with a design speed of 25–35 mph on a typical right-of-way of 84 feet without bicycle lanes or 96 feet with two, 6-foot bicycle lanes.
- (2) A Minor Collector street is a two-lane facility, with a design speed of 25–30 mph on a typical right-of-way of 60 feet without bicycle lanes or 72 feet with two, 6-foot bicycle lanes.

#### **e. Local Streets**

This classification applies to low-volume streets that are two-lane roadways. Local streets primarily permit direct access to abutting land uses and connections to the higher order roadways. Local streets offer the lowest level of mobility and usually contain no bus routes. The right-of-way should be narrow enough, and design speeds low enough, to discourage through traffic. Sidewalks are generally provided on local streets.

### **5. Policies Relating to Street Designations**

#### **a. State Highway**

This classification defines any street that is acquired, laid-out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization. The street can be a freeway, expressway, arterial, or other roadway classification. The right-of-way, design, and construction on a state highway should follow state standards. The improvement and addition of freeway interchanges should be made when required by future traffic demands.

#### **b. Streets in Specific Plans**

Any Specific Plan may propose modifications to right-of-way and cross-section standards for the five Circulation and Transportation Designations. Design modifications must be approved by the City's Public Works Director prior to implementation.

#### **c. Expressways**

The City's General Plan provides for a system of expressways throughout the City. The City will continue to include these expressways in its Circulation and Transportation plan and to implement them in cooperation with the development community according to applicable design standards.

- (1) The City shall regulate and limit the number and design of expressway access locations in order to ensure the overall operational viability of expressways in the community.

- (2) Any consideration of access to expressways shall be contingent on the ability of an applicant to provide a properly designed solution consistent with the adopted City standard specifications for access to Class B or Class C expressways. The City Engineer may approve variations and deviations from adopted standard specifications pursuant to Section 7-1.701(I)(2) of the Municipal Code. Consideration of a variation and/or deviation from adopted standard specifications shall be subject to environmental review pursuant to the California Environmental Quality Act (CEQA).
- (3) Any access to expressways from private parcels shall be at the sole expense of the private party, including any reconstruction of the expressway that may be necessitated.
- (4) The City may allow expressway access along either Class B or Class C expressways to non-residential uses on a case-by-case basis when conditions A and B are met, or condition C is met or condition D is met as noted below:
  - (A) When an applicant demonstrates to the City Council's satisfaction that economic purposes are clearly restricted by denial of access to a particular parcel.
  - (B) When an applicant demonstrates to the City Council's satisfaction that there are either no or only highly restrictive alternative access solutions available to a particular parcel under consideration.
  - (C) For infill site developments, when an applicant demonstrates to the City Council's satisfaction that the economic benefits derived from development of the remnant parcel override the need to limit access to that parcel.
  - (D) It is recognized that City of Modesto emergency facilities, such as police and fire stations, will be located from time to time on expressways and, further, that direct access is desirable. In these cases, direct access is allowed and shall be designed in cooperation with the Engineering and Transportation Department. Said design shall have City Council approval prior to implementation.
- (5) The City has adopted access management policies that include design standards for expressway access (General Plan Amendment 2001-02, August 28, 2001). The purpose of the guidelines and design standards is to provide safe ingress and egress to adjacent parcels while at the same time not degrading the carrying capacity, flow, and efficiency of the expressway. Such access management guidelines and design standards conform to design criteria and standards as set forth by the American Association of State Highway and Transportation Officials (AASHTO).

## **6. Circulation and Transportation Policies—Overall**

- a. The streets and highways system should be coordinated with Caltrans', the County's, and other jurisdictions' existing facilities and plans. The adoption of a regional expressway system by the Stanislaus Council of Governments (StanCOG) should be supported, and the components of the regional system that lie within the City's Sphere of Influence shall be incorporated into the City's Circulation and Transportation Diagram. The expressway system shall be designed to accommodate mass transit. The City shall develop an efficient, and well-coordinated, multi-modal (rail/air/bus/bicycle/pedestrian) transportation system.

- b. Transportation Control Measures (TCMs) shall be implemented where feasible or mandated by other agencies, to reduce vehicle miles traveled, vehicle idling, or traffic congestion. Alternatives to the drive-alone auto mode, such as mass transit, ride sharing, non-motorized transportation, and telecommuting, should be encouraged. In addition, the City shall encourage innovative means to reduce traffic congestion and enhance air quality, through:
- teleconferencing centers
  - fiber optic communication networks
  - internet commerce and education
  - alternative fuels and vehicles
  - traffic flow improvements, including:
    - implementation of Intelligent Transportation Systems (ITS)
    - coordination of traffic signals
    - reducing congestion at major intersections
    - alternative traffic controls such as roundabouts
  - increased transit service, including:
    - regional express bus service
    - transit access to airports and railroad stations
    - expansion of public transportation
    - bus pullouts and transit shelters
    - bicycle racks on buses
  - trip reduction programs, including
    - transit oriented development
    - sustainable development
    - preferential parking and financial incentives for carpools and vanpools
  - encouragement of pedestrian and bicycle travel including development of the non-motorized transportation system as outlined in the December 2006 *Non-Motorized Transportation Plan* and development of pedestrian and bicycle overpasses where feasible and appropriate
  - development of safe routes to school and other measures as identified in the latest Modesto City Council resolution regarding Reasonably Available Control Measures

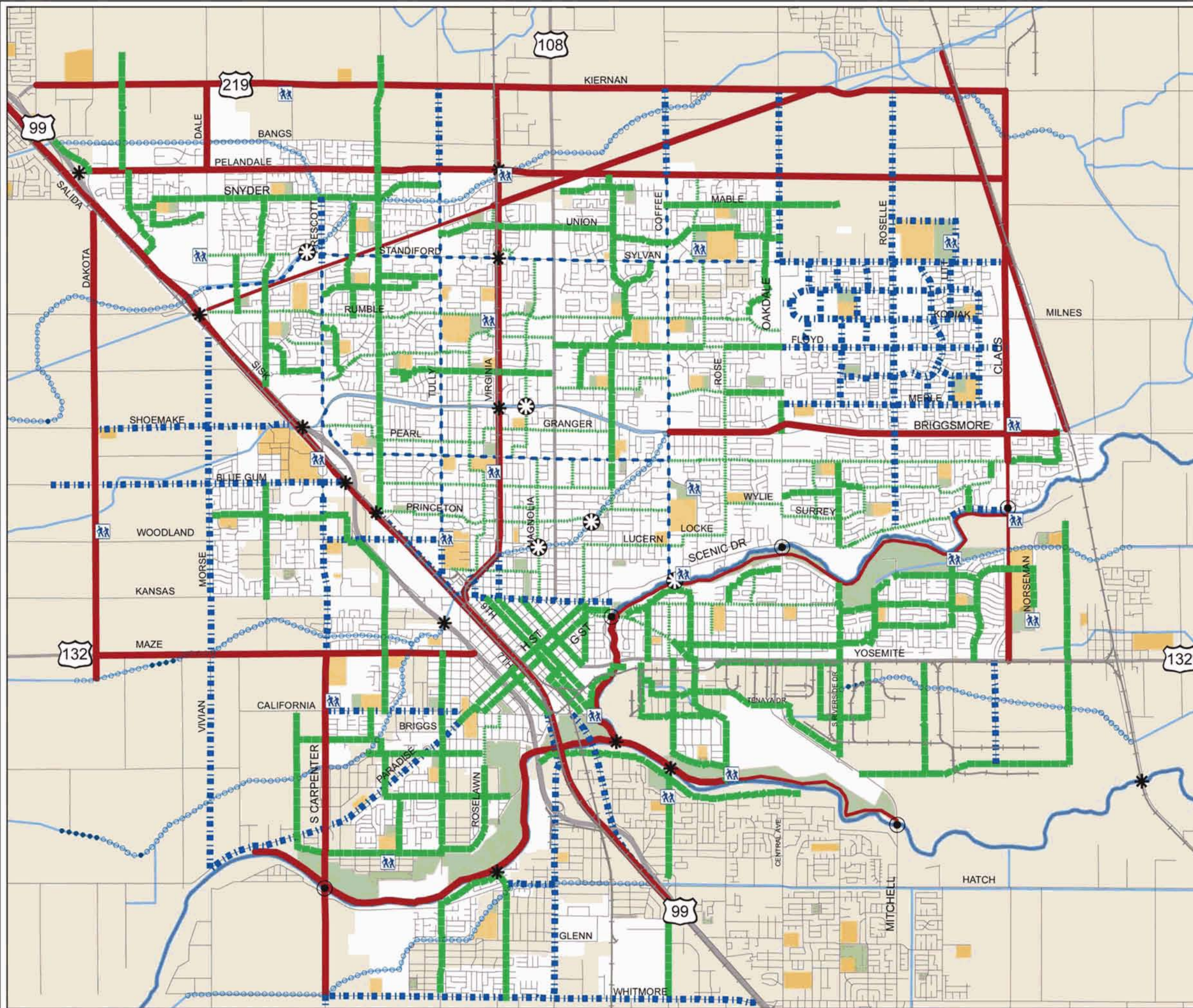
Figure V-3 shows the proposed bicycle network from the December 2006 *Non-Motorized Transportation Plan*.

- c. Transportation Demand Management (TDM) measures are encouraged to directly affect trip makers' choice of travel mode and the routes and time of day for trips. Transportation Demand Management has as its purpose the reduction in the number of vehicle trips being made on the street network. Typical types of TDM measures would be promotion of transit, car pooling or van pooling, non-motorized transportation, and pricing of parking to make these alternative modes of transportation more attractive and cost competitive.
- d. The City shall prepare a citywide transportation improvement plan to accommodate peak hour traffic flow on arterial streets and major collector streets while considering transit, bicycle, and pedestrian travel. This plan may include traffic signal coordination and low-cost intersection and roadway segment improvements, such as striping and restriping to add turning lanes. This plan should also consider Transit Oriented Development (TOD), Smart Growth principles, transit enhancements, and non-motorized transportation networks as means to reduce vehicle trips and maximize the efficiency of the existing and planned roadway system.
- e. The City hereby defines and authorizes the use of a "Plan Line." The Plan Line is a process that specifically defines the location of center lines, alignments, rights-of-way, cross-sections, and intersections for future or proposed roadways and non-motorized transportation right-of-ways. The purpose of a Plan Line is to provide adequate right-of-way for future growth needs and to protect the right-of-way from encroachment. Adopted Plan Lines shall be incorporated into development plans to define specific requirements for dedicating the right-of-way for street purposes and to implement Circulation and Transportation policies of the General Plan.
- f. The highest possible levels of service for all transportation modes (vehicle, transit, pedestrian, and bicycle) shall be maintained on City roadways, consistent with the financial resources reasonably available to the City and without unreasonably burdening property owners or developers with excessive roadway improvement costs. On roadways where the LOS is expected to exceed level F, the City should consider mitigation measures other than road widening, such as the addition of bicycle lanes, improved pedestrian access, improved transit service, and the establishment of walkable development patterns. Data from the General Plan Traffic Analysis, described in The Traffic Appendix of the Master Environmental Impact Report, as updated from time-to-time, shall be used to evaluate the effectiveness of traffic mitigation measures adopted by the City Council.
- g. Where safety, traffic operations, and non-motorized transportation are not compromised, in-fill and redevelopment projects shall be exempted from the City's street width and right-of-way standards if those standards exceed the original standards under which the adjacent streets were constructed. This exemption shall not apply to other street improvement standards, such as, but not limited to, drainage, structural requirements, curbs, gutters, sidewalks, and lighting. This exemption shall not apply on state highways or where Plan Lines have been adopted.
- h. The City's circulation system shall facilitate a rapid response by emergency vehicles and shall accommodate school buses. Factors shall include adequate road widths and corner radii in street designs to ensure that the appropriate fire equipment and school buses can negotiate City streets.



# CITY of MODESTO GENERAL PLAN PROGRAM

## FIGURE V-3 BICYCLE CIRCULATION



### LEGEND

#### EXISTING BIKEWAYS

- CLASS I BIKE PATH
- CLASS II BIKE LANE
- CLASS III BIKEWAY

#### PROPOSED BIKEWAYS

- CLASS I BIKE PATH
- CLASS II BIKE LANE
- CLASS III BIKEWAY
- CANAL CLASS I PATH

CANAL

RAILROAD

RIVERS

PARKS

SCHOOLS

EXISTING SURFACE STREET BRIDGES

EXISTING BIKE & PED BRIDGES/CROSSINGS

PROPOSED BIKE & PEDESTRIAN BRIDGES

PROPOSED TRAILHEADS

Not to scale



- i. Development shall be designed to encourage walking as an alternative mode to the automobile for transportation by creating safe and convenient pedestrian facilities and connections through landscaping, frontage improvements, and pedestrian walkways through parking areas and or over major barriers such as freeways or canals. Development of cul-de-sacs should be discouraged; however, when proposed, through cul-de-sacs shall, to the greatest extent possible, provide pedestrian connections to schools and other community facilities. Sound wall designers, where warranted and appropriate for new and existing development, shall consider pedestrian access to the adjacent roadway.
- j. Non-motorized transportation, such as the bicycle, shall be promoted as an alternative mode of transportation. An adequate and safe non-motorized transportation system in accordance with the City of Modesto Non-Motorized Transportation Plan (updated December 2006 and adopted as part of the Modesto Urban Area General Plan, January 2007, P-GPA-06-001) shall be provided to connect residential areas with shopping and employment areas in and adjacent to the City for present and future transportation needs. Right-of-way for non-motorized usage shall be considered in the planning of new streets and in street improvements. Facilities for mode transfer from non-motorized travel to park-and-ride lots, transit, and rail shall be considered and provided when necessary.
- k. The City shall encourage the effort to make a safe, efficient, and effective rail service possible by increasing the frequency, speed, and comfort of its passengers. The City recognizes and encourages a safe and convenient interface among rail, transit, automobile, and non-motorized traffic. The following forms of rail service are particularly encouraged:
  - (1) Amtrak. The City supports continued passenger rail service to the Modesto area.
  - (2) Inter-regional Rail Service. The City supports the rerouting of San Joaquin rail service to provide service to the downtown area and the intermodal facilities and creation of passenger commute rail service from Modesto to San Joaquin County, then to Sacramento and over the Altamont Pass to the Bay Area.
  - (3) Light Rail Transit/Bus Rapid Transit. The City shall support a light rail transit or bus rapid transit (BRT) system when the urban form warrants it and where it is feasible. BRT is a flexible and rapid mode of transportation that uses buses combined with stations, services, running ways, and technology to provide the quality of rail transit and the flexibility of buses in an integrated system with strong identity.
  - (4) High Speed Rail. The City encourages and supports the development of a high speed rail corridor through the San Joaquin Valley and the development of a high speed rail station within the City.
  - (5) Freight Rail. The City encourages the extended and increased use of rail as an alternative transportation mode for the movement of goods. In addition, the City supports the intermodal linkage of “truck on rail” as a technique for reducing through-truck traffic on highway corridors.
  - (6) To provide acceptable traffic operations and to maintain safe crossings, the City shall support the construction of grade-separated crossings for all new crossings. Existing at-grade crossings shall be maintained, and new developments shall be evaluated to ensure that railroad crossing operations are not compromised. The City shall seek state

funding and grants to improve railroad crossings within the City of Modesto. Any modifications to existing railroad crossings or new crossings (at-grade or grade-separated) shall be coordinated with the appropriate railroad company.

- l. Street networks in new development shall be developed to permit non-motorized and vehicle trips within the development to be completed without the use of collector streets and arterial streets.
- m. The City shall work with Caltrans to promote the application of advanced technology to help manage congestion and enhance roadway capacity and safety. Known as “Intelligent Transportation Systems” (ITS), the program includes the following components:
  - (1) Advanced Traffic Management Systems (ATMS), which maximize capacity of the transportation system, and involve using technology to manage traffic flow, disseminate real-time travel information to travelers, improve emergency response and freeway patrol service, and coordinate inter-agency traffic management.
  - (2) Advanced Traveler Information Systems (ATIS), which provide on-board navigation that can provide congestion and accident information and alternative travel routes.
  - (3) Commercial Vehicle Operation (CVO), which restricts commercial vehicles from operating during commute peak hours and helps transportation companies track their vehicles.
  - (4) Advanced Vehicle Control Systems (AVCS), which use on-board and in-road guidance systems to optimize vehicle speed and movement.
- n. The City has developed guidelines for private property access to the expressway, arterial, and collector street system. These guidelines provide for reasonable, safe, and coordinated access while maintaining smooth and safe traffic flow along the City’s major streets. These guidelines address the number, location, design, and operation of access driveways for each class of roadway.
- o. The City shall provide a balanced, feasible, and well-maintained system of transportation for motorized and non-motorized modes.
- p. In the case of conflict between motorized and non-motorized transportation modes, roadway and right-of-way features will be added or altered to protect pedestrians and bicyclists, as well as provide for improved safety for motorized traffic consistent with Urban Area General Plan goals. Features could include pedestrian and bicycle bridges over roadways.
- q. The City of Modesto *Roundabout Policy* (dated September 2004) provides guidelines and policies that pertain to the development of the roundabouts and is hereby adopted into the Modesto Urban Area General Plan.
- r. New roadways and roadway connections shall conform to the most recent City of Modesto Roadway Design Standards, as detailed in *Standard Specifications*, City of Modesto Public Works Department, or to the standards authorized under a Specific Plan, whichever is applicable. Shared and consolidated access to arterial roadways shall be encouraged to minimize curb cuts.

- s. New roadways and roadway connections should be designed to provide a grid street system to improve connectivity; accessibility of all modes; increase route choice; better accommodate public transit services; and reduce trip length, traffic congestion, and pollution.
- t. The City of Modesto shall update and maintain a Capital Facilities Fee program to contribute to transportation improvement projects of local and regional significance.
- u. Bus pullouts are to be added to new developments to support transit passenger loading and unloading.
- v. New schools and parks should be surrounded by streets on all sides wherever possible to encourage access by walking and bicycling, and to provide safe and adequate parking for drop-off and pick-up along the school frontage.

## **7. Circulation and Transportation Policies—Redevelopment Area and Baseline Developed Area**

- a. For new development with the potential to generate 100 or more peak hour vehicle trips (greater than the number of trips expected to occur with development consistent with the General Plan and the Master EIR), the City may require that a qualified traffic engineer prepare a traffic study to identify potential transportation impacts and specify improvement measures needed to ensure an acceptable Level of Service (LOS) on affected streets. The City Engineer will specify the extent of the traffic study based on existing conditions and key issues associated with site plans.
- b. The City may allow individual locations to fall below the City’s LOS standards in instances where the construction of physical improvements would be infeasible, be prohibitively expensive, significantly impact adjacent properties or the environment, significantly impact non-motorized transportation systems, or have a significant adverse effect on the character of the community. To the extent feasible, the City shall strive for LOS D on all streets and intersections.
- c. Individual development projects that could affect conditions on traffic facilities predicted by the General Plan Traffic Analysis to operate at LOS D or better in 2025 (as shown in the Traffic Appendix of the Master EIR) cannot cause, without further study, conditions to be worse than LOS D at any time prior to 2025. If implementation of this Level of Service is impractical or infeasible, or may result in secondary impacts on the non-motorized transportation system, subsequent environmental review, including a Comprehensive Traffic Study, shall be required.

The subsequent environmental review may take the form of:

- (1) A mitigated negative declaration, if feasible mitigation measures or alternatives will be incorporated to avoid the worsening of the LOS standards presented in the Traffic Appendix of the Master EIR (Section 21157.5(a) of CEQA)
- (2) An EIR, if mitigation measures cannot avoid the worsening of the LOS Standards presented in the Traffic Appendix of the Master EIR (Section 21157.5(b) of CEQA)

The Comprehensive Traffic Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Specific Plans, and for development within the affected Baseline Developed Area and Redevelopment Area, and shall conform to the *Criteria for a Traffic Impact Study*.

- d. Individual development projects that could affect conditions on traffic facilities predicted by the General Plan Traffic Analysis to operate at LOS E (as shown in the Traffic Appendix of the Master EIR) shall not, without further study, cause conditions on those facilities to exceed LOS E at any time prior to 2025. If implementation of this Level of Service is impractical or infeasible, subsequent environmental review, including a Comprehensive Traffic Study, will be required.

The subsequent environmental review may take the form of:

- (1) A mitigated negative declaration, if feasible mitigation measures or alternatives will be incorporated to avoid the worsening of the LOS standards presented in the Traffic Appendix of the Master EIR (Section 21157.5(a) of CEQA)
- (2) An EIR, if mitigation measures cannot avoid the worsening of the LOS Standards presented in the Traffic Appendix of the Master EIR (Section 21157.5(b) of CEQA)

The Comprehensive Traffic Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Specific Plans, and for development within the affected Baseline Developed Area and Redevelopment Area, and shall conform to the *Criteria for a Traffic Impact Study*.

- e. Individual development projects that could affect conditions on traffic facilities predicted by the General Plan Traffic Analysis to achieve LOS F (as shown in the Traffic Appendix of the Master EIR) shall not, without further study, cause further substantial degradation of conditions. Further substantial degradation shall be defined as an increase in the daily vehicle/capacity (v/c) ratio of 0.05 or greater for roadway segments whose v/c ratio is estimated to be 1.00 or higher in 2025 by the traffic model. If implementation of this Level of Service is impractical or infeasible, subsequent environmental review, including a Comprehensive Traffic Study, will be required.

The subsequent environmental review may take the form of:

- (1) A mitigated negative declaration, if feasible mitigation measures or alternatives will be incorporated to avoid the worsening of the LOS standards presented in the Traffic Appendix of the Master EIR (Section 21157.5(a) of CEQA)
- (2) An EIR, if mitigation measures cannot avoid the worsening of the LOS Standards presented in the Traffic Appendix of the Master EIR (Section 21157.5(b) of CEQA)

The Comprehensive Traffic Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Specific Plans, and for development within the affected Baseline Developed Area and Redevelopment Area, and shall conform to the Traffic Study Guidelines.

- f. Designated City staff will review future development project proposals within the Baseline Developed Area, on a case-by-case basis. The following criteria may be applied to each proposal, and a determination made by the designated staff of the Public Works Department or other City department, regarding the acceptable or appropriate level of project impact on the circulation network.
- (1) For proposed development projects that conform to the General Plan–approved land use for the site, it is assumed that the adopted performance standards for the circulation system within the area of impact will be maintained. For such projects, the designated City staff may establish an appropriate scope of study for a “Site Access Study,” if necessary, which may address project impacts to adjacent or nearby intersections, as described in Policies V-B.6[a] through V-B.6[c].
  - (2) The “Site Access Study” shall, at a minimum, analyze and resolve the following:
    - (a) Impacts to roadway segments adjacent to the project site.
    - (b) Impacts to intersections considered to have a key role in regulating access to the project site or substantial traffic flow between the project site and a key arterial roadway.
    - (c) Impacts to and design needs for access between internal and off-site vehicular circulation, and linkages to off-site bicycle/pedestrian circulation systems, and transit services.
    - (d) Onsite parking needs and impacts to off-site parking, when applicable.
    - (e) Other operational or safety-related concerns and issues, including site access.
  - (3) The proposed development project will be designed to incorporate all recommendations of the “Site Access Study.”
  - (4) If implementation of the definitive recommendations of the Site Access Study is impractical or infeasible, subsequent environmental review, including a Comprehensive Traffic Study, may be required. That Study shall include appropriate measures to update the General Plan Traffic Analysis for all subsequent Specific Plans, and for development within the affected Baseline Developed Area and Redevelopment Area.
  - (5) For projects that do not conform to the General Plan–approved land use, further supplemental environmental review may be necessary, in accordance with Section 21157.1(d) of the Public Resources Code.
- g. Data from the General Plan Traffic Analysis, described in the Traffic Appendix of the Master EIR, shall be utilized to evaluate the effectiveness of the policies presented above.

## **8. Circulation and Transportation Policies—Planned Urbanizing Area**

- a. Prior to the adoption of each Specific Plan, a “Comprehensive Traffic Study” shall be prepared, to the satisfaction of the Public Works Director, and be included in an EIR for each respective Specific Plan.
- b. The Comprehensive Traffic Study shall include the following components:
  - (1) Sufficient analysis and mitigation measures to ensure that the Level of Service D standard is maintained on all Specific Plan area roadways and intersections. A determination of which external links and intersections require study and impact assessment shall be made by the Public Works Director.
  - (2) If the identified mitigation measures cannot feasibly achieve the traffic performance standard for internal and external roadways in the opinion of the Public Works Director, then the Comprehensive Traffic Study shall include appropriate measures to update the General Plan Traffic Analysis and findings for all subsequent Specific Plans, and for development within the Baseline Developed Area and Redevelopment Area.
- c. For individual proposed projects that conform to a Specific Plan’s land use designations (for amount and type of land use) a subsequent Site Access Study may be required. Each Site Access Study should, at a minimum, focus on the following issues:
  - (1) Impacts to roadway intersections that are adjacent to the project site.
  - (2) Impacts to and design needs for access between internal and off-site vehicular circulation, and linkages to bicycle/pedestrian circulation systems and transit services.
  - (3) Onsite parking needs.
  - (4) Other safety-related concerns.

Conceivably, the Comprehensive Traffic Study may contain sufficient detail to obviate some or all portions of a “Site Access Study.”
- d. Data from the General Plan Traffic Analysis, described in the Traffic Appendix of the Master EIR, shall be utilized to evaluate the effectiveness of the policies presented above.
- e. Projects that do not conform to the General Plan–approved land use may need supplemental environmental review, in accordance with Section 21157.1(d) of the Public Resources Code.

## **C. COMMUNITY FACILITIES—WATER**

### **1. Overview**

Water is probably the most critical natural resource in California. As the City of Modesto grows, it is important that water resources be protected and conserved, and their overall quality enhanced. At present, water supply in the City is provided by City owned and operated groundwater wells and by treated surface water purchased from the Modesto Irrigation District (MID). In addition, there are private wells operating in the City limits for parks, golf courses, industry, and agricultural uses. In addition, plans are underway to purchase additional surface water supply from the Turlock Irrigation District (TID).

The City of Modesto has been providing potable water service to its urban area since 1895 through the purchase and acquisition of several private water companies. Until 1995, the sole source of water supply to the City was groundwater from the Modesto and Turlock groundwater subbasins. The majority of the City is located in the Modesto Groundwater Basin, while a smaller portion of the City is located south of the Tuolumne River in the Turlock Groundwater Subbasin. Groundwater levels have declined from historic levels, particularly in the downtown area, due to increasing urban uses.

In the early 1990s the City of Modesto, MID, and the Del Este Water Company formed a partnership to use a portion of MID's surface water supplies for municipal uses. The Modesto Domestic Water Project (MDWP) was the result of this partnership. The MDWP consists of Phase I of the Modesto Regional Water Treatment Plant (MRWTP), a 30 million gallon per day (MGD) surface water treatment plant built, owned, and operated by MID, and downstream storage and delivery facilities, which were completed in January 1995. Phase Two of this project is under way and includes expansion of the MRWTP to treat an additional 30 MGD.

In 1995, the City of Modesto acquired the Del Este Water Company, which had previously served approximately 30 percent of the municipal customers in the Modesto area. As a result of this acquisition, the City also became the primary domestic water purveyor for its own community and in Stanislaus County, serving the communities of Waterford, Hickman, Del Rio, Salida, Grayson, Empire, and parts of Ceres and Turlock. The City delivers groundwater and surface water treated by the MRWTP to municipal customers within the MID service area, which includes the City boundaries north of the Tuolumne River, and the communities of Salida and Empire. The City also uses groundwater to serve municipal customers south of the Tuolumne River in the TID service area.

TID currently serves only agricultural customers and does not supply water for municipal uses. The City of Modesto recently entered into an agreement with TID to participate in the design of a TID Surface Water Supply Project (SWSP) to be located east of Modesto on the south side of the Tuolumne River. Modesto intends to enter into a future Treatment and Delivery Agreement (TDA) for delivery of 11.5 MGD of TID surface water to the south Modesto area. This will enhance Modesto's ability to manage its surface- and groundwater supplies conjunctively. The SWSP is planned to be operational in 2011. In addition, the Turlock Groundwater Basin Association is in the process of completing its Groundwater Management Plan. The City is one of the local agencies eligible to participate in the Groundwater Management Plan.

The City is currently dependent on groundwater for up to 60 percent of its total supply during summer and fall months. The City will continue to increase groundwater pumping and install new wells to meet demands until Phase Two of the MRWTP is operational. Upon completion of this project, the City will have additional flexibility to reduce groundwater pumping below current usage, allowing groundwater supplies to accumulate (or “bank”) for use in meeting normal and dry year demands in the future. Additional potential water supply alternatives available to the City for meeting future demand in both normal and dry years include additional surface supplies, potentially in conjunction with the SWSP or a Phase Three MRWTP Expansion, as well as increased use of recycled water.

In 1994, five water purveyors, including MID, the Oakdale Irrigation District, and the Cities of Modesto, Riverbank, and Oakdale joined together with Stanislaus County to form the Stanislaus and Tuolumne Rivers Groundwater Basin Association (Association). The Association provides a forum for the coordinated planning and management of the Modesto Subbasin and encourages the development of projects and programs that will improve water supply reliability and water quality within the Subbasin.

In 2005, the Association completed an Integrated Regional Groundwater Management Plan (IRGMP) in compliance with the Groundwater Management Planning Act of 2002 (SB 1938) and the Integrated Regional Water Management Planning Act of 2002 (SB 1672), and includes components of AB 3030, SB 1938, and SB 1672. The purpose of the IRGMP is to provide a framework for coordinating groundwater and surface-water management activities into a cohesive set of management objectives and for implementing the actions necessary to meet those objectives. The overriding objective of the IRGMP is to improve the regional and local management of water resources through the formulation and implementation of Local and Regional Basin Management Objectives (BMOs).

In 1995, The Turlock Groundwater Basin Association (TGBA) was formed for the purposes of studying and evaluating the condition of the Basin and developing a groundwater management plan for the preservation, protection and enhancement of the Basin. TGBA is in the process of updating the 1997 Turlock Groundwater Basin Groundwater Management Plan, which will include the pertinent information contained within the original plan with additional or updated data inserted as needed to comply with the current groundwater management requirements.

In the City of Modesto, houses built after 1992 had a water meter installed according to state law. At the time, the meters did not have to be used for billing. In 2004, the Governor signed Assembly Bill 2572, which requires that water meters be installed on all new potable water service connections. In addition, AB 2572 requires that all existing municipal and industrial service connections have water meters installed by January 1, 2025. By January 1, 2010, all customers with water meters are required to be charged based on the volume of water delivered. The City has developed a 15-year plan to install water meters on all connections, and work began in 2006. By 2020, it is anticipated that more than 62,000 water meters will be in operation in the City.

The Urban Water Management Planning Act requires water suppliers in California such as the City to prepare and adopt an Urban Water Management Plan (UWMP) every five years, which defines their current and future water use, sources of supply and its reliability, and existing conservation measures. The City and MID have prepared and maintain a joint UWMP for the City. The purpose of the joint plan is to provide a planning tool for both agencies in developing and delivering municipal water supplies to the joint water service area, and for the City to appropriately manage

urban water supplies and demands both within and outside of the joint service area. The most recent UWMP was completed in 2007.

Finally, the City has initiated the process of preparing a Water Master Plan. The City has prepared several technical memos related to the hydraulic model, which will be used to help prepare the Water Master Plan. In 2005, the City adopted the Hydraulic Model Project, which needs to be updated since it presents 2003 conditions and does not incorporate recent changes in growth and water demands.

This section also addresses the requirements of Government Code Section 65302(d) pertaining to the “conservation, development, and utilization of...water.”

## **2. General Water Goal**

- a. Ensure a consistent, reliable, high-quality water supply for the City of Modesto and its customers.

## **3. Water Policies—Baseline Developed Area**

- a. During review of all proposed development, the City shall require, as a condition of approval, that all developments reduce their potable water demand. The City should refer to Table 5-1 in the Joint Urban Water Management Plan for potential techniques to reduce potable water demand, as well as those identified in the City’s current UWMP.
- b. The City’s Public Works Director may require water infrastructure master plans for the public infrastructure or when otherwise pertinent to provision of service at adopted service levels for the specific plan areas or other projects depending on site issues and location.
- c. Individual development projects, including lot splits, are subject to review by the City’s Public Works Director for adequate water supply.
- d. According to state law (Senate Bill 1087 of 2005), no provider of water services may deny or condition the approval of an application for services, or reduce the amount of the services applied for, if the proposed development includes housing affordable to lower income households, except upon making specific findings in accordance with SB 1087.
- e. All new connections to the public water system shall have meters installed. In addition, on or before January 1, 2025, all existing municipal and industrial service connections shall have water meters installed. On or before January 1, 2010, the City shall charge all customers with water meters based on the volume of water delivered.
- f. The City of Modesto shall prepare and adopt an Urban Water Management Plan every five years in accordance with Water Code Section 10621.
- g. The City shall implement the Demand Measurement and Conservation Measures identified in the City’s adopted Urban Water Management Plan.

- h. The City of Modesto shall prepare and maintain a Water Master Plan. The Water Master Plan shall be updated, as needed, to incorporate changes in growth projections, water supplies, and demands.
- i. The City of Modesto should continue to pursue additional potential water supply alternatives available to the City to accommodate growth and meet future demand in both normal and dry years.
- j. The City of Modesto will encourage the optimum beneficial use of water resources within the City. The City shall strive to maintain an adequate supply of high-quality water for urban uses. At a minimum, potable water supplies (including well water) delivered to water customers shall conform to the primary maximum contaminant levels as defined in the California Code of Regulations, Title 22, Section 64431-64444.
- k. The City of Modesto will strive to stabilize groundwater levels and eliminate groundwater overdraft, as part of a conjunctive groundwater–surface water management program. The City shall view regional water resources, such as groundwater, surface water, and recycled wastewater, as an integrated hydrologic system when developing water management programs.
- l. The City of Modesto will be the sole provider of municipal and industrial water services to the area within the City’s Sphere of Influence, with the exception of private wells. The City will cooperate with the overlying agricultural water providers, MID and TID, and with adjacent municipal and industrial providers for the mutually beneficial management of the limited water resources. The City will also take into consideration its public trust duty with regard to environmental uses of water resources.
- m. The City will provide water service within the original Del Este service area.
- n. Water facilities will be constructed, operated, maintained, and replaced in a manner that will provide the best possible service to the public. The City shall ensure that infrastructure is installed before or concurrently with development. The City will take a comprehensive approach to financing, using a blend of special taxes, benefit assessments, and other methods to ensure that infrastructure installation occurs in a timely manner.
- o. The City will continue to establish guidelines, policies, and programs to implement water conservation to the maximum extent feasible. Funding for large conservation rebate or exchange programs should be in place. The City shall strive to maximize the utilization of water resources when developing and implementing its Economic Development Strategy.
- p. The City of Modesto shall participate in the development of a TID Surface Water Supply Project (SWSP).
- q. The City of Modesto shall implement Local Basin Management Objectives (BMOs) discussed in the Integrated Regional Groundwater Management Plan that relate to the specific approaches to water management goals including groundwater supply, groundwater quality, and protection against inelastic land surface subsidence.
- r. The City of Modesto shall support the Regional BMOs discussed in the Integrated Regional Groundwater Management Plan.

- s. The City of Modesto should develop and implement a water recycling program to reduce the demands for new water supplies in the City and basin.

This section addresses the requirements of Government Code Section 66455.3 for proposed residential subdivisions of over 500 dwellings.

- t. For projects within the City’s water service area, a copy of any project application shall be sent to the City Public Works Department within 5 days of the application being accepted as complete for processing by the City of Modesto.
- u. When approving a proposed residential subdivision of over 500 dwelling units, the City of Modesto must include a condition requiring a sufficient water supply to be available. Proof of availability of water supply depends upon several factors.

This section addresses the requirements of Senate Bills 221 and 610 of 2001 that establish the requirement for public water systems to prepare water supply assessments for projects as follows:

- v. A project means any of the following (consistent with Water Code Section 10912): a proposed residential development of more than 500 dwelling units; a proposed shopping center or business establishment employing more than 1,000 persons or having more than 250,000 square feet of floor space; a proposed hotel or motel, or both, having more than 500 rooms; a proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area; a mixed-use project that includes one or more of the projects identified above; or a project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.
- w. The City shall consider adopting more specific or restrictive standards for the definition of a project within its water service area.
- x. For projects requiring an environmental impact report, negative declaration, or mitigated negative declaration under CEQA, the City, as the retail water supplier, shall prepare a Water Supply Assessment (WSA) that complies with the requirements of SB 610 and SB 221 in evaluating the sufficiency of water supply to serve the project, and include the findings of the WSA in the CEQA document.

This section addresses the requirements of Senate Bill 2095 of 2000 (Government Code Section 65601 et seq.) that relate to the mandated use of recycled water for landscaping purposes as follows:

- y. Any local public or private entity that produces recycled water and determines that within 10 years it will provide recycled water within the boundaries of the City of Modesto must notify the City of that fact. Within 180 days of receipt of the notice, the City of Modesto shall adopt and enforce a specified recycled water ordinance. The recycled water ordinance must comply with the recycled water policies detailed in the City of Modesto’s Urban Water Management Plan.

#### **4. Water Policies—Planned Urbanizing Area**

- a. All of the Water Policies for the Baseline Developed Area apply within the Planned Urbanizing Area.
- b. The City of Modesto shall coordinate land development projects with the expansion of water treatment and supply facilities.

### **D. COMMUNITY FACILITIES—WASTEWATER**

#### **1. Overview**

Wastewater collection and treatment is an essential community service to protect the public health and environment and to foster economic vitality. The City of Modesto provides both wastewater collection and treatment service for residences, commercial businesses, and industry within the City boundaries, North Ceres, Empire, and some isolated unincorporated County land (“islands”) dispersed within the Modesto Municipal Sewer District No. 1, which includes the City limits. The wastewater generated within the service area receives primary and secondary treatment at two separate treatment facilities, the Sutter Avenue Primary Treatment Plant and the Jennings Road Secondary Treatment Plant.

This section addresses the requirements of Government Code Sections 65302(a), relating to liquid waste disposal facilities, and 65302(d), relating to the reclamation of water and the “prevention and control of the pollution of streams and other waters.” Wastewater will be considered as one part of integrated regional water resource management.

#### **2. General Wastewater Goal**

- a. The objective of the City’s wastewater system is to meet increasingly strict wastewater regulations in a cost-effective manner. As demand for water increases in California, reclaiming wastewater could create opportunities to optimize the region’s water resources. Similar opportunities exist for the beneficial reuse of biosolids and digester gas, and other residuals of wastewater treatment.

#### **3. Wastewater Policies—Baseline Developed Area**

- a. To protect public health and the environment, the City’s wastewater treatment facilities will conform to standards for wastewater and biosolids treatment and disposal, as established by the Central Valley Regional Water Quality Control Board, in compliance with the Federal Clean Water Act, the State Porter-Cologne Act, and their implementing regulations, current and future.
- b. The City shall support the near-term expansion of the wastewater treatment and disposal capacity of the Jennings Road Secondary Treatment Plant.

- c. The City shall support both wastewater collection and treatment system improvements and associated costs needed to serve the City’s existing and future customers.
- d. Wastewater facilities will be constructed, operated, maintained, and replaced in a manner that will provide the best possible service to the public as required by federal and state laws and regulations. In developing implementation plans, consideration shall be given to rehabilitation of essential existing facilities, expansion to meet current excess demand, and the timely expansion for future demand.
- e. If available, the City shall provide wastewater services within the sewer service agreement area.
- f. The City of Modesto shall continue to support, develop, and research future water reclamation opportunities as a water resource.
- g. The City’s wastewater system capacity will be allocated to existing and future residential, commercial, and industrial customers. Discharges from environmental cleanup sites may be issued conditional discharge permits subject to the availability of excess treatment capacity. In accordance with federal and state regulations, all discharges to the wastewater system may not, or may not threaten to, upset, interfere, or pass through the wastewater system.
- h. The City Engineer may require wastewater infrastructure master plans for the specific public infrastructure or when otherwise pertinent to provision of service at adopted service levels for the specific plan areas or other projects depending on site issues and location.
- i. Individual development projects, including lot splits, are subject to review by the City’s Public Works Director for adequate wastewater collection service.
- j. Within the entire General Plan boundary and sewer service areas, the City shall avoid increasing the burden on existing septic systems that results from the addition of new plumbing fixtures.
- k. Subject to the approval of the Stanislaus Local Agency Formation Commission, the City of Modesto will be the sole provider of wastewater services to the area within the City’s Sphere of Influence and sewer service area.
- l. Prior to annexation, the City must find that adequate wastewater treatment and disposal capacity can be provided for the proposed annexation.
- m. The City will encourage the regional beneficial reuse of reclaimed water. The City is committed to development of a full reclamation program in the long term. The City will comply with Title 22 standards for use of reclaimed water and criteria contained in the California Department of Public Health (CDPH) “Purple Book.”
- n. The City shall strive to use land application of biosolids as the most environmentally beneficial reuse of this resource, rather than the disposal options of landfilling or incineration.
- o. The City shall develop methods to discontinue the current practice of using the sanitary system to temporarily drain stormwater runoff.

- p. The City shall establish odor buffer zones around primary and secondary wastewater plants, thereby minimizing the likelihood of odors impacting new residential or commercial development.
- q. The City shall utilize source control and demand management among its tools for accomplishing the most cost-effective wastewater management, protective of public health and the environment.
- r. The City shall establish 10th percentile river flows as the baseline condition for design to minimize risks of exceeding Waste Discharge Requirements (WDR) and National Pollution Discharge Elimination System (NPDES) permit requirements.
- s. According to state law (Senate Bill 1087 of 2004), no provider of wastewater services may deny or condition the approval of an application for services, or reduce the amount of the services applied for, if the proposed development includes housing affordable to lower income households, except upon making specific findings in accordance with SB 1087.

#### **4. Wastewater Policies—Planned Urbanizing Area**

- a. All of the Wastewater policies for the Baseline Developed Area apply within the Planned Urbanizing Area.
- b. The City of Modesto will require each new development project to be served with public sanitary sewers. Utilities located in private streets shall be part of the public sewerage system and shall be connected to a sewer lateral.
- c. The City of Modesto will coordinate land development proposals with the expansion of wastewater facilities.

Figure V-4 presents a diagram that indicates the sanitary sewer trunks necessary to serve each Comprehensive Planning District listed in Chapter III.

### **E. COMMUNITY FACILITIES—STORM DRAINAGE**

#### **1. Overview**

Modesto's storm drainage facilities have had a unique history, and changing regulations require changes in how drainage is provided. In 1994, Modesto complied with new federal stormwater runoff quality regulations by obtaining its first National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4s) stormwater permit, which requires the City to develop and implement a Stormwater Management Plan/Program, including implementation of Best Management Practices to control runoff quality. The City of Modesto received an updated NPDES stormwater permit in 2002.

Approximately one-third of the City is served by rockwells, which are regulated by federal underground injection control regulations. Increasingly strict regulations and unacceptable life-cycle costs for rockwells have led the way to a new strategy for stormwater management: positive



CITY OF MODESTO  
GENERAL PLAN PROGRAM

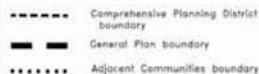
Figure V-4  
SANITARY SEWER  
TRUNK LINES  
DIAGRAM

LEGEND

DESIGNATIONS



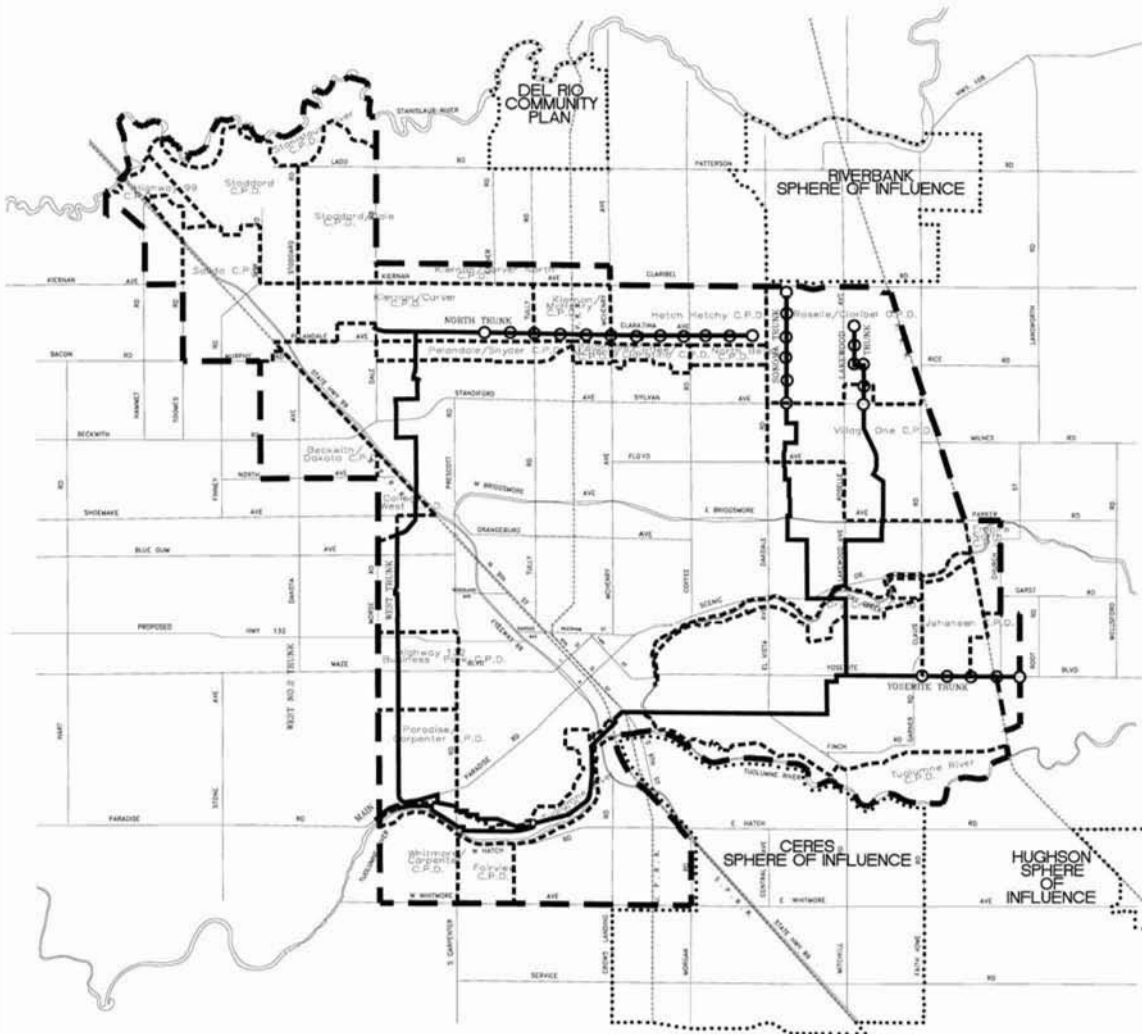
BOUNDARIES



REFERENCE POINTS



For more information refer to the:  
2007 Wastewater Master Plan



pipe lines, and detention and/or retention basins to maximize groundwater recharge and improve discharge water quality. Rockwells will be allowed only in infill areas isolated from surface discharge routes. New detention basins will typically be required to include new technologies in design that allow for full, healthy, and sustainable landscaping; the City of Modesto *Design Standards for Dual Use Flood Control/Recreation Facilities* is the guiding document for the development of these facilities.

In addition, the City is in the process of completing its Storm Drainage Master Plan (SDMP). A current and comprehensive SDMP is critical to solving many of the problems associated with conveying, attenuating, and discharging stormwater runoff. The SDMP is developed based on hydrological and hydraulic analyses that identify locations and capacities of new conveyance and storage facilities, and necessary upgrades to existing facilities where deficient. The SDMP is currently in draft form and identifies the major (backbone) storm drainage infrastructure improvements needed to effectively accommodate stormwater runoff under both existing and future developed conditions primarily within the City's Sphere of Influence.

This section addresses the requirements of Government Code Section 65302(d) pertaining to the "conservation, development and utilization of natural resources, including water and its hydraulic forces..." and the "prevention and control of the pollution of streams and other waters." This section addresses the management of both stormwater quantity and quality as it relates to both surface waters and groundwater. Stormwater will be considered as one part of integrated regional water resource management.

## **2. General Storm Drainage Goal**

- a. The City should have an operating storm drainage system that protects people and property from flood damage and that protects the environment.

## **3. Stormwater Drainage Policies—Baseline Developed Area**

- a. One-third of the Baseline Developed Area is served by "rockwells." New rockwells shall be allowed only under very limited circumstances. New storm drainage in the Baseline Developed Area shall be by means of positive storm drainage systems unless otherwise approved by the City Engineer.

The new storm drainage facilities shall consider the drainage facility requirements presented in Table 9-1 of the Final Master Environmental Impact Report and the SDMP. This policy applies to both positive storm drainage systems and to new rockwells (which are generally discouraged) in the Baseline Developed Area.

- b. MID shall be consulted during the preparation of drainage studies required by this General Plan.
- c. The City shall prevent water pollution from urban storm runoff as established by the Central Valley Regional Water Quality Control Board Basin Plan for surface discharges and the Environmental Protection Agency for underground injection.

- d. Stormwater drainage facilities shall be constructed, operated, maintained, and replaced in a manner that will provide the best possible service to the public, as required by federal and state laws and regulations. In developing implementation plans, consideration shall be given to rehabilitation of existing facilities, remediation of developed areas with inadequate levels of drainage service, and the timely expansion of the system for future development.
- e. The City shall update and maintain its Storm Drainage Master Plan to cover the entire area within the City's Sphere of Influence. The City of Modesto shall adopt the Storm Drainage Master Plan, in consultation with Stanislaus County, MID, and TID, to address the projected cumulative flows that would be discharged to MID and TID facilities from the urbanized drainage areas. The master drainage program should include the procedures for planning, evaluation, and design of necessary stormwater drainage facilities to ensure that facilities are capable of accommodating the additional flows. The master drainage program should include capital improvement, operations, and maintenance-financing plans necessary to ensure that facilities are constructed in a timely fashion to reduce the impacts from potential flooding problems.
- f. New development shall comply with City requirements for conveyance, retention, and detention. New development shall include onsite storage of stormwater as necessary. Rockwells shall not be allowed for new development except at infill areas smaller than three acres where no other feasible alternative is available.
- g. The City Engineer may require stormwater drainage infrastructure master plans for the public infrastructure or when otherwise pertinent to provision of service at adopted service levels for the specific plan areas or other projects depending on site issues and location.
- h. Construction activities shall comply with the requirements of the City's Stormwater Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity.
- i. For developments within a mapped 100-year floodplain, studies shall be prepared that demonstrate how the development will comply with both the construction and post-construction programs under the City's municipal NPDES permit. Developments in these areas shall not lead to increased erosion or releases of other contaminants that would cause violations of the City's municipal NPDES permit.
- j. The City shall ensure that new development complies with the City of Modesto's *Stormwater Management Program: Guidance Manual for New Development Stormwater Quality Control Measures*.

#### **4. Stormwater Drainage Policies—Planned Urbanizing Area**

- a. All of the Stormwater Drainage policies for the Baseline Developed Area apply within the Planned Urbanizing Area.
- b. The City of Modesto shall require each new development area to be served with positive storm drainage systems. A positive storm drainage system may be comprised of catch basins, pipelines, channels, recharge/detention basins, and pumping facilities that discharge

stormwater to surface waters. New detention basins must typically include new technologies in their design that allow for full, healthy, and sustainable landscaping. The City of Modesto *Design Standards for Dual Use Flood Control / Recreation Facilities* manual is the guiding document for the development of these facilities. The positive storm drainage facilities shall consider the requirements presented in Table 9-1 of the Final Master Environmental Impact Report and the SDMP.

- c. The City of Modesto shall require positive storm drainage facilities in the Planned Urbanizing Area. Recharge shall be typically accomplished at recharge/detention basins, designed to be in compliance with applicable federal and state water quality regulations for both groundwater and surface water.
- d. Where feasible, dual-use flood control/recreation facilities shall be developed (dual-use facilities) as part of the storm drainage system. Dual-use facilities maximize efficient use of land and funds by satisfying needs for water quality, flood control, recreation, and aesthetics within a single consolidated facility.
- e. Dual-use facilities shall be designed and constructed in accordance with the standards in the City of Modesto *Design Standards for Dual Use Flood Control/Recreation Facilities* manual and the Open Space and Parks/Planned Urbanizing Area Policy e.
- f. New developments shall be required to implement an appropriate selection of permanent pollution control measures in accordance with the City's implementation policies for the municipal NPDES stormwater permit. Permanent erosion control measures such as seeding and planting vegetation for new cut-and-fill slopes, directing runoff through vegetation, or otherwise reducing the off-site discharge of particulates and sediment are the most effective method of controlling off-site discharges of urban pollutants.

## **F. COMMUNITY FACILITIES—MODESTO CITY–COUNTY AIRPORT**

### **1. Overview**

Section 65302.3 of the Government Code requires the City's General Plan to be consistent with the Airport Land Use Plan for the Modesto City–County Airport. This Airport Land Use Plan was adopted by the Airport Land Commission on August 3, 1978, in accordance with Section 21675 of the Public Utilities Code.

### **2. Modesto City–County Airport Policies—Baseline Developed Area**

Since the Airport is located in the Baseline Developed Area, the following policies apply to the Airport and the area surrounding it:

- a. The City encourages aviation services at the Modesto City–County Airport and promotes airline service that meets the present and future needs of the community. The City should pursue greater inter-regional air service to the extent that it is economically viable.

- b. Land use around the Modesto City–County Airport will be consistent with the Stanislaus County’s Airport Land Use Commission (ALUC) plan adopted in accordance with Section 21676 of the Public Utilities Code. The ALUC plan provides for the orderly growth of the Airport and the area surrounding the Airport within the jurisdiction of the Airport Land Use Commission, and will safeguard the general welfare of the inhabitants within the boundary of influence and the public in general.
- c. Mitigation measures suggested by the Airport Master Plan and related documents should be considered at the implementation of inter-regional air service, including a voluntary noise reduction program for residential units impacted by noise levels that exceed acceptable state standards.
- d. In accordance with Senate Bill 1462 (2004), the City of Modesto shall provide a complete copy of an application for projects located within 1,000 feet of a military installation, low-level flight path, or special use airspace to any branch of the United States Armed Forces. The City of Modesto does not currently have, and is not currently within 1,000 feet of, any military flight paths or military activity. At this time, there is currently no effect on the City of Modesto.

## **G. COMMUNITY FACILITIES—OPEN SPACE AND PARKS**

### **1. Overview**

An Open Space Plan is mandated by Section 65563 of the California Government Code. This mandate recognizes that open space is a limited and valuable resource that must be conserved wherever possible. In Modesto, open space is provided through a comprehensive network of regional, community, and neighborhood parks.

Community Facility policies and standards should be considered flexible enough in order to adapt to new trends, take advantage of new or different recreation or open space opportunities, develop special facilities, refurbish old parks, and fine tune facilities and programs to unique circumstances and conditions. Standards may deviate from minimum when special opportunities or needs arise that would provide enhanced facilities or services to the community.

Regionalization and consolidation of the planning and management of Community Facilities and Services will be continually evaluated as all the communities in Stanislaus County continue to grow and require similar facilities and services.

The Tuolumne River, Dry Creek, and Stanislaus River Comprehensive Planning Districts described in Chapter III present focused Open Space policies applicable in those open space areas. Additional Open Space policies are presented in Chapter VII.

## **2. General Open Space and Park Goals**

- a. The City should work to provide opportunities for social interaction of residents from all backgrounds and walks of life.
- b. The City should work to create public places where people can gather.
- c. There should be an equitable distribution of open space facilities throughout the City.

## **3. Open Space and Parks Policies—Baseline Developed Area**

### **a. General**

- (1) All acreage standards are expressed as gross acreage. This means that additional acreage must be added to the gross park acreage for off-site requirements, such as street right-of-way, in order to satisfy the minimum standard. Minimum acreage standards will be increased if necessary to accommodate the development standards for the park.
- (2) Figure V-6 presents Park Planning Areas for the Baseline Developed Area. With regards to acreage, service area, location, and street frontage standards, the existing park system shown on Figure V-5 shall be considered adequate and acceptable, as is, with the following exceptions, by Park Planning Area designation:
  - Bret Harte
  - Shackleford
  - Tide Water Industrial
  - Burbank
  - Maze Wren
  - Woodland
  - College West
  - North East McHenry
  - Empire East
  - Empire West
  - Airport

Within these Park Planning Areas, the open space and parks system is NOT considered adequate and acceptable as is, and the City will endeavor to develop facilities in accordance with all of the Open Space and Parks policies and Community and Neighborhood Park standards that apply to the Baseline Developed Area. However, the City recognizes and accepts that it may not be possible to conform precisely to all policies and meet all standards in total because of prior development patterns and policies that were not under the City's control.

- (3) The City will endeavor to plan, acquire, and develop parks and recreation facilities adjacent to schools in order to maximize the potential for joint use of adjoining City and School District open space and recreation facilities.
- (4) Only acreage owned or otherwise controlled exclusively by the City in perpetuity, and planned to be developed and operated for the express and primary purpose of providing recreation facilities as set forth in the Neighborhood and Community Park standards outlined in the General Plan, will count toward minimum acreage standards. Acreage planned and developed primarily for other purposes such as trails and elements of drainage systems shall not count toward meeting minimum standards for Neighborhood and Community Parks.
- (5) The City shall update and maintain the Capital Facility Fee program for park development to contribute to park system development. The City shall also endeavor to provide funding for land acquisition, engineering, design, development, maintenance, and preservation of the parks system through funding from fund development efforts, grants, general fund contributions, Capital Facility Fees, Community Financing Districts, and other forms of revenue building.
- (6) The City shall develop non-motorized connections as discussed in the Non-Motorized Transportation Plan, such as multi-use paths or sidewalks and bike lanes, to ensure adequate connectivity from the surrounding neighborhoods.

**b. Baseline Developed Area—Neighborhood Park Standards**

The City will endeavor to provide at least one neighborhood park within each Park Planning Area. The park should be centrally located within the Park Planning Area and have a service radius of one-half to three-quarters of a mile. The park should have one collector street frontage and the remaining sides should front on residential streets.

The minimum size for a neighborhood park shall be SEVEN ACRES or the total acreage based on TWO ACRES OF PARK LAND PER ONE THOUSAND POPULATION within the Park Planning Area, whichever is greater.

**c. Baseline Developed Area—Community Park Standards**

The Community Park Service Area is that area within a radius of approximately one to one-and-one-half miles of the park site. The park should have major street frontage, and the remaining sides should front on residential streets.

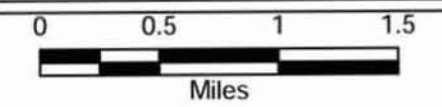
The minimum size for a community park should be TWENTY-FIVE ACRES or the total acreage based on ONE ACRE OF PARK LAND PER ONE THOUSAND POPULATION within the Community Park Service Area, whichever is greater.



Figure V-5  
EXISTING PARK SYSTEM  
IN THE CITY LIMITS

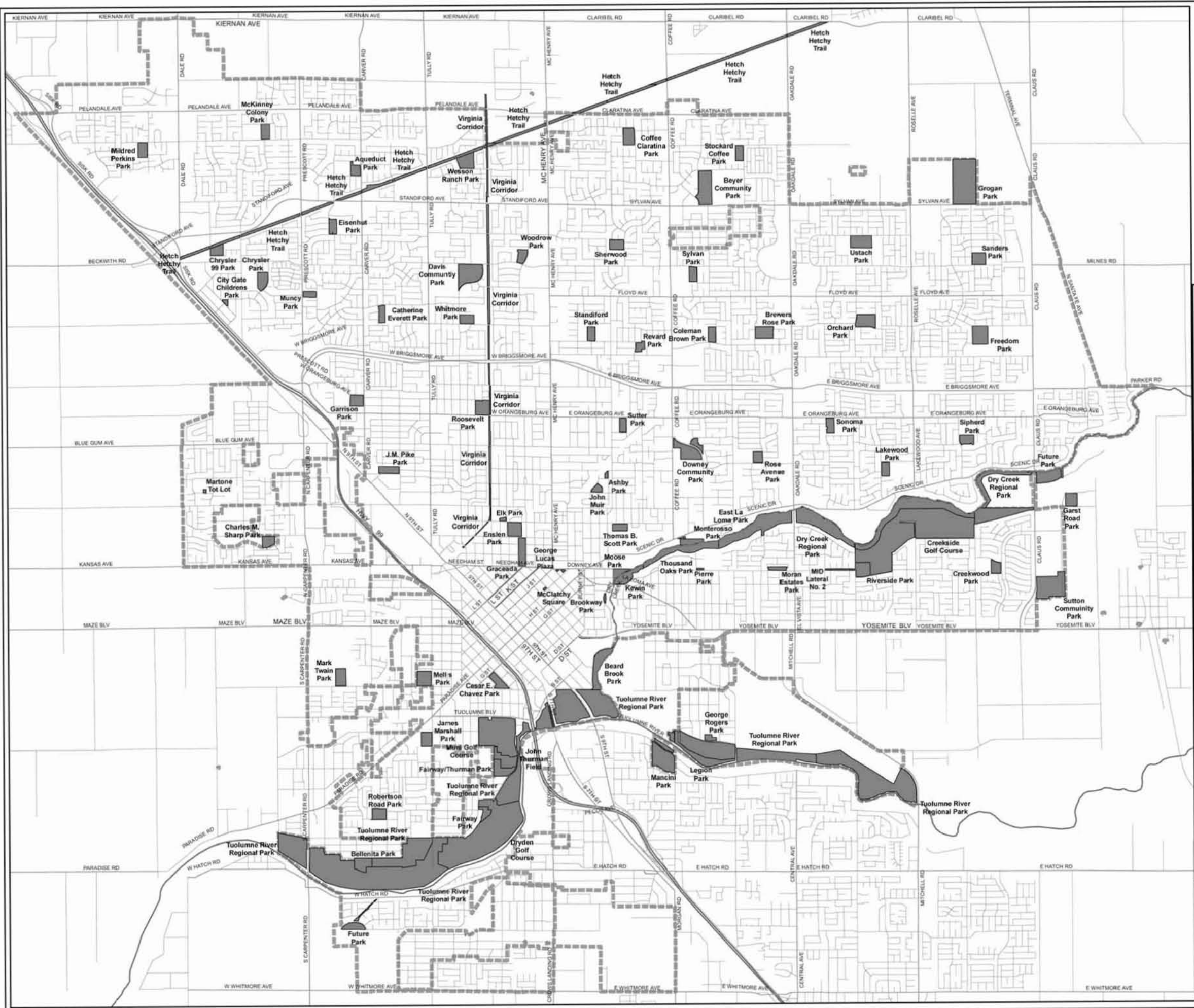
LEGEND

-  PARKS
-  CITY LIMITS
-  ROADS
-  HIGHWAYS
-  RIVER



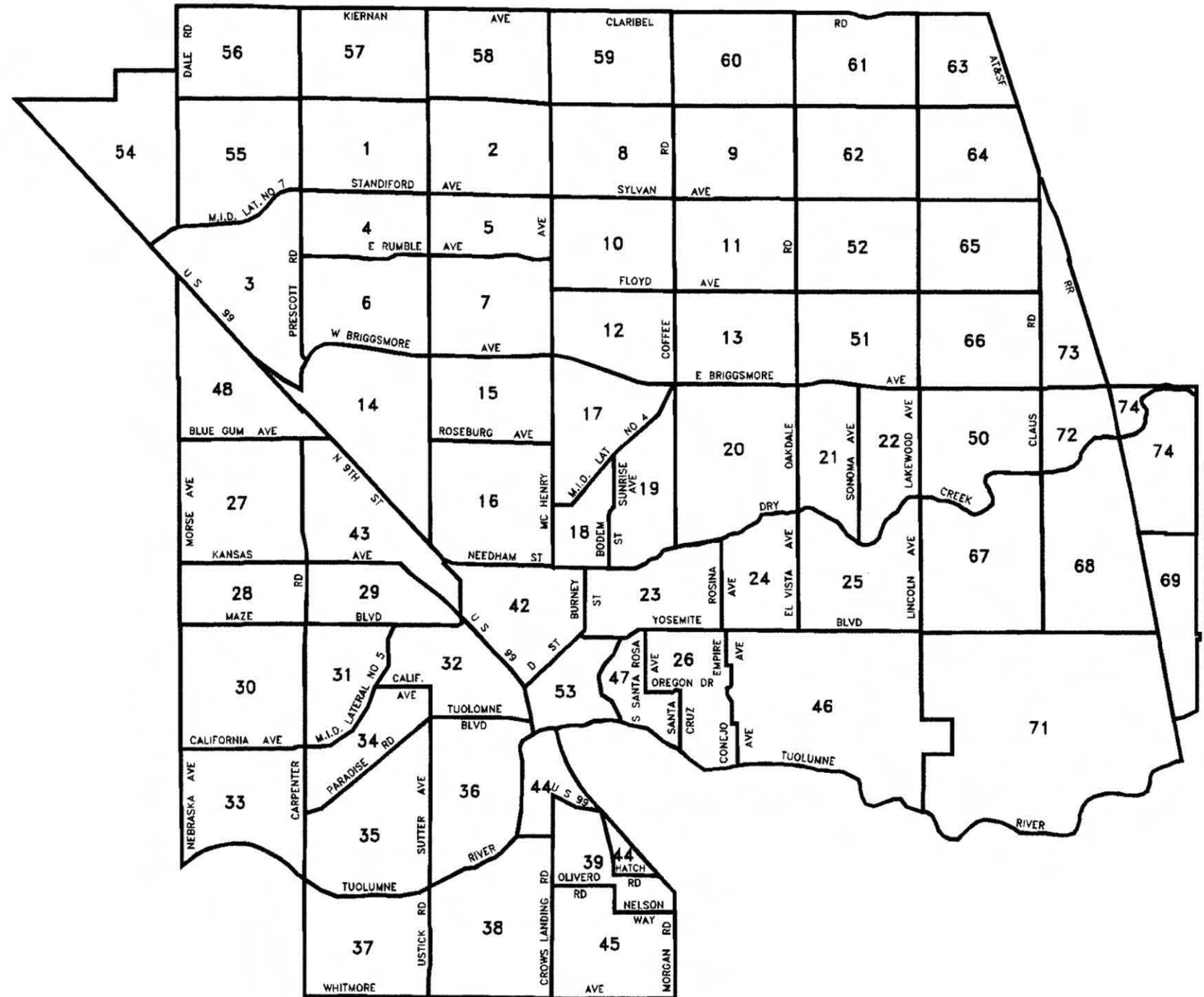
1:51,000 SCALE

Parks in City Limits.mxd



# FIGURE V-6

## PARK PLANNING AREAS



## PARK PLANNING AREAS

- |    |                   |    |                       |
|----|-------------------|----|-----------------------|
| 1  | AQUEDUCT          | 38 | BRET HARTE            |
| 2  | NORTHWEST McHENRY | 39 | SHACKEFORD            |
| 3  | CHRYSLER 99       | 40 | (DISCONTINUED)        |
| 4  | GOLDSWORTHY       | 41 | (DISCONTINUED)        |
| 5  | WOODROW           | 42 | DOWNTOWN              |
| 6  | MUNCY-EVERETT     | 43 | NORTH 99 INDUSTRIAL   |
| 7  | BEARD             | 44 | SOUTH 99 INDUSTRIAL   |
| 8  | NORTHEAST McHENRY | 45 | TIDEWATER INDUSTRIAL  |
| 9  | BEYER             | 46 | BEARD INDUSTRIAL WEST |
| 10 | SHERWOOD          | 47 | GALLO                 |
| 11 | COFFEE-SYLVAN     | 48 | COLLEGE WEST          |
| 12 | STANDIFORD        | 49 | (DISCONTINUED)        |
| 13 | FLOYD             | 50 | LAKEWOOD              |
| 14 | NOTHWEST CENTRAL  | 51 | ORCHARD               |
| 15 | ROOSEVELT         | 52 | ROSELLE               |
| 16 | ENSLIN J.C.       | 53 | CENTRAL INDUSTRIAL    |
| 17 | EAST McHENRY      | 54 | PELANDALE             |
| 18 | HIGH              | 55 | McKINNEY COLONY       |
| 19 | MUIR              | 56 | MORROW                |
| 20 | ROSE PARK         | 57 | STANISLAUS            |
| 21 | EAST ORANGEBURG   | 58 | KIERNAN               |
| 22 | SCENIC EAST       | 59 | CLARIBEL              |
| 23 | LA LOMA           | 60 | HETCH HETCHY          |
| 24 | EAST LA LOMA      | 61 | OAKDALE               |
| 25 | RIVERSIDE         | 62 | MABLE                 |
| 26 | AIRPORT           | 63 | PLAINVIEW             |
| 27 | WOODLAND          | 64 | SANTA FE              |
| 28 | WEST MAZE         | 65 | CLAUS                 |
| 29 | MAZE-WREN         | 66 | MERLE                 |
| 30 | VINEYARD          | 67 | YOSEMITE              |
| 31 | TWAIN             | 68 | EMPIRE WEST           |
| 32 | NEAR WEST SIDE    | 69 | EMPIRE EAST           |
| 33 | PARADISE WEST     | 70 | (DISCONTINUED)        |
| 34 | BURBANK           | 71 | BEARD INDUSTRIAL EAST |
| 35 | BELLENITA         | 72 | LAKEWOOD EAST         |
| 36 | FAIRWAY           | 73 | MERLE EAST            |
| 37 | FAIRVIEW          | 74 | EMPIRE NORTH CPD      |



0 1/4 1/2  
SCALE IN MILES

COMMUNITY DEVELOPMENT DEPARTMENT  
January 10, 1997

#### **4. Open Space and Parks Policies—Planned Urbanizing Area**

##### **a. General**

- (1) The policies and standards for the development of the park system within the Planned Urbanizing Area differ in several respects from those in the Baseline Developed Area. These policies and standards will be implemented through each Specific Plan, in conjunction with the relevant Comprehensive Planning District policies presented in Chapter III.
- (2) The acreage standards related to Neighborhood and Community Parks are considered minimums. Park acreage may be increased beyond the minimum standard acreage at the option of a developer with additional contiguous, clean, and usable park land, as long as the additional land is fully dedicated and design and construction are fully funded at no additional cost to the City or associated park development fee program. These acreage standards may be enhanced by additional open space to meet unique characteristics of the Specific Plans for each new Comprehensive Planning District.
- (3) All acreage standards are expressed as gross acreage. This means that additional acreage must be added to the gross park acreage for off-site requirements, such as street right-of-way, in order to satisfy the minimum standard. Minimum acreage standards will be increased if necessary to accommodate the development standards for the park.
- (4) Dual-use flood control/recreation facilities shall be developed wherever feasible. Only acreage owned or otherwise controlled exclusively by the City in perpetuity will count toward minimum acreage standards. Park acreage credit for dual-use facilities shall be calculated in accordance with the standards and criteria contained in the City of Modesto *Design Standards for Dual Use Flood Control/Recreation Facilities* manual. In contrast to the Baseline Developed area, School District open space does NOT count towards minimum park acreage requirements within the Planned Urbanizing Area.

The City recognizes the community benefits of dual-use flood control/recreation facilities (dual-use facilities) in that these facilities:

- (a) Reduce the total acreage purchased for stormwater detention.
  - (b) Allow and encourage maximum recreational uses of detention lands.
  - (c) Allow for periodic stormwater detention storage without significantly disrupting park uses.
  - (d) Augment park facilities available to the local community.
  - (e) Maximize public use of available open space.
- (5) Dual-use facilities shall be designed and constructed in accordance with the standards and criteria contained in the *Design Standards for Dual use Flood Control/Recreation Facilities* manual.

**b. Planned Urbanizing Area—Neighborhood Park Standards**

The City will endeavor to provide at least one neighborhood park within each residential neighborhood. The park should be centrally located within the neighborhood and have a service radius of one-half to three-quarters of a mile.

The park should have one collector street frontage, and the remaining sides should front on residential streets.

The minimum size for a neighborhood park shall be SEVEN ACRES or the total acreage based on ONE ACRE OF PARK LAND PER ONE THOUSAND POPULATION within the neighborhood, whichever is greater.

**c. Planned Urbanizing Area—Community Park Standards**

The Community Park Service Area is that area within a radius of approximately one to one-and-one-half miles of the park site. The park should have one major street frontage, and the remaining sides should front on residential streets. Parks should not back up to residential lots.

The minimum size for a community park should be FORTY ACRES or the total acres based on TWO ACRES OF COMMUNITY PARK LAND PER ONE THOUSAND POPULATION within the Community Park Service Area.

**H. COMMUNITY FACILITIES—PUBLIC SCHOOLS**

**1. Overview**

Public schools, comprising both Community Facilities as well as Community Services, are a vital component of the City's infrastructure. In addition to their role of educating youth, they provide continuing education opportunities for all ages, prepare young adults for higher education or a vocation, and positively influence the community in many other ways. As of January 1995, the area covered by the Modesto Urban Area General Plan is served by 14 public school districts.

School grounds are an integral part of the community's open space. Schools are physical focal points in the planned villages. They are also the focal point for recreational and social needs in the neighborhoods that they directly serve. Parochial and private schools are acknowledged as supplementary providers of education even though policies are not outlined in the General Plan for their facilities. The construction, maintenance, and day-to-day operations of schools are not governed by the City of Modesto. School districts with elected Boards of Directors are responsible for the actual implementation of School Facilities. Therefore, the City's role in the implementation of the following policies is limited to coordination with the affected school districts; determining whether a development project's impacts on school capital facilities is fully mitigated; and making appropriate findings under CEQA if the impacts are not fully mitigated.

## **2. Public Schools Policies—Baseline Developed Area**

- a. For families in the child-rearing years, the proximity of a public elementary school within easy walking distance is a strong criterion in their evaluation of housing choices. Elementary school closure, a school district prerogative, has significant impacts on the surrounding neighborhood. School districts are encouraged to involve the City in deliberations regarding school closure, early in the process. Consistent with state statutes, school districts are encouraged to include extensive community participation in the process to close any existing schools.
- b. Existing schools and proposed school facilities on property owned by any School District on January 1, 1995, are shown on Figure V-7. School districts are encouraged to share their facility plans for new schools with the City.
- c. Changes in land use or intensity of development within the Baseline Developed Area may have an impact on school services, which necessitates close communication between the City and the school district.
- d. There are specific state law prohibitions against certain uses within close proximity to schools, such as hazardous material uses and alcohol sales. Developers should contact the appropriate school district to determine if there are any known constraints to future development.
- e. The City shall continue to require that the developer pay, prior to issuance of any building permits, the maximum residential, commercial, and industrial development school fees in effect at the time building takes place. This requirement is in accordance with the provisions of Government Code Section 65995 et seq.

## **3. Public Schools Policies—Planned Urbanizing Area**

- a. Public School Districts should be directly involved in the lead time for planning of infrastructure. A lead time of three to five years is desirable.
- b. Neotraditional Planning Principles, prescribed for residential development in the Planned Urbanizing Area, call for public schools as prominent, physical keystones to the connector street network. Schools, placed conveniently to the residents to be served, will maximize opportunities for students to walk and bike to school. Opportunities should be explored for joint school/park development when planning new neighborhoods or villages. The option for joint acquisition and development of school and park sites should be continued. School districts are encouraged to consider these design principles in their facility planning efforts.
- c. Land for new school facilities should generally meet the following minimum space requirements:
  - (1) Elementary schools—10 acres (gross)
  - (2) Middle schools or junior high schools—20 acres (gross)


- (3) High schools—50 acres (gross)
- d. All of the policies for “Public Schools—Baseline Developed Area” apply equally in the Planned Urbanizing Area.
- e. Developers of residential projects that are subject to the following policies (V-H.3[f] through V-H.3[k], below) should contact each affected school district prior to submitting an application to the City of Modesto. This early consultation with the school district on such matters as housing mix, timing of development, phasing, etc., will assist both parties in reaching an agreement on the best method of mitigating school impacts, should the project later be found to have the potential for significant effects on school facilities.
- f. Once an application for a residential project, which is not exempt from CEQA, has been determined to be complete, it will be referred to the appropriate school district(s) for “review and comment” in conjunction with the preparation of the required Focused Environmental Impact Report.
- g. Each school district will provide the City of Modesto with the information needed to evaluate the impact of the proposed residential project on their facilities, including background data necessary to document the impact that a residential project may have on that district’s facilities. Such information shall be provided to the City of Modesto in a timely manner consistent with the City’s responsibilities under CEQA.
- h. If it is determined that a proposed residential project may have a significant effect on a school district’s facilities, the Focused EIR shall analyze this impact. It shall be the responsibility of the project applicant and school district to resolve the appropriate method of mitigation, consistent with state law. Mitigation may take several forms, including but not limited to one or more of the following: fees, land dedication, special taxes, etc.
- i. The impact on public school capital facilities shall be considered fully mitigated by the City of Modesto when the developer has complied with Government Code Section 65996.
- j. Policies V-H.3[e] through V-H.3[i] shall apply when:
- (1) a residential project seeks the approval of a General Plan Amendment, rezoning, prezoning, annexation, Specific Plan, or other legislative act;
  - (2) the project is located on property classified as Planned Urbanizing Area on the Growth Strategy Diagram;
  - (3) a school district has imposed school mitigation fees; and
  - (4) a school district has a valid application for the funding of public school capital facilities pending before the state unless it is not eligible for such state funding, in which case the school district shall, within thirty (30) days after it has determined in good faith that it is so eligible, initiate a process leading to the filing of a valid application for such funding.



CITY OF MODESTO

Figure V-7  
EXISTING  
SCHOOL SITES  
IN THE MODESTO  
URBAN AREA  
(As of January, 1995)

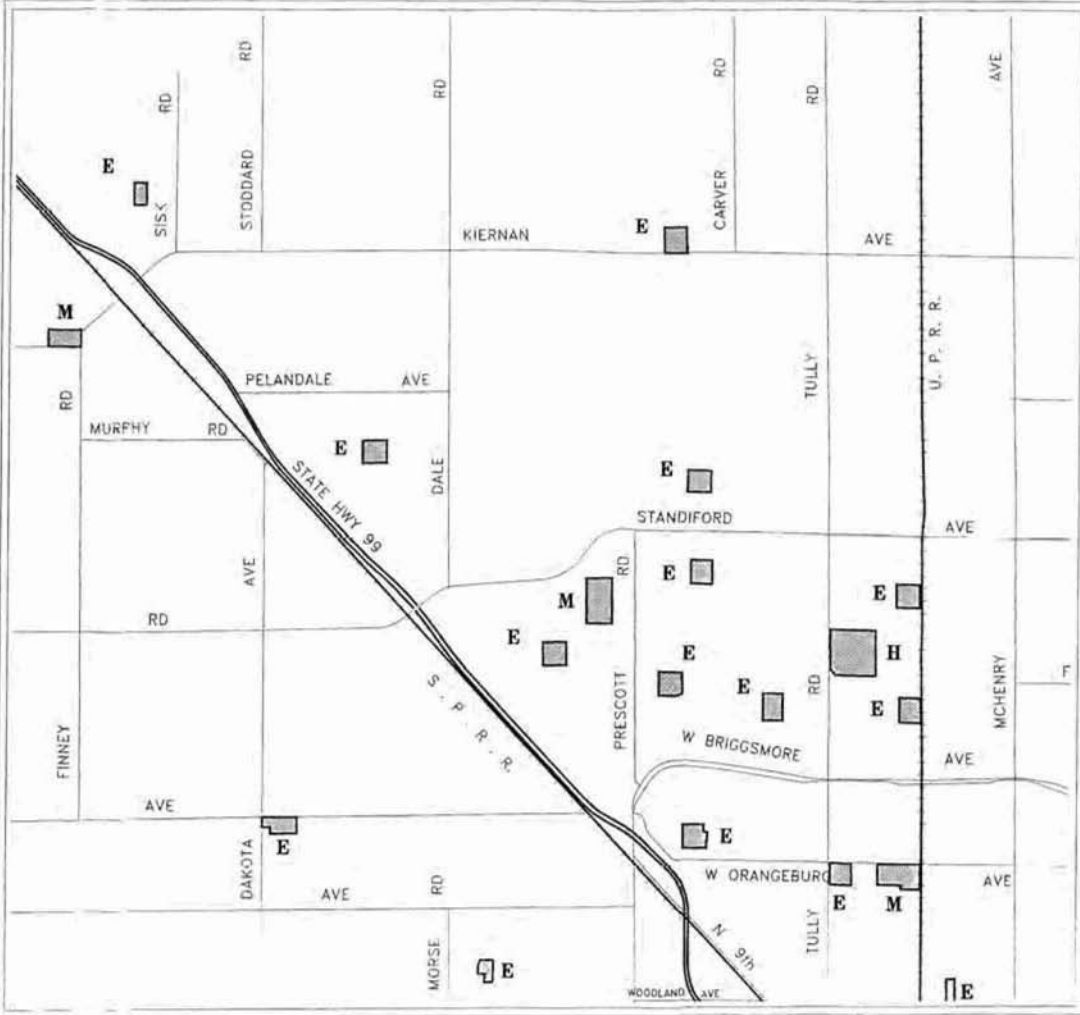
LEGEND

-  SCHOOL
- E** ELEMENTARY SCHOOL
- M** MIDDLE SCHOOL
- H** HIGH SCHOOL



- SYMBOLS:
-  STATE HIGHWAY
  -  ARTERIAL
  -  MAINTENANCE
  -  RIVER

Sheet 1 of 4





CITY OF MODESTO

Figure V-7  
EXISTING  
SCHOOL SITES  
IN THE MODESTO  
URBAN AREA  
(As of January, 1995)

LEGEND



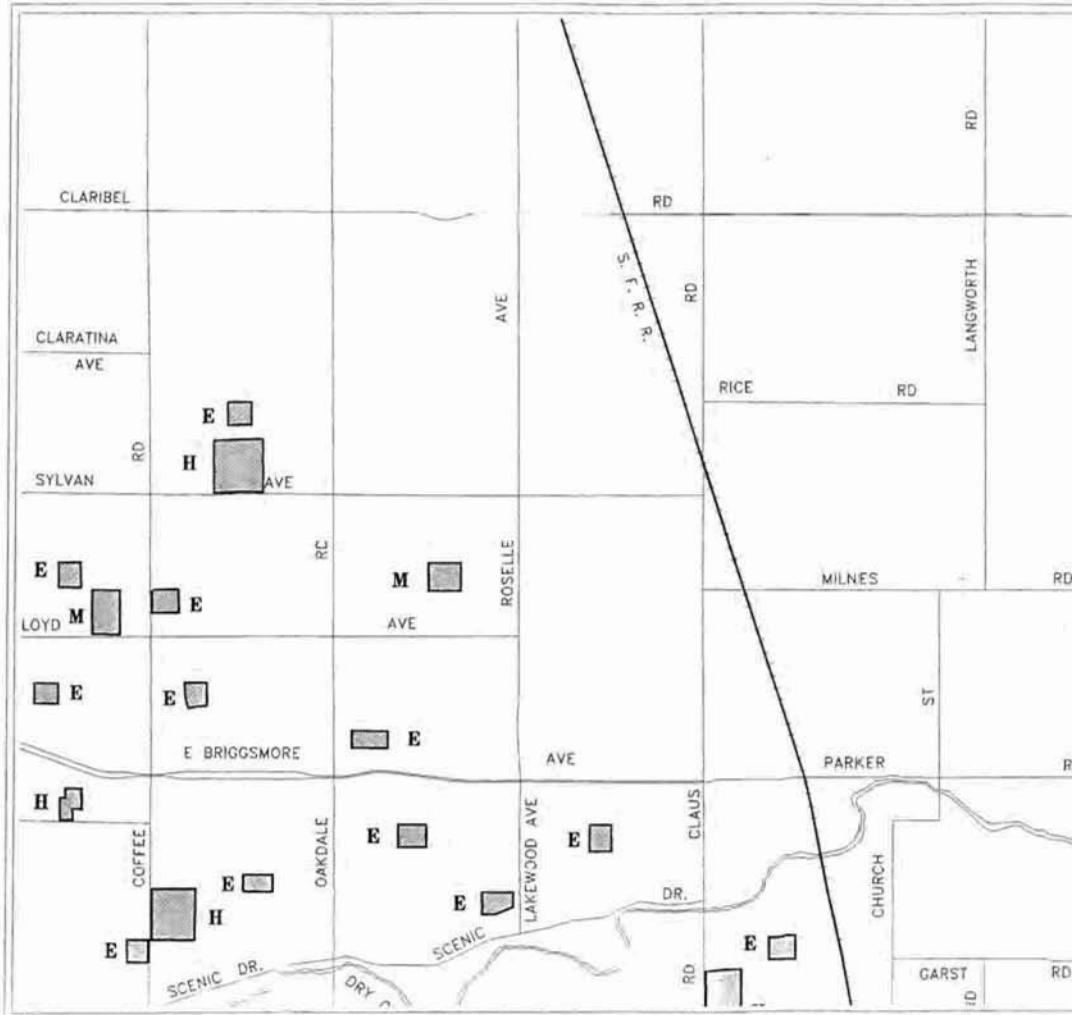
- E ELEMENTARY SCHOOL
- M MIDDLE SCHOOL
- H HIGH SCHOOL



ADDRESS INDEX



Sheet 2 of 4




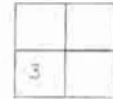


CITY OF MODESTO

Figure V-7  
EXISTING  
SCHOOL SITES  
IN THE MODESTO  
URBAN AREA  
(As of January, 1995)

LEGEND

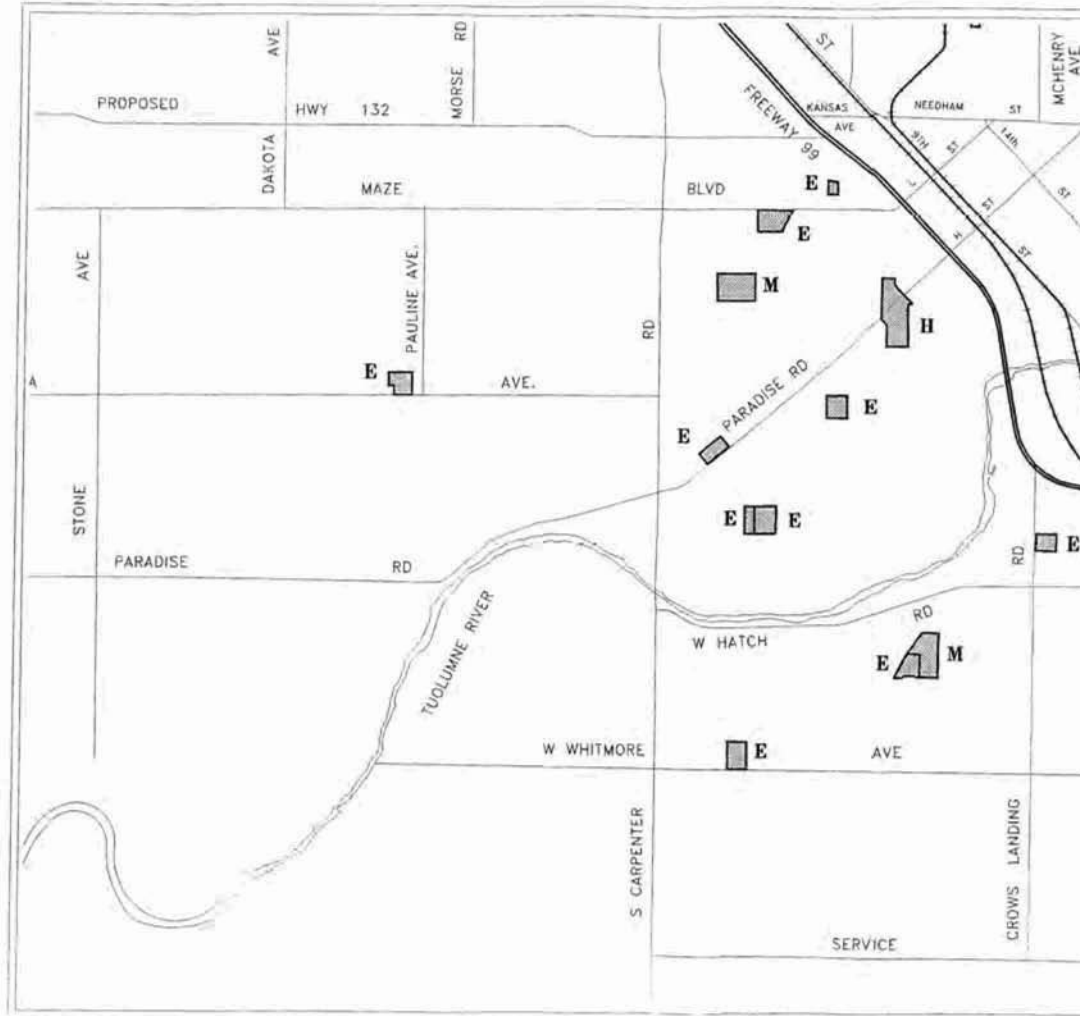
-  SCHOOL
- E** ELEMENTARY SCHOOL
- M** MIDDLE SCHOOL
- H** HIGH SCHOOL



REFERENCE SYMBOLS

-  STREET CENTERLINE
-  HIGHWAY OR RAILROAD
-  RIVER

Sheet 3 of 4




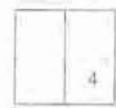


CITY OF MODESTO

Figure V-7  
EXISTING  
SCHOOL SITES  
IN THE MODESTO  
URBAN AREA  
(As of January 1995)

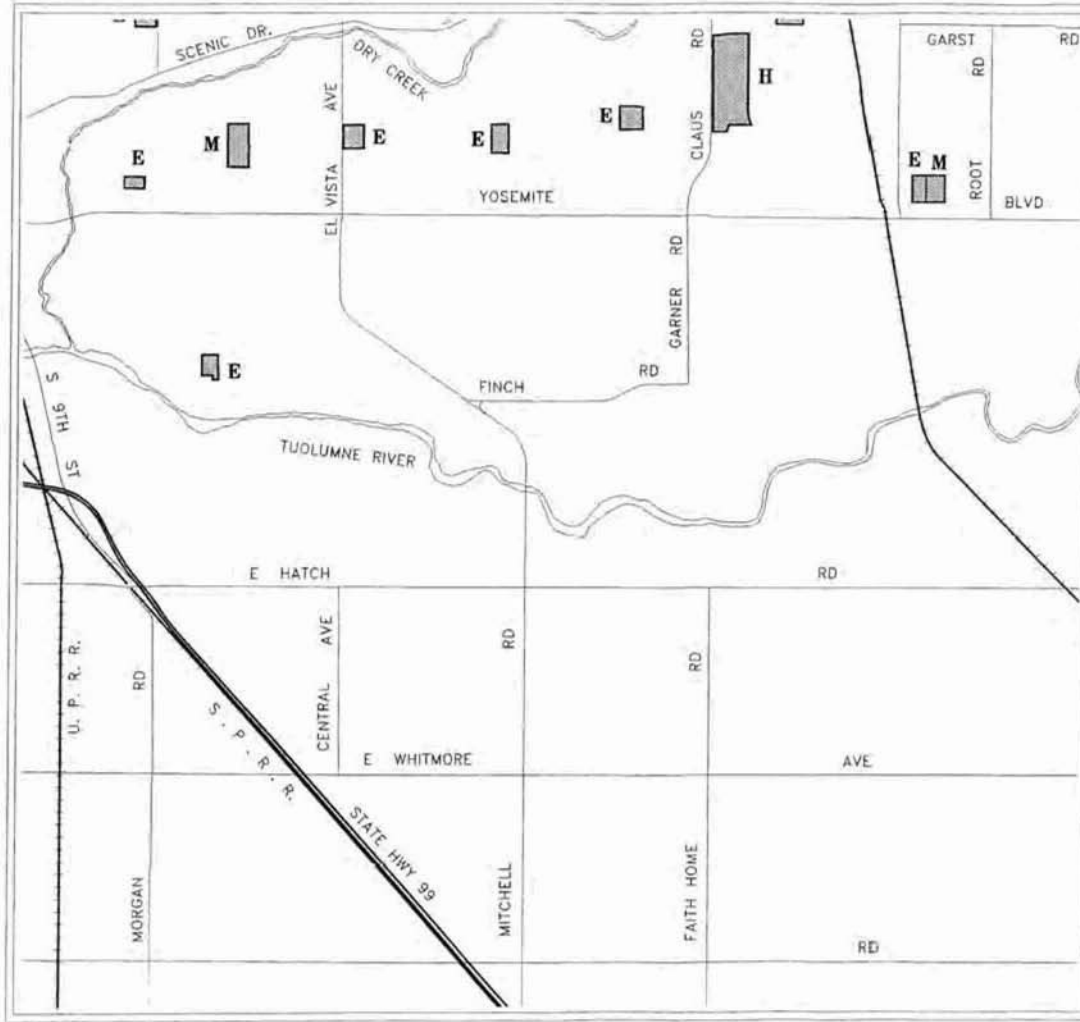
LEGEND

-  SCHOOL
- E** ELEMENTARY SCHOOL
- M** MIDDLE SCHOOL
- H** HIGH SCHOOL



- SYMBOLS USED
-  STREET CORRIDORS
  -  HIGHWAY OR RAILROAD
  -  STREAM

Sheet 4 of 4



- k. The above policies (V-H.3[e] through V-H.3[i]) shall not apply to residential projects approved in conjunction with a General Plan Amendment, rezoning, prezoning, annexation, or other legislative act that have completed the CEQA process (certification of an environmental impact report, adoption of a negative declaration, or adoption of an exemption determination) as of March 5, 1991.

## **I. COMMUNITY SERVICES—TRANSIT SERVICE**

### **1. Overview**

In addition to the Circulation policies presented in this chapter, the City should adopt a goal of improving public transportation that could include increased bus and light rail service. This could help mitigate some issues related to site-specific intersection operations or parking requirements, if combined with other trip reduction measures. The ability to add service may be determined by the availability of public sector funding sources, the extent of private sector participation or subsidy, and the overall feasibility of transit service.

### **2. Transit Policies—Baseline Developed Area and Planned Urbanizing Area**

- a. Public transit services shall be provided, using the most cost-effective methods available and based upon professional analysis of alternatives through the maintenance of the City's Long Range Transit Plan.
- b. The City's transit system shall strive to provide a mix of head ways dependent upon actual and anticipated ridership to reach a balance between cost-effectiveness and convenience.
- c. The City's transit system shall strive to maintain farebox recovery ratios sufficient to meet state requirements.
- d. The City shall participate in regional public transit proposals to the extent economically feasible and that such systems benefit Modestans.
- e. The City transit system shall strive to provide service on a one-half-mile grid where feasible to make the service as accessible as possible. Newly developing areas should provide a street pattern capable of accommodating transit service on a one-half-mile grid. Sidewalks to transit facilities shall be provided in the development of new roadway systems to minimize walking distance.
- f. The City's transit system shall strive to provide two-way service on routes where feasible.
- g. The City shall strive to safeguard options for future transit and mass transportation development.
- h. In major new development areas, the transit operators shall be encouraged to have service available when the first resident or employer moves in.

- i. Park-and-ride facilities should be strategically located in cooperation with transit providers to maximize transit use.
- j. Park-and-ride facilities should be designed to accommodate not only motorists but also other users of public transit and van or carpooling.

## **J. COMMUNITY SERVICES—POLICE**

### **1. Overview**

While maintaining law and order, the Police Department is active in participating in community involvement programs. There is a continuing effort at maintaining a high level of citizen satisfaction and providing high-quality police services through caring and competent employees who are given a high level of personal and specialized education and technical training. Demographic and economic conditions will have tremendous influence on the demand for police services. The growing population, additional recreational facilities, increased traffic volumes, expanded City limits, new businesses, and new residential areas all increase the importance of maintaining and supporting law enforcement services.

### **2. General Police Goal**

- a. A primary goal of the City of Modesto Police Department is to maintain a sense of personal safety and security. Containing the level of crime at or below levels of other comparable cities will be accomplished through highly visible patrol services; effective investigations; urban planning and design strategies that help deter crime, such as Crime Prevention Through Environmental Design (CPTED); and a very active education and crime prevention program. CPTED is the process of improving the design and use of the built environment in order to lead to a reduction in the fear and incidence of crime.

### **3. Police Policies—Baseline Developed Area and Planned Urbanizing Area**

The following policies apply in the Baseline Developed Area and, where relevant, in the Planned Urbanizing Area. In general, however, the Modesto Police Department is only authorized to provide services within its primary jurisdiction—the incorporated Modesto City limits.

- a. The City of Modesto should maintain an adequate personnel level, to organize patrol areas and provide investigative responses to achieve a comfortable and safe community climate conducive to a high quality of life and to maintain an active and growing commercial and business environment. To the maximum economic extent feasible, police operations should include proactive law enforcement and administrative efforts, all to be expanded as the City's population grows.
- b. The City of Modesto Police Department should strive to reduce the level of crime below levels of other progressive departments with comparable populations and demographics.

- c. The City of Modesto should strive to provide sworn officers in sufficient numbers to support basic police services consistent with other progressive departments with comparable populations and demographic statistics. The City of Modesto's recommended long-term police staffing plan contains a ratio of 1.85 sworn officers per one thousand residents. This ratio shall be achieved through ongoing evaluation of projects that generate demand for police services and facilities. This evaluation shall include the long-term forecasting for the need and placement of police facilities.
- d. The City of Modesto should strive to provide civilian staff in sufficient numbers to support sworn staff and to support continuing civilianization of services such as Crime Prevention, Investigative Support, Crime Scene Investigation, Accident Reports, and other documentation of incidents.
- e. The City of Modesto should maintain its efforts to educate the public about crime deterrence through programs like the Neighborhood Watch Program within residential neighborhoods, Traffic Watch Program on residential streets, and the Business Watch Program within commercial and industrial areas.
- f. The City of Modesto's Police Department should develop criteria and an implementation program to plan and locate fully-functioning police precincts throughout the City and within the General Plan boundary.
- g. The City of Modesto's Police Department shall review proposed projects in order to evaluate security features, encourage crime prevention through environmental design, and evaluate traffic flow with respect to speed and collision mitigation.
- h. The City of Modesto shall ensure that the following CPTED principles are incorporated in specific sites and situations, including new developments.
  - (1) Territoriality is a design concept that clearly delineates private space from semi-public and public spaces and also creates a sense of ownership. Ownership thereby creates an environment where appearances of such strangers and intruders stand out and are more easily identified through:
    - (a) The enhanced feeling of legitimate ownership by reinforcing existing natural surveillance and natural access control strategies with additional symbolic or social ones.
    - (b) The design of space to allow for its continued use and intended purpose.
    - (c) The use of pavement treatments, landscaping, art, signage, screening and fences define and outline ownership of space.
  - (2) Natural surveillance is a design concept directed primarily at keeping intruders under observation. Provision of natural surveillance helps to create environments where there is sufficient opportunity for people engaged in their normal behavior to observe the space around them. Areas can be designed so they are more easily observed through:
    - (a) Design and placement of physical features to maximize visibility. This may include: building orientation, windows, entrances and exits, parking lots, refuse

containers, walkways, guard gates, landscape trees and shrubs, use of wrought iron fences or walls, signage and other physical obstructions.

- (b) Placement of persons or activities to maximize surveillance possibilities.
  - (c) Minimum maintained lighting standards that provide for nighttime illumination of parking lots, walkways, entrances, exits, and related areas to promote a safe environment.
- (3) Access control is a design concept directed primarily at decreasing criminal accessibility. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas where they will not be easily observed. Intruders are more readily recognized through:
- (a) The use of sidewalks, pavement, gates, lighting and landscaping to clearly guide the public to and from entrances and exits.
  - (b) The use of gates, fences, walls, landscaping and lighting to prevent or discourage public access to or from dark or unmonitored areas.
- (4) Activity support is the presence of activity planned for the space, and involves placing activity where the individuals engaged in an activity will become part of the natural surveillance system. Examples include:
- (a) Place safe activities in areas that will discourage would-be offenders, to increase the natural surveillance of these activities and the perception of safety for normal users, and the perception of risk for offenders.
  - (b) Place high-risk activities in safer locations to overcome the vulnerability of these activities by using natural surveillance and access control of the safe area.
  - (c) Locate gathering areas in locations that provide for natural surveillance and access control or in locations away from the view of would-be offenders.
  - (d) Improve the scheduling of space to allow for effective use and appropriate intensity of accepted behaviors.
- (5) Proper maintenance of landscaping, lighting treatment, and other features can facilitate the principles of CPTED. Functions include:
- (a) Proper maintenance of lighting fixtures to prescribed standards.
  - (b) Landscaping that is maintained at prescribed standards.
  - (c) Minimizing the conflicts between surveillance and landscaping as groundcover, shrubs and trees mature.

## **K. COMMUNITY SERVICES—FIRE PROTECTION**

### **1. Overview**

The mission of the Fire Department is to provide efficient and effective fire and life safety protection to the community through control of hostile fire, fire prevention service, emergency medical services, emergency preparedness, and mitigation of hazardous materials incidents. This commitment is intended to safeguard the general economy and welfare of Modesto. Figure V-8, Fire Stations, depicts the general location of fire stations within the General Plan boundary and surrounding areas.

The policies in this section conform to Section 65302(g) of the Government Code as that section of the Code relates to urban fires.

### **2. Fire Protection Policies—Baseline Developed Area and Planned Urbanizing Area**

The following policies apply in the Baseline Developed Area and, where relevant, the Planned Urbanizing Area. In general, however, the jurisdiction of the Modesto Fire Department is limited to the incorporated Modesto City limits. The following policies are supplemented by the Fire Protection policies contained in Chapter VI-D, Public Safety—Fire Hazards.

- a. The City of Modesto shall maintain adequate fire flows in relation to structure size, design, and requirements for construction and/or built-in fire protection systems in accordance with the California Fire Code and adopted local ordinances. Maintenance of adequate fire flows includes factors such as adequate storage, system gridding, hydrant spacing, and spacing and sizing of water mains.
- b. The City of Modesto shall ensure adequate ingress and egress to all structures for fire fighting and rescue purposes independent of privately owned and maintained driveways.
- c. The City of Modesto shall provide protection of life and property through the use of engineered fire protection systems and fire resistive roof systems.
- d. The City of Modesto shall practice timely adoption of the current edition of the California Fire Code including local ordinances designed to address local conditions. The California Fire Code may be amended to suit local conditions.
- e. The City of Modesto shall strive to ensure that fire stations, apparatus, equipment, and personnel are in place concurrent with construction in the Planned Urbanizing Area.
- f. Future fire station sites and facilities should be closely coordinated with existing and planned public parks, libraries, and other activity centers in order to encourage maximum efficiency of public facilities.
- g. The City of Modesto shall promote fire-safe behaviors within the community through public fire education activities and programs.

- h. The City of Modesto shall maintain its readiness to mitigate man-made or natural disasters through maintenance and implementation of the Multi-Hazard Functional Plan, the Multi-Hazard Mitigation Plan, and the Emergency Operations Plan.
- i. The City of Modesto Fire Department shall maintain equipment, staffing, and facilities to provide Emergency First Response level Emergency Medical Services, Urban Search and Rescue, and Hazardous Materials emergency response capabilities.
- j. The City of Modesto shall provide an adequate Fire and Life Safety Delivery system through the achievement of the following standards:
  - (1) The City of Modesto shall maintain an emergency response system capable of achieving the following standards in 90% of all cases.
    - (a) The first fire emergency response unit arrives within 6 minutes of dispatch.
    - (b) A full alarm assignment consisting of three engines, one truck, one chief officer, and 14 personnel arrives within 10 minutes of dispatch.
    - (c) A second alarm assignment consisting of two additional fire units with a minimum of six personnel arrives within 15 minutes of dispatch.
  - (2) The City shall maintain a fire and life safety delivery system adequate to achieve an Insurance Service Office (ISO) rating of Class 2, with the optimum goal to achieve a Class 1 rating.
  - (3) The city shall maintain a fire and life safety delivery system adequate to achieve International Accreditation through the Center for Public Safety Excellence.
- k. The City of Modesto shall protect life and property by requiring engineered fire protection systems and fire resistive roof systems as part of all new construction; in situations where access is limited, fire sprinklers shall be required for new construction.
- l. The City of Modesto shall maintain adequate Fire Prevention staffing in order to provide an effective prevention program aimed at fire loss reduction through inspection, investigation, and public education.
- m. The City of Modesto may negotiate with affected fire protection districts when an annexation to the City is contemplated and before it has been effected to determine whether the boundary change may result in the erosion of fire protection or other emergency services. Any resulting agreements must be approved by City Council and the governing board of the fire protection district prior to City Council approval of the annexation. Options range from the consolidation of the fire protection district into Modesto City Fire to revenue sharing.



CITY of MODESTO




# GENERAL PLAN PROGRAM

Figure V-8  
(Sheet 1 of 1)

## FIRE STATIONS

### LEGEND

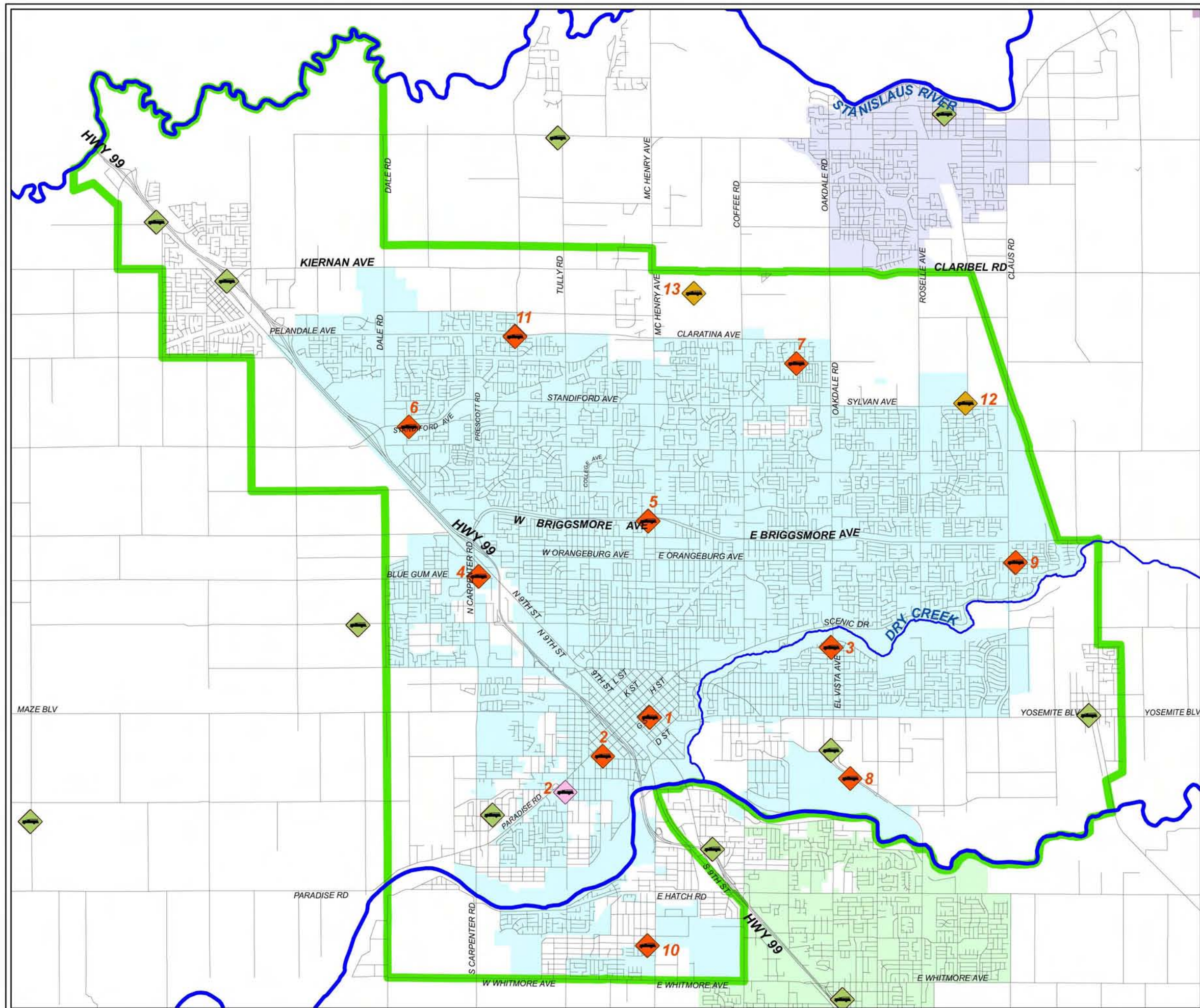
#### City Owned Fire Stations

-  Existing Station
-  Proposed Relocation
-  Proposed Station


#### Other Fire Stations


-  Existing Station

-  General Plan Boundary



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## **L. COMMUNITY SERVICES—SOLID WASTE**

### **1. Overview**

This section addresses the requirements of Government Code Section 65302(a) regarding solid waste disposal facilities.

### **2. Solid Waste Disposal Policies—Baseline Developed Area**

The City of Modesto will continue to comply with all the requirements of Assembly Bill 939, which mandates the diversion of solid waste of 50% by 2000, by way of source reduction, recycling, composting, and transformation.

#### **a. Source Reduction and Recycling Element**

The state's placement of recycling and source reduction at the top of the integrated waste management hierarchy requires that the City implement and maintain recycling and source reduction programs.

Some program options that may need to be considered in the future include variable can rates, expansion of the organics recycling program to include mixed and contaminated paper combined with the green waste, recycling of commercial food waste, mandatory commercial/industrial recycling programs, evaluating the current residential recycling program and making recommendations for modifications as necessary, and continuing to apply for grant funding for program implementation.

A significant amount of the waste currently being generated in the City is compostable. Because of this significant diversion potential, it is essential that green waste composting (including co-composting with biosolids) and compost market development be continued and expanded.

The success of the other programs outlined in the Source Reduction and Recycling Element (SRRE) depends upon the cooperation and participation of a public that understands the importance of waste reduction and recycling objectives. The residential and business communities should continue to be targeted with comprehensive outreach efforts, including multi-media advertising and educational campaigns, community events, and incentive awards for excellence in waste reduction.

#### **b. Household Hazardous Waste Policies**

The City will continue to participate in the existing Household Hazardous Waste Programs, including support of the drop-off facility, continued public information, participation in the oil and battery collection programs, and implementation and enforcement of existing and new regulations regarding electronic and universal waste legislation.

**c. County Hazardous Waste Management Plan**

The City will continue to comply with Stanislaus County’s Hazardous Waste Management Plan.

**d. Garbage Service**

The City shall provide for the safe collection and disposal of all solid waste generated in the City of Modesto, at rates comparable to or less than elsewhere in the state, and ensure there is access to appropriate disposal facilities for the City’s long-term needs. Garbage service shall be provided to all residences and businesses within the City of Modesto.

**e. Landfills**

To meet the waste disposal demands of the growing population, the City shall continue to seek alternative waste disposal methods for solid waste, including transformation, composting, and alternative energy conversion technologies.

**3. Solid Waste Disposal Policies—Planned Urbanizing Area**

- a. In addition to the Solid Waste Disposal policies in place for the Baseline Developed Area, as outlined above, the City should also consider implementing local land use incentives and zoning/building code modifications to encourage source reduction, recycling, and composting, and to provide adequate space for containers. Such measures to be considered include a Construction and Demolition Recycling Ordinance, an ordinance and incentive program for Green Building Projects, and mandatory recycling for commercial/industrial to complement the enforcement of Assembly Bill 2176.
- b. In conjunction with the processing of a Specific Plan within the Planned Urbanizing Area, the City shall consult with the firms responsible for solid waste disposal to confirm that adequate capacity exists for solid waste that would be generated by the project.

**M. COMMUNITY SERVICES—HAZARDOUS MATERIALS MANAGEMENT**

**1. Overview**

The County has prepared a Hazardous Waste Management Plan that is the guideline for managing hazardous waste in Stanislaus County. The goals, objectives, conclusions, recommendations, and implementation measures of that plan are hereby incorporated as a part of this document, along with any modifications that may result from state review of the Hazardous Waste Management Plan.

## **2. Hazardous Materials Management Policies**

- a. The City shall comply with all existing federal and state laws that regulate the generation, transportation, storage, and disposal of hazardous materials.
- b. The City of Modesto should require that businesses and industries using hazardous material provide mitigation measures commensurate with the hazards they bring to the community, in accordance with the applicable Articles and Sections of the most current adopted edition of the Uniform Fire Code.
- c. In the event that site inspection or construction activities uncover chemical contamination, underground storage tanks, abandoned drums, or other hazardous materials or wastes at a parcel, the inspection report preparer shall so notify the City. The City shall notify the County Health Services Department. Under the direction of these agencies, a site remediation plan shall be prepared by the project applicant.

The plan would (1) specify measures to be taken to protect workers and the public from exposure to potential site hazards and (2) certify that the proposed remediation measures would clean up the wastes, dispose the wastes, and protect public health in accordance with federal, state, and local requirements. Permitting or work in the areas of potential hazard shall not proceed until the site remediation plan is on file with the City.

If a parcel is found to be contaminated to a level that prohibits the proposed use, the potential for reduction of the hazard should be evaluated. Site remediation is theoretically capable of removing hazards to levels sufficiently low to allow any use at the site. In practice, both the technical feasibility of the remediation and its cost (financial feasibility) should be evaluated in order to determine the overall feasibility of locating a specific use on a specific site. In some cases, it may require restriction to industrial use or a use that involves complete paving and covering of the parcel.

In accordance with OSHA requirements, any activity performed at a contaminated site shall be preceded by preparation of a separate site health and safety plan (prepared by the project applicant and filed with the City) for the protection of workers and the public. All reports, plans, and other documentation shall be added to the administrative record.

- d. For each specific project that would generate hazardous waste, the City shall require as a condition of building permit and/or business license approval that the project sponsor prepare a hazardous material transportation program. The transportation program shall identify the location of the new facility or use and designate either (1) specific routes to be used for transport of hazardous materials and wastes to and from the facility, or (2) specific routes to be avoided during transport of hazardous materials and wastes to and from the facility. Routes would be selected to minimize proximity to sensitive receptors to the greatest practical degree. Passage through residential neighborhoods should be minimized, and parking of waste haulers on residential streets should be prohibited. The City Fire Department shall review and approve the applicant's hazardous materials transportation program or, working with the applicant, modify it to the satisfaction of both parties.
- e. Prior to the issuance of all building permits, the City shall identify the site in relation to all CERCLIS sites and to known or suspected uncontrolled or abandoned hazardous waste sites. All projects within 2,000 feet of these facilities (generally depicted on Figure 16-1 of the

Master Environmental Impact Report) shall conduct hazardous materials studies as necessary to identify the type and extent of contamination, if any, and the extent of risk to human health and public safety. If necessary, a remedial action program would be developed and implemented as in Policy V-M.2[c].

- f. Applicants for building permits shall determine that a site containing or formerly containing residences or farm buildings/structures has been fully investigated for the presence of hazardous materials or wastes prior to issuance of the permit. Investigation shall consist of, at minimum, a Phase I environmental site assessment and a Phase II site assessment, if found necessary as a result of the Phase I assessment. The findings of the site assessment shall be reported to the City and the County’s Department of Environmental Resources. The appropriate remediation shall occur prior to final occupancy of the approved development.

## **N. COMMUNITY SERVICES—UTILITIES**

### **1. Overview**

Demand for reliable wireless telecommunication services continues to grow throughout the State of California. As a result, the City of Modesto shall support the following policies in accordance with Senate Bill 1627 of 2006, which would provide the opportunity for greater telecommunication services in the City.

### **2. Telecommunication Policies**

- a. “Collocation facility” means the placement or installation of wireless facilities, including antennas, and related equipment, on, or immediately adjacent to, a wireless telecommunications collocation facility. A collocation facility shall be a permitted use not subject to the City’s discretionary permit if it satisfies the following requirements:
  - (1) The collocation facility is consistent with the requirements for the wireless telecommunications collocation facility pursuant to policy V-N.2[b] on which the collocation facility is proposed.
  - (2) The wireless telecommunications collocation facility on which the collocation facility is proposed was subject to a discretionary permit by the City and an environmental impact report was certified, or a negative declaration or mitigated negative declaration was adopted for the wireless telecommunications collocation facility in compliance with the California Environmental Quality Act (commencing with Section 21000) of the Public Resources Code, the requirements of Section 21166 do not apply, and the collocation facility incorporates required mitigation measures specified in that environmental impact report, negative declaration, or mitigated negative declaration.
- b. “Wireless telecommunications collocation facility” means a wireless telecommunications facility that includes collocation facilities. A wireless telecommunications collocation facility, where a subsequent collocation facility is a permitted use not subject to the City’s discretionary permit pursuant to Policies V-N.2[a.1] and [a.2], shall be subject to the City of

Modesto's discretionary permit issued on or after January 1, 2007, and shall comply with all of the following:

- (1) The City's requirements for a wireless telecommunications collocation facility that specify types of wireless telecommunications facilities that are allowed to include a collocation facility, or types of wireless telecommunications facilities that are allowed to include certain types of collocation facilities; height, location, bulk, and size of the wireless telecommunications collocation facility; percentage of the wireless telecommunications collocation facility that may be occupied by collocation facilities; and aesthetic or design requirements for the wireless telecommunications collocation facility.
  - (2) The City's requirements for a proposed collocation facility, including any types of collocation facilities that may be allowed on a wireless telecommunications collocation facility; height, location, bulk, and size of allowed collocation facilities; and aesthetic or design requirements for a collocation facility.
  - (3) State and local requirements, including the City's General Plan and zoning ordinance and any applicable Community Plan or Specific Plan within the City.
  - (4) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) through certification of an environmental impact report, or adoption of a negative declaration or mitigated negative declaration.
  - (5) The City shall hold at least one public hearing on the discretionary permit required pursuant to Policies V-N.2[b.1]–[b.4].
- c. As a condition of approval of an application for a permit for construction or reconstruction for a development project for a wireless telecommunications facility, the City of Modesto shall not do any of the following:
- (1) Require an escrow deposit for removal of a wireless telecommunications facility or any component thereof. However, a performance bond or other surety or another form of security may be required, so long as the amount of the bond security is rationally related to the cost of removal. In establishing the amount of the security, the City shall take into consideration information provided by the permit applicant regarding the cost of removal.
  - (2) Unreasonably limit the duration of any permit for a wireless telecommunications facility. Limits of less than ten years are presumed to be unreasonable absent public safety reasons or substantial land use reasons. However, the City may establish a buildout period for a site.
  - (3) Require that all wireless telecommunications facilities be limited to sites owned by particular parties within the jurisdiction of the City of Modesto.

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## **Chapter VI**

### **Public Safety Issues**

#### **A. INTRODUCTION**

The physical urban development envisioned in Chapter III must consider certain public safety issues, including: Seismic and Geologic Hazards, Flood Hazards, Fire Hazards, and Miscellaneous Issues such as landslides, erosion, expansive soils, subsidence, and evacuation routes. The policies presented in these sections are intended to comply with the pertinent safety element requirements of Section 65302(g) of the Government Code.

In addition, the City of Modesto (City) has adopted a Local Hazard Mitigation Plan (LHMP) in order to receive Federal Emergency Management Association (FEMA) Pre-Disaster Mitigation (PDM) and post-disaster Hazard Mitigation Grant Program (HMGP) project funding for disasters declared on or after November 1, 2004. This LHMP covers the City, including all City Departments and the portion of the Industrial Fire Protection District that currently contracts with the Modesto Fire Department for fire suppression services. The LHMP provides the City's blueprint for reducing the potential losses from natural disasters, which includes goals, mitigation actions, and an implementation strategy. This plan will also serve as the basis for the state to provide technical assistance and to prioritize project funding.

According to the City of Modesto's LHMP, the top five natural hazards for Stanislaus County (County) are earthquake, flood, dam failure, wildfire, and landslide. The City's LHMP covers each of these natural hazards. Additional hazards, both natural and manmade, will be included as this plan is reviewed and updated. The LHMP will be monitored, evaluated, and updated every three years, or more frequently as the need arises.

The policies below reflect information in the City of Modesto's LHMP. Reference the LHMP for a full list of its goals, mitigation actions, and implementation strategy.

#### **1. General Public Safety Policies**

- a. Support the LHMP and ensure that the LHMP will be monitored, evaluated, and updated every three years or more frequently as the need arises.
- b. Ensure that all new development is designed to reduce potential safety and health hazards.
- c. Ensure that emergency services are delivered quickly and safely.
- d. Support efforts to improve levels of emergency response.
- e. Ensure preparation for appropriate response to disasters, both natural and manmade, that would disrupt the community.

## **B. PUBLIC SAFETY—SEISMIC AND GEOLOGICAL HAZARDS**

### **1. Overview**

There are no known geologic faults in the Planning Area or in the valley portion of Stanislaus County. The nearest faults are the Tesla-Ortogonalita Fault in the Diablo Range, and the Bear Mountain and Melones Faults in the eastern part of Stanislaus County—both of which have been inactive for 150 million years. There are no Alquist-Priolo Special Studies Zones in Modesto. Figure VI-1, “Faults located within Stanislaus County,” shows the only active fault reported in Stanislaus County, the Tesla-Ortogonalita Fault.

Like any other place in the San Joaquin Valley, the area could be affected by earthquakes along faults in other parts of the region and elsewhere in California. Recorded earthquakes from faults outside the Modesto Urban Area have in the past produced ground shaking to an intensity of VI on the Modified Mercalli Intensity Scale of 1931. According to the State Division of Mines and Geology, ground shaking to an intensity of VII is possible in the future.

A maximum-intensity earthquake is capable of causing considerable damage in ordinary structures. Most injuries, loss of life, and property damage during earthquakes result from structural failures due to ground shaking. Damage from ground shaking is a combined function of the structural integrity of the buildings before the earthquake and the quality of soils or bedrock underlying the buildings.

Older structures generally were not built to withstand the lateral stress imposed by the ground shaking of a major earthquake. Generally, the older the structure, the less likely it is to resist an earthquake. This applies particularly to buildings having walls of non-reinforced brick held together by sand-lime mortar and in general to all multi-storied buildings that do not have steel reinforcements.

As part of implementing Public Resources Code Section 2690 et seq. (the Seismic Hazards Mapping Act), the California Division of Mines and Geology is establishing a program to map liquefaction and landslide potential in various parts of the state. The Division of Mines and Geology will provide—in addition to maps—policies and criteria regarding the responsibilities of cities, counties, and state agencies pursuant to development in designated seismic hazard areas.

### **2. Seismic and Geological Hazard Policies—Baseline Developed Area and Planned Urbanizing Area**

Although the Modesto Urban Area is relatively free from recent seismic activity, the Uniform Building Code places all of California in Seismic Risk Zone 3, which means that all new structures must be designed to resist collapse in an intensity VIII earthquake. Further, the following policies are adopted throughout the General Plan Area:

- a. The City shall continue to use building codes as the primary tool for reducing seismic risk in structures. The 2007 California Building Code, which has been adopted by Modesto, Stanislaus County, and the other cities in the County, is intended to ensure that buildings resist major earthquakes of the intensity or severity of the strongest experience in California, without collapse, but with some structural as well as nonstructural damage. In most

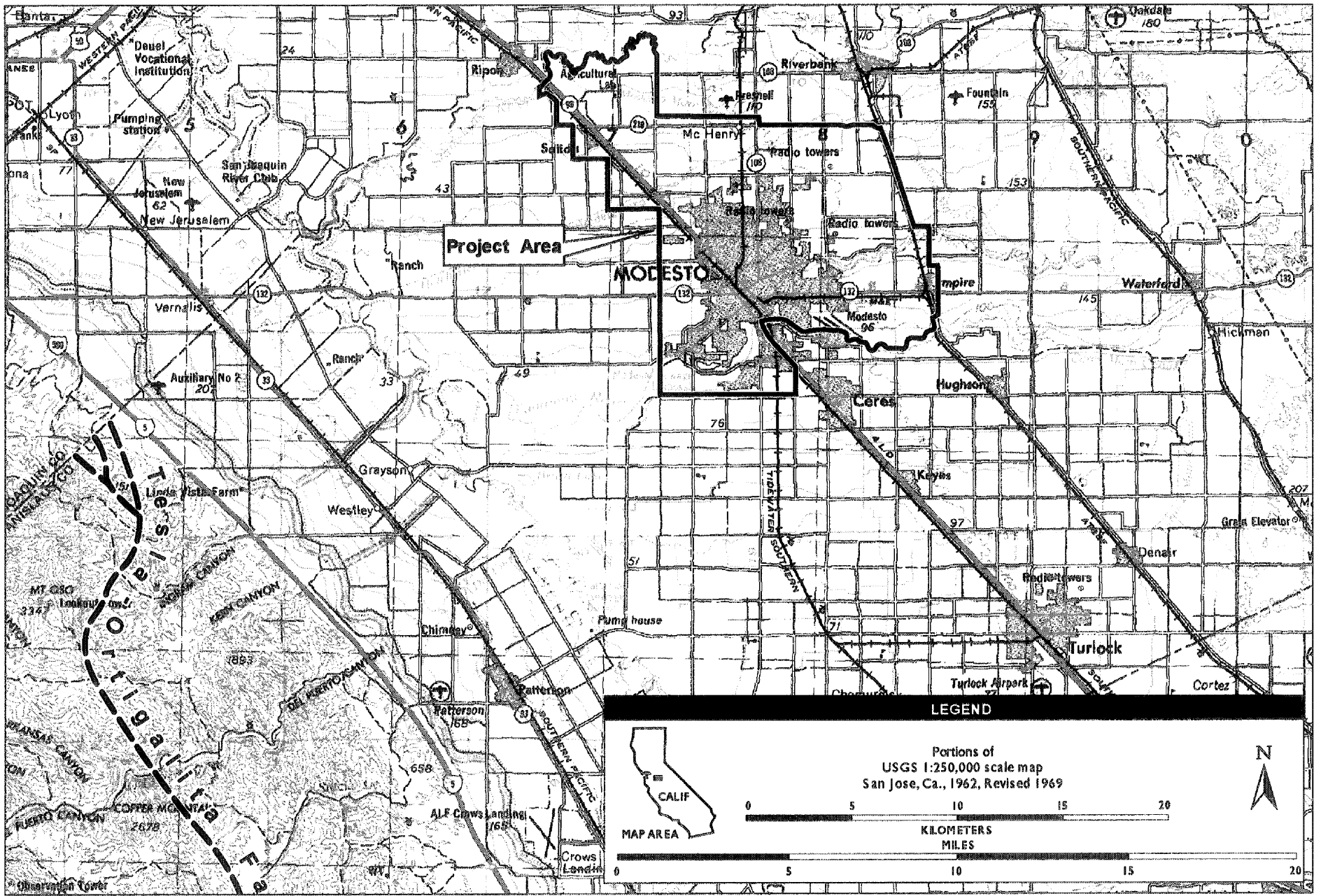


Figure VI-1  
Faults Located within Stanislaus County

- structures, it is expected that structural damage could be limited to repairable damage, even in a major earthquake.
- b. The City shall require all new buildings in the City to be built under the seismic requirements of the 2007 California Building Code (or subsequent editions).
  - c. The City shall continue to explore measures to induce building owners to upgrade and retrofit structures to render them seismically safe.
  - d. The City shall enforce provisions of the Alquist-Priolo Earthquake Fault Zoning Act.
  - e. The City shall develop programs to identify structures that do not currently meet building standard minimums for earthquake resistance and programs that would provide funding to rehabilitate these structures.

### **3. Implementation**

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. These subsequent policy documents will be considered “anticipated subsequent projects” in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

## **C. PUBLIC SAFETY—FLOODING HAZARDS**

### **1. Overview**

Flooding is one of the costliest natural hazards in California. In the Modesto area the problem of flooding, defined as breaching of the banks of a natural water course, is limited to property along Dry Creek and the Stanislaus and Tuolumne Rivers. Completion of the Don Pedro Dam effectively reduced exposure to flood damage on both the Tuolumne River and the lower reaches of Dry Creek; construction of the New Melones dam has significantly reduced the chance of flood damage on the Stanislaus River. Portions of the Stanislaus River still flood to the extent that there can be crop damage, but the U.S. Army Corps of Engineers has purchased flowage easements to accommodate this periodic inundation. Figure VI-2, “Flood Potential Diagram,” describes certain areas to be studied further to ensure that new development is not located within areas potentially inundated by the “100 year flood,” as defined by the Federal Emergency Management Agency.

Programs for reducing flood losses include both structural and non-structural approaches, some directed at preventing floods, others at controlling those that cannot be prevented. The Don Pedro Dam on the Tuolumne River is a method of prevention. Channel maintenance and development is an additional means of flood prevention. Nonstructural measures include flood forecasting, zoning, exclusions from designated floodways, building code requirements, and evacuation from flood areas.

In the urban area of Modesto, nonstructural approaches to minimize flood hazards seem to be the most effective approach. To this end the City adopts the policies in Sections C.2 and C.3 below.

## **2. Flood Hazard Policies—Baseline Developed Area**

When development is proposed on parcels located within any “Flood Potential Study Area” shown on Figure VI-2, the following policies apply:

- a. New urban development shall be approved only when the developer shows it to be protected from “200 year” floods and otherwise complies with the City’s Floodplain Management Ordinance (Title 9, Chapter 4 of the Modesto Municipal Code).
- b. Undeveloped floodway areas as well as the Tuolumne River Regional Park Master Plan, the Dry Creek Master Plan, the Tuolumne River Comprehensive Planning District (CPD), and the Dry Creek CPD shall be preserved for undeveloped and non-urban use, as provided in the City’s Floodplain Management Ordinance.
- c. Appropriate emergency plans for the safe evacuation of people from areas subject to inundation from dam failure shall be reviewed and periodically updated. The City Fire Department, Police Department, and Public Works Department shall continue to work with other jurisdictions to develop evacuation routes to be used in case of dam failure. Evacuation routes will serve all of the jurisdictions in the County.

### **Miscellaneous Policies**

The following policies will help to minimize the future loss of life and reduce property damage as a result of floods as well as reduce the economic impact of floods.

- d. Maintain the floodplain management ordinance to ensure that flood insurance can be made available to qualified property owners through state and federal programs.
- e. Support the Federal Emergency Management Agency (FEMA) Flood Insurance Program so that residents who qualify may purchase such protection. Property owners whose property is located within certain areas identified by FEMA as flood hazard areas may purchase insurance against flood damage.
- f. Discourage development in areas susceptible to floods, except as provided under the Flood Insurance Program and City Floodplain Management Ordinance.

## **3. Flood Hazard Policies—Planned Urbanizing Area**

- a. All of the Flood Hazard Policies adopted for the Baseline Developed Area apply equally within the Planned Urbanizing Area.
- b. The Focused Environmental Impact Report for any Comprehensive Planning District located within or including any portion of a “Flood Potential Study Area” on Figure VI-2 shall include a Flood Hazard Analysis developed to mitigate all of the Flood Hazard impacts identified in the Master Environmental Impact Report.






# CITY of MODESTO GENERAL PLAN PROGRAM

Figure VI-2  
Sheet 1 of 4

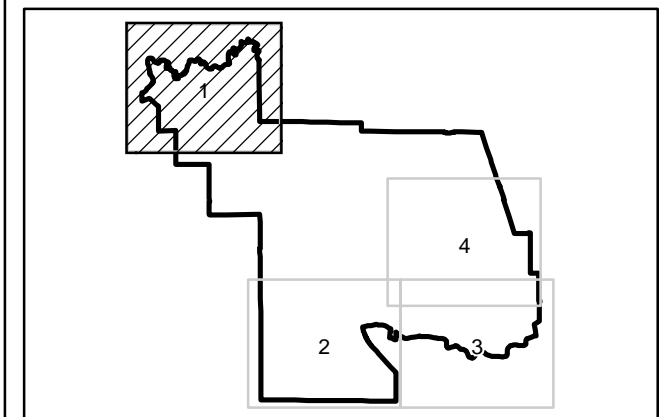
## FLOOD POTENTIAL DIAGRAM

### LEGEND

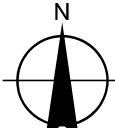
-  **Flood Potential Study Area**
-  **General Plan Land Use Boundary**
-  **Project Area Boundary**


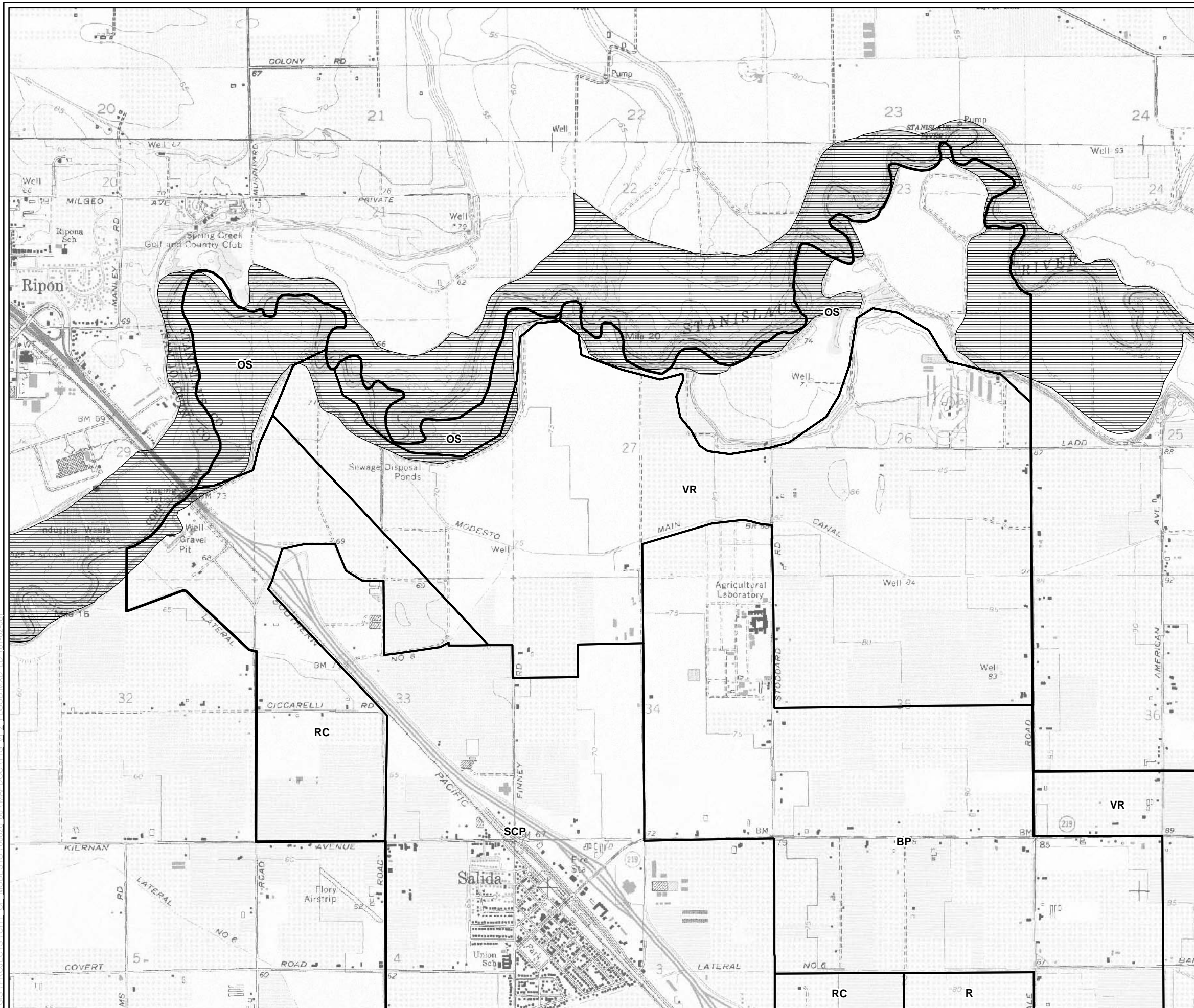
Data Source: FEMA 1996, City of Modesto 2007  
Basemap: Portions of Brush Lake (1976), Ceres (1987),  
Riverbank (1987), and Salida (1987) USGS 7.5' series quadrangles

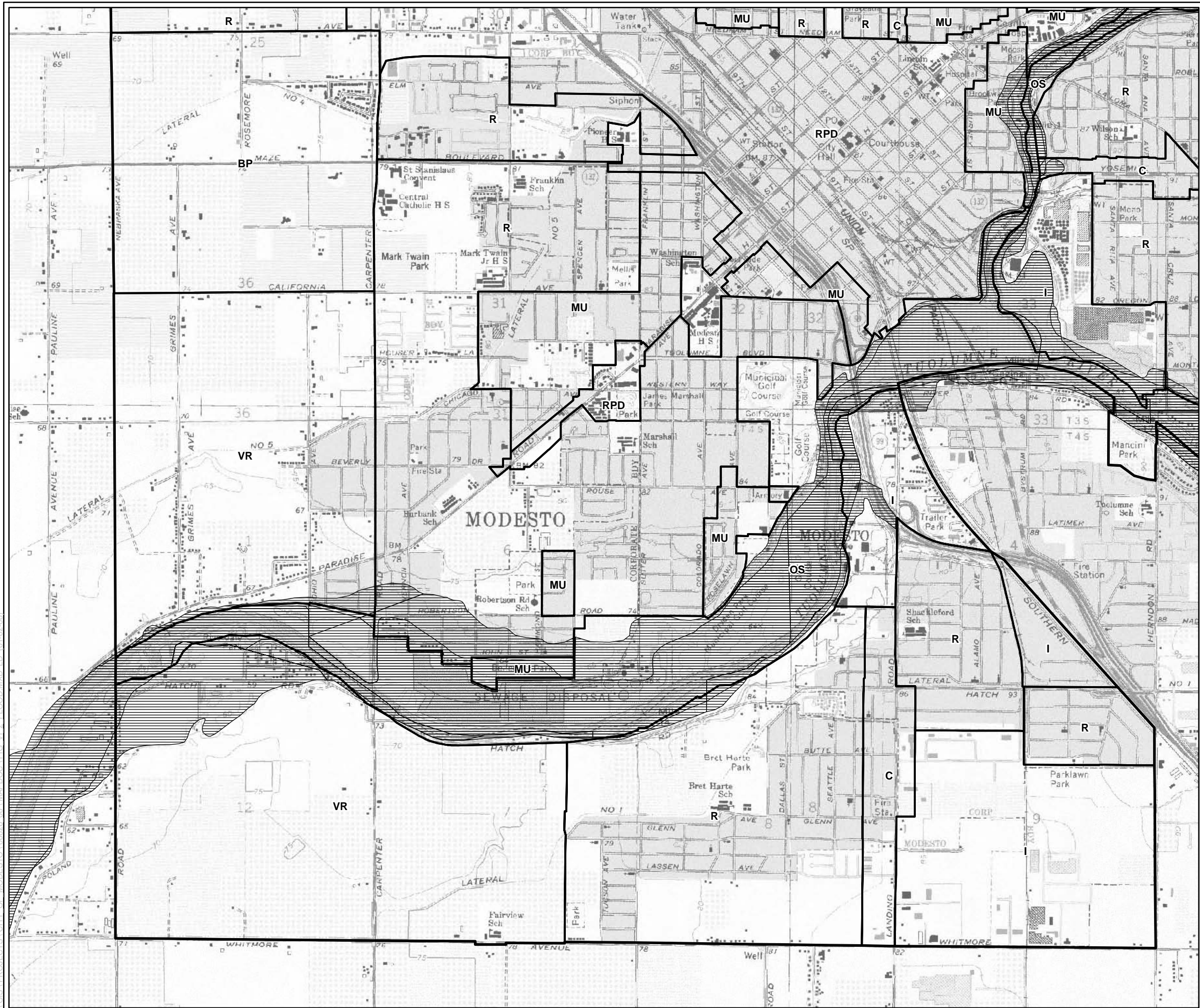
The Stanislaus River floodplain is illustrated on this figure pursuant to current FEMA mapping. Due to differences between the City base map used for this figure and the FEMA map, the location of the river is not aligned with the northern boundary of the figure. This figure is not to be used for site-specific decisionmaking by the City.



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CITY of MODESTO  
**GENERAL PLAN PROGRAM**

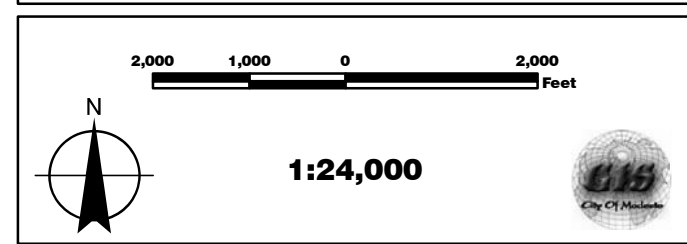
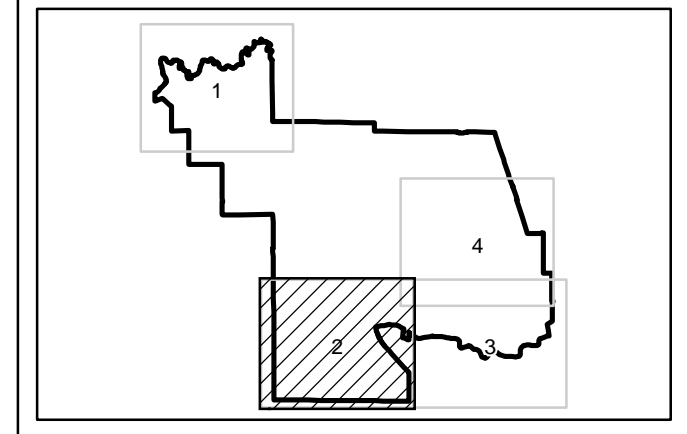
Figure VI-2  
 Sheet 2 of 4

**FLOOD POTENTIAL DIAGRAM**

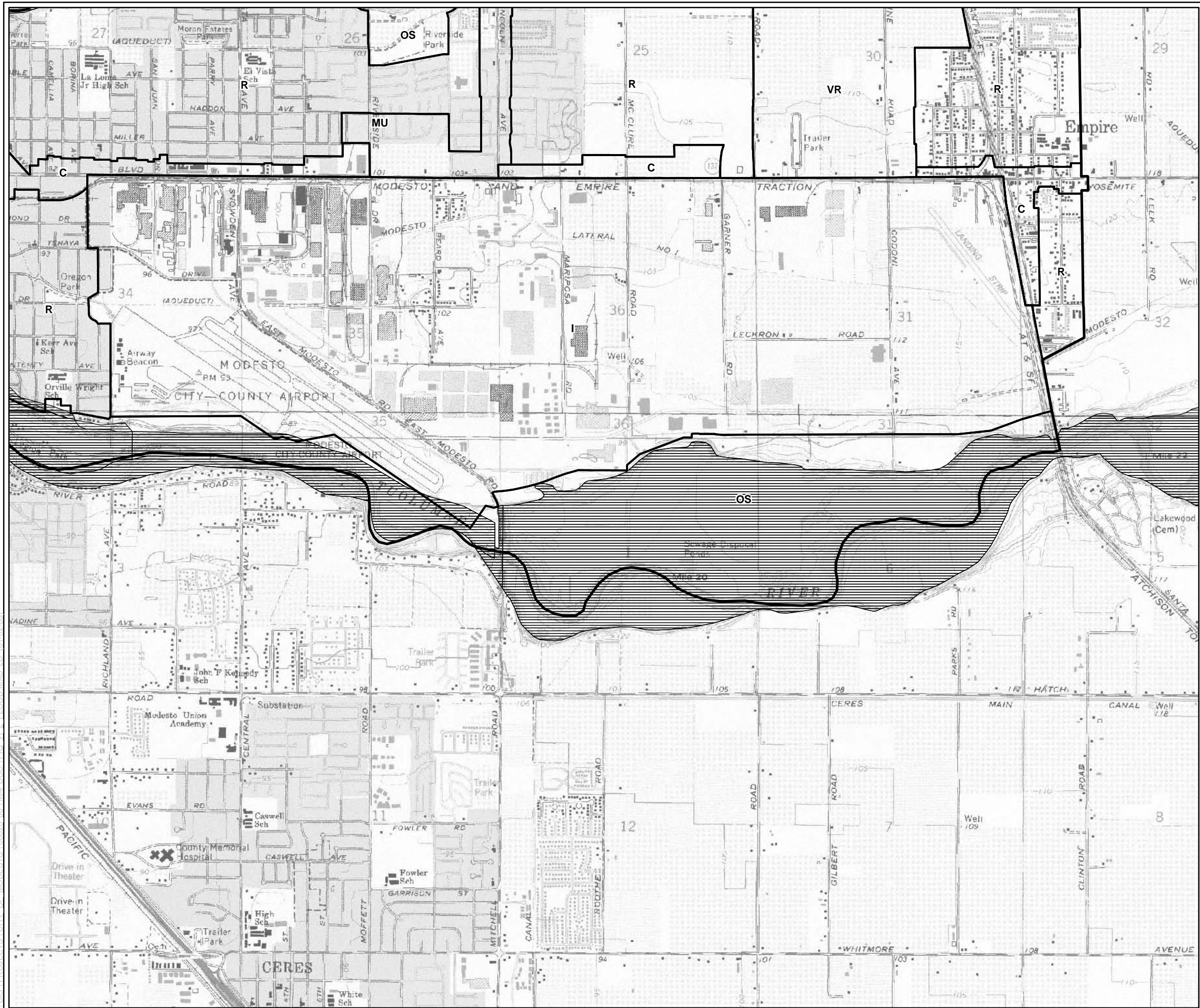
LEGEND

-  **Flood Potential Study Area**
-  **General Plan Land Use Boundary**
-  **Project Area Boundary**

Data Source: FEMA 1996, City of Modesto 2007  
 Basemap: Portions of Brush Lake (1976), Ceres (1987),  
 Riverbank (1987), and Salida (1987) USGS 7.5' series quadrangles



S:\GIS\PROJECTS\CITY OF MODESTO\068828\_06\MAPDOC\FIG VI 2\_FLOOD.MXD LD (01-02-08)






CITY of MODESTO  
**GENERAL PLAN PROGRAM**

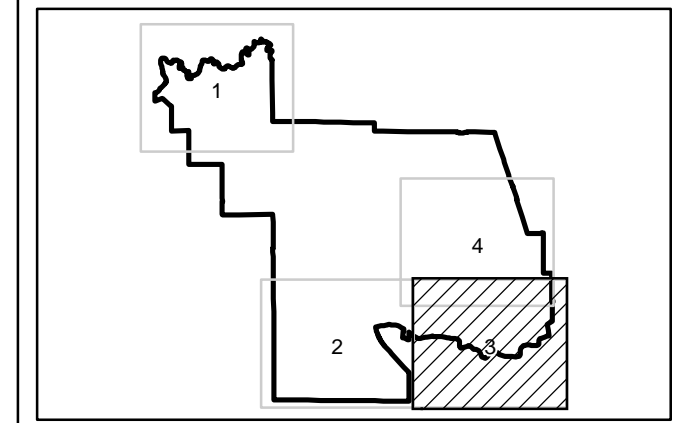
Figure VI-2  
 Sheet 3 of 4

**FLOOD POTENTIAL DIAGRAM**

LEGEND

-  **Flood Potential Study Area**
-  **General Plan Land Use Boundary**
-  **Project Area Boundary**


Data Source: FEMA 1996, City of Modesto 2007  
 Basemap: Portions of Brush Lake (1976), Ceres (1987),  
 Riverbank (1987), and Salida (1987) USGS 7.5' series quadrangles



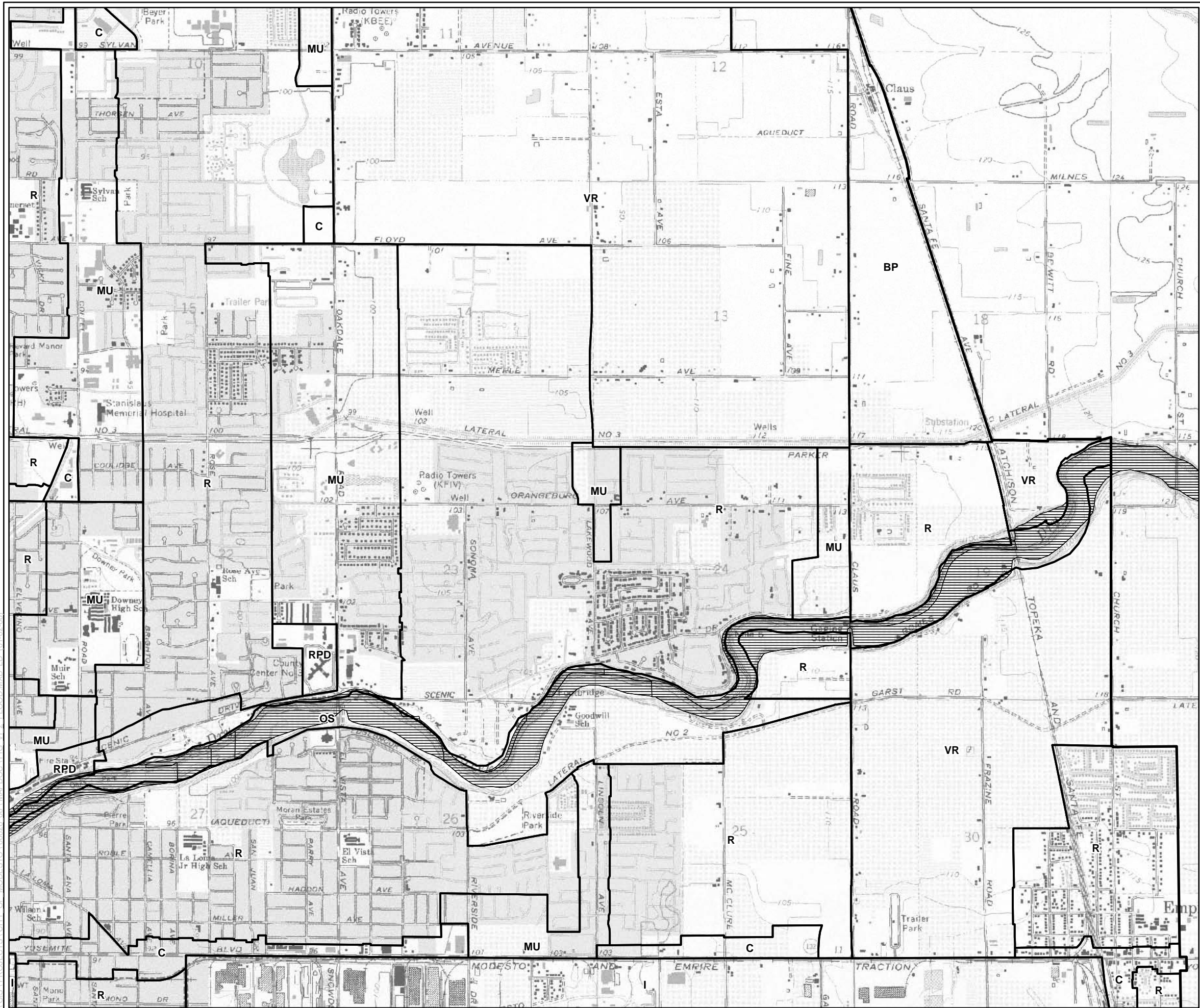
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S:\GIS\PROJECTS\CITY OF MODESTO\06828\_06\_MAPDOC\FIG VI 2\_FLOOD.MXD.LD (01-02-08)






CITY of MODESTO  
**GENERAL PLAN PROGRAM**

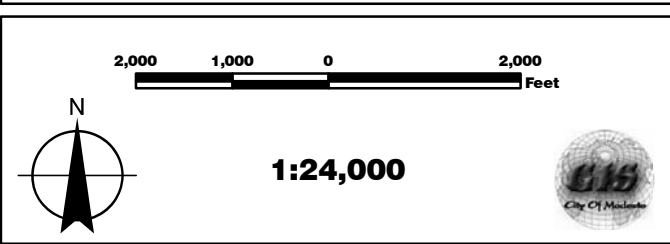
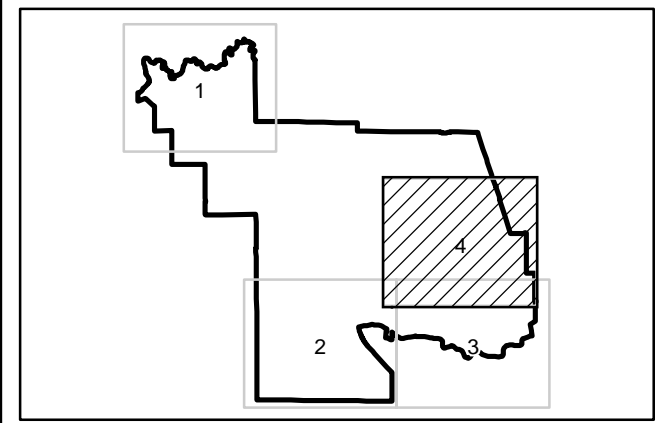
Figure VI-2  
 Sheet 4 of 4

**FLOOD POTENTIAL DIAGRAM**

LEGEND

-  **Flood Potential Study Area**
-  **General Plan Land Use Boundary**
-  **Project Area Boundary**

Data Source: FEMA 1996, City of Modesto 2007  
 Basemap: Portions of Brush Lake (1976), Ceres (1987),  
 Riverbank (1987), and Salida (1987) USGS 7.5 series quadrangles



S:\GIS\PROJECTS\CITY OF MODESTO\06828\_06\_MAPOC\FIG VI 2\_FLOOD.MXD LD (01-02-08)

- c. The results of the Flood Hazard Analysis shall be incorporated into the project design of any Specific Plan. The Specific Plan shall prohibit development within the flood channel, consistent with the City’s Floodplain Management Ordinance. Where possible, the Specific Plan shall minimize development within the floodplain, consistent with the City’s Floodplain Management Ordinance, by such means as providing setbacks from flood zones designating areas within the flood zones for low-intensity development only, or providing for setback levees. When levee improvements are necessary to achieve flood protection, the Specific Plan shall include adequate funding for those improvements. Funding mechanisms may include special assessments or special taxes for both capital and maintenance costs, and shall not rely solely on impact fees. The City may work with other agencies to provide these improvements.
- d. The Urban Area General Plan Update includes policies to restrict development in the floodplain. Existing policies of the Urban Area General Plan and the City’s Floodplain Management Ordinance will also restrict the amount of post-development runoff to no more than pre-development conditions.

#### **4. Implementation**

From time to time, the City may adopt subsequent plans or policy documents to implement some or all of the policies listed above. Pursuant to Government Code Section 65302(a), the City shall annually review those areas covered by the Urban Area General Plan that are subject to flooding identified by floodplain mapping prepared by FEMA or the California Department of Water Resources. As necessary, the City will amend its Floodplain Management Ordinance to reflect new regulations or information. These subsequent policy documents will be considered “anticipated subsequent projects” in the context of Section 21157.7 of CEQA. Chapter VIII of this General Plan presents a variety of other potential implementation tools.

#### **D. PUBLIC SAFETY—FIRE HAZARDS**

Fire protection policies within the City of Modesto are contained in Chapter V and in this section below. Fire hazards in Modesto are primarily associated with urban fires. Urban fires may be defined as fires that occur in commercial, industrial, and residential structures. Most urban fires are caused by human activity, and may result in property damage, injuries, and loss of life.

Over the years, building codes have been established and utilized to reduce the frequency and severity of urban fires. Electrical construction standards have been improved, building separation requirements have been implemented, and fire walls are now required to separate closely sited structures and properties. Buildings that are highly susceptible to fire may also have automatic sprinkler systems installed. Development standards established by the City of Modesto and Stanislaus County zoning codes, including setback and access requirements, also help to minimize urban fire hazards. However, despite these measures, older buildings that do not meet current building codes and/or were constructed prior to the implementation of protective zoning may represent a significant fire hazard.

Peak-load water supply is defined as “the supply of water available to meet both domestic water and fire fighting needs during the particular season and time of day when domestic water demand on a water system is at its peak.” Pipeline sizes, pump capacities, and water storage capacity should be adequate to

meet the demand for peak-load water supply. The following policies supplement the Fire Protection Policies contained in Section V-K.

## **1. Fire Hazard Policies—Baseline Developed Area and Planned Urbanizing Area**

### **a. Peak Load Water Supply**

The City shall ensure that adequate water fire-flows are maintained throughout the City and shall regularly monitor fire-flows to ensure adequacy. New development shall comply with the minimum fire-flow rates, as presented in Appendix B of the California Fire Code.

### **b. Minimum Road Widths and Clearances Around Structures**

Fire apparatus access roads to and around structures shall comply with the minimum requirements in Chapter 5 of the California Fire Code.

### **c. Miscellaneous**

The following policies will help to minimize the hazardous conditions that might cause loss of life and property.

- (1) Enforce state-mandated Health and Safety Codes, including but not limited to the current adopted edition of the California Fire Code, California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, Title 19, Title 24, and the City of Modesto Municipal Code.
- (2) Design and maintain roads so as to ensure adequate access in hazardous conditions.
- (3) Require all new development to have adequate water to meet the established fire-flow standards.
- (4) Encourage funding sources that help to maintain adequate on-going fire services for both existing and new development.
- (5) The City of Modesto may negotiate with affected fire protection districts when an annexation to the City is contemplated and before it has been effected to determine whether the boundary change may result in the erosion of fire protection or other emergency services. Any resulting agreements must be approved by City Council and the governing board of the fire protection district prior to City Council approval of the annexation. Options range from the consolidation of the fire protection district into Modesto City Fire to revenue sharing.

## **E. PUBLIC SAFETY—MISCELLANEOUS ISSUES**

### **1. Landslides**

A landslide is the downhill movement of masses of earth material under the force of gravity. Movement may be rapid or so slow that a change of position can be noted only over a period of weeks or years. Landslides are a common problem in hillside areas; however, most of Modesto is flat and there is very limited exposure to this type of hazard. Development along the banks of Dry Creek and the Stanislaus and Tuolumne Rivers could be subject to this type of hazard. Erosion is controlled through the following measures:

- a. Any construction that occurs as a result of the General Plan must conform with the current UBC regulations, which address seismic safety of new structures and slope requirements. As appropriate, the City will require a geotechnical analysis prior to tentative map approval in order to ascertain site-specific subsurface information necessary to estimate foundation conditions. These geotechnical studies should reference and make use of the most recent regional geologic maps available from the California Department of Conservation Division of Mines and Geology.
- b. The City shall discourage development on lands that are subject to landslides.
- c. New public roads in areas subject to landslides shall be designed to minimize landslide risks.
- d. All building permits shall be reviewed to ensure compliance with the current adopted edition of the California Fire Code, California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, Title 19, Title 24, and the City of Modesto Municipal Code.

### **2. Erosion**

Erosion generally involves two somewhat distinct problems—the wear and removal of materials from one site and deposition at another. The removal of soils through erosion can be damaging in situations of sheet and gully erosion of land surfaces, the wind-blown denudation of lands, and the erosion of stream courses and banks. Deposition damage affects floodplains, rivers, lakes, and reservoirs, and may clog drainage structures. Human activities frequently accelerate erosion-related damages and losses.

Erosion in the Modesto Urban Area is a nominal concern and is limited to areas adjacent to Dry Creek and the Stanislaus and Tuolumne Rivers. The City is primarily concerned with bank protection in these areas. The responsibility for erosion control belongs to the landowner or developer who modifies the land surface, and is monitored and controlled by the community through the grading requirement of the Building Code and controls on the subdivision of land. The erosion control program shall be consistent with the following measures:

- a. Fluvial erosion related to construction shall be controlled by a construction erosion control program which shall be filed with the City Engineering & Transportation Department and kept current throughout any site development phase.

- b. The erosion control program shall include “best management practices” as appropriate, given the specific circumstances of the site and/or project. Table 9-2 in the Master Environmental Impact Report presents examples of best management practices.
- c. Sediment control basins to capture eroded sediments and contain them on the project sites shall be designed consistent with the criteria outlined in Table 9-3 in the Master Environmental Impact Report.

### **3. Expansive Soils**

Expansive soils are earth materials that greatly increase in volume when they absorb water and shrink when they dry out. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. Movement may vary under different parts of a building with the results that foundations crack, various structural portions of the building are distorted, and doors and windows are warped so that they do not function properly. In the Modesto urban area, there is low exposure to this type of problem, which can be easily and reasonably controlled by the adopted Uniform Building Code.

### **4. Subsidence**

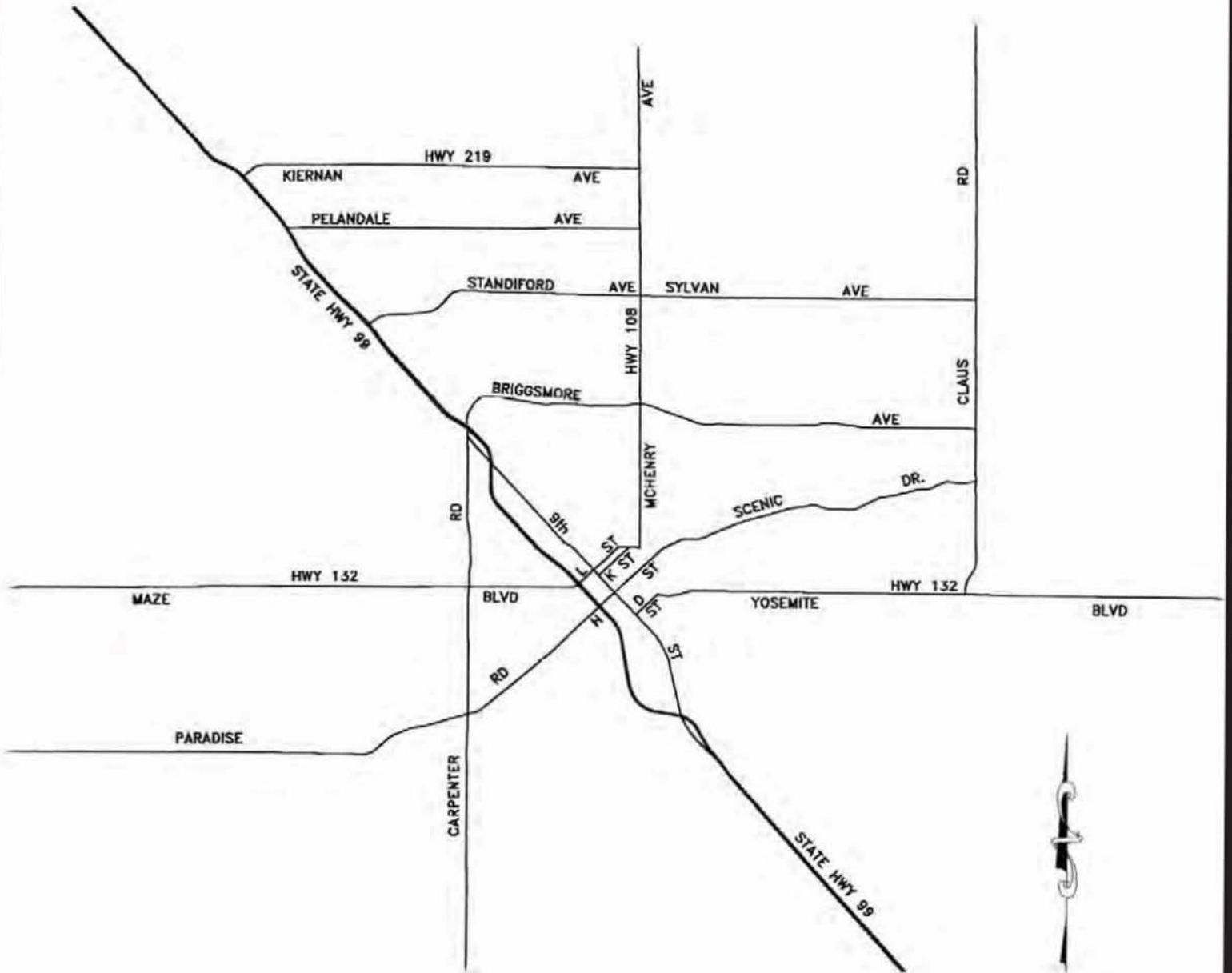
Subsidence of the land surface, as a result of the activities of man, has been occurring in California for many years. Subsidence can be divided on the basis of causative mechanisms into four types: groundwater withdrawal, gas and oil withdrawal, hydrocompaction from irrigation, and peat oxidation. Groundwater withdrawal subsidence is the most extensive and has been the most costly of the four types of subsidence in California. Based upon all information available, the Modesto Urban Area is free from subsidence problems.

### **5. Evacuation Routes**

Figure VI-3 identifies Emergency Evacuation Routes, as required by Section 65302 (g) of the Government Code. The following policies are adopted.

- a. The City shall promote public awareness of the following local routes for the public’s use in evacuating the City in the event of an emergency:
  - (1) State Highways 99, 132, 219, and 108
  - (2) Briggsmore Avenue
  - (3) Claus Road
  - (4) Standiford/Sylvan Avenue
  - (5) Scenic Drive
  - (6) Pelandale Avenue

Figure VI - 3  
EMERGENCY EVACUATION ROUTES



- (7) Ninth Street
  - (8) Paradise Road
  - (9) Carpenter Road
- b. City plans and policies shall not interfere with any emergency evacuation and response plans. This would include the continued maintenance of adequate police and fire services, and identified emergency evacuation routes (Figure VI-3).
  - c. The City shall ensure the provision of adequate and accessible evacuation routes.

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## **Chapter VII**

### **Environmental Resources and Open Space**

#### **A. INTRODUCTION**

The physical urban development envisioned in Chapter III must consider certain environmental resource issues. Environmental resources addressed in this chapter include: the “local open space plan,” as required by Section 65563 of the Government Code; geology and soils; agriculture; wildlife and other natural resources; archaeological and cultural resources; noise (Section 65302(f)); air quality; and energy conservation.

#### **B. LOCAL OPEN SPACE PLAN**

Open space needs are broadly identified by the state legislature. It is within this scope that local jurisdictions must identify specific areas and targets of preservation, development, and/or production. Government Code Section 65560 lists six broad categories to be designated on a local open space plan: Open space for 1) the preservation of natural resources, 2) public health and safety, 3) managed production of resources, 4) outdoor recreation, 5) buffer zones to military activities, and 6) protection of places, features, and objects. These categories will be discussed in detail as they relate to the Modesto Urban Area.

##### **1. Open Space for the Preservation of Natural Resources**

State law defines this as including, but not limited to, areas required for the preservation of plant and animal life including habitat for fish and wildlife species; and areas required for ecologic and other scientific study purposes: rivers, streams, bays, estuaries, coastal beaches, lakeshores, banks of rivers and streams, and watershed lands. The Modesto Urban Area contains three such areas of preservation of natural resources: the Stanislaus River, Tuolumne River, and Dry Creek.

All three of these waterways are proposed to be acquired and maintained as Regional Parks. Chapter III of this General Plan presents detailed policies, in the form of Comprehensive Planning Districts, for the development of these three parks.

##### **2. Open Space for Public Health and Safety**

Open space for public health and safety includes, but is not limited to, areas that require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, floodplains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.

Chapter VI of this General Plan presents policies to address the issues raised in the above state statute. More specifically there is not an earthquake fault beneath the Modesto Urban Area, and

there are also not significant opportunities for landslides, volcanic hazards, erosion, or expansive soils. Designated floodways have been established on both Dry Creek and the Tuolumne and Stanislaus Rivers, and permits are required from the State Reclamation Board before any construction is approved. The Building Code regulates all construction in these areas. The Tuolumne River Regional Park and Dry Creek Park contribute to preservation of the floodway.

### **3. Open Space for Managed Production of Resources**

The Government Code includes, but is not limited to, the following kinds of land used for managed production of resources: forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

The Modesto Urban Area has two areas in which the managed production of resources is important: recharge of the groundwater basin and agricultural lands. Groundwater has traditionally been used by the City of Modesto (City) for its domestic, commercial, and industrial needs. With the City's continued growth, this has led over the years to overdrafting of the groundwater basins. As a result, the City of Modesto has undertaken several steps to stabilize the groundwater basins. Policies to address groundwater stabilization are found in Section V-C.

Agricultural issues are presented in more detail in Section VII-D, below.

### **4. Open Space for Outdoor Recreation**

Government Code defines open space for outdoor recreation to include, but not be limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for parks and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas that serve as links between major recreation and open-space reservations including utility easements, banks of rivers and streams, trails, and scenic highway corridors. Section V-G of this General Plan focuses on the City's neighborhood and community park system as the major source of outdoor recreation opportunities in the City.

### **5. Open Space for the Protection of Places, Features, and Objects**

State law defines this as open space for the protection of places, features, and objects as described in Sections 5097.9 and 5097.993 of the Public Resources Code.

### **6. Open Space Policies—Parks**

- a. Figure V-5 presents the existing (2007) park system. Section V-G.2 presents a variety of policies applying to parks within the Baseline Developed Area.
- b. Within the Redevelopment Area, the Redevelopment Plan, adopted in 2007, contains adequate policies applicable to the Redevelopment Project Area.

- c. Within the Planned Urbanizing Area, development of new parkland and open space shall be accomplished through the application of specified performance standards presented in Section V-G.3.
- d. The regional park systems for Dry Creek and the Stanislaus and Tuolumne Rivers are defined in Chapter III, as follows: the Stanislaus River Comprehensive Planning District, the Tuolumne River Comprehensive Planning District, and the Dry Creek Comprehensive Planning District.

## **7. Open Space Policies—River Greenway Program**

The State Lands Commission holds a fee ownership in the bed of the Stanislaus and Tuolumne Rivers between the two ordinary low water marks. The entire rivers between the ordinary high water marks are subject to a Public Trust Easement. Both easement and fee-owned lands are under the jurisdiction of the State Lands Commission (Public Resources Code Sections 6301 and 6216). Use of lands underlying the state’s easement must be consistent with Public Trust needs in the area. In addition, the state may have a sovereign interest in Dry Creek. Due to staff limitations of the State Lands Commission, a study of this area to define the precise nature and extent of the state’s interest has not been done. However, the California State Parks Department is interested in providing additional recreational opportunities with the support of local jurisdictions.

The California State Parks Department’s Central Valley Vision Report was completed in 2007. The report provides recommendations to develop additional recreational opportunities in the Central Valley, including the City of Modesto. One of the recommendations of the report is to significantly expand recreational opportunities, programs, and services and preserve resources, particularly along river corridors. The Central Valley Vision Report identified the Tuolumne River as one of its four rivers of significant interest. One of the Department’s river studies currently underway includes the Tuolumne River.

State Lands Commission staff believes that the general plan update is an excellent opportunity to incorporate public trust resource protection values and, specifically, a greenway concept. The City Parks and Recreation Director agrees with State Lands Commission staff; therefore, the following policies, collectively referred to as the “River Greenway Program,” are adopted to guide the development of parkland within the Dry Creek, Stanislaus River, and Tuolumne River Comprehensive Planning Districts (see Chapter III):

- a. Visual corridors of the river will be protected and enhanced.
- b. Visual corridors and access points on the riverfront will be recreated through redevelopment.
- c. Identifiable park entrances will be created. A comprehensive program of park signage and graphics will be developed.
- d. Adequate circulation throughout the park will be provided in order to accommodate pedestrians, bicyclists, and vehicles, as well as equestrians and boaters, if appropriate. Opportunities for park access via public transportation will be provided.
- e. Active and passive recreational areas with universal access will be created.

- f. Vehicular and pedestrian connections to the park that are direct and user-friendly will be provided.
- g. Adequate parking for park activities will be provided.
- h. A continuous trail linkage will be provided throughout the park that includes a range of experiences.
- i. Public access points and linear foot and bike paths will be incorporated into residential redevelopment as discussed in the Non-Motorized Transportation Master Plan.
- j. Riverfront vegetation will be consistent with riparian habitat zones.
- k. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas (e.g., nature education and research; fishing and habitat protection).
- l. Sensitive habitats and natural areas, including wetlands and riparian corridors, will be protected and enhanced, when feasible.
- m. Existing wildlife habitat areas will be protected and enhanced, when feasible.
- n. Aquatic species and habitat will be protected and enhanced, when feasible.
- o. The natural forces influencing the development of recreational areas, including potential flooding, prevailing winds, sun orientation, and topography will be considered during design.
- p. A flood management program that provides protection from catastrophic flooding and contributes to the ecological values of the river corridor will be promoted.
- q. The scenic resources of Public Trust lands and resources shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect scenic views associated with Public Trust lands and resources.
- r. Areas to accommodate multiple purposes and changes in recreational preferences over time will be developed.
- s. Park and trail systems will be expanded as land becomes available.
- t. Adequate support facilities for recreational activities will be developed.
- u. Historical and archaeological resources will be preserved and protected, when feasible. The locations of archaeological resources will not be disclosed to the public.
- v. Support the California State Parks Department's efforts to provide additional recreational opportunities within the City.
- w. Support the findings and recommendations discussed within the California State Parks' Central Valley Vision Report as well as subsequent studies that pertain to the city.

## **8. Implementation**

- a. The Neighborhood and Community Parks implementation programs are presented in Chapter V.
- b. The Tuolumne River Regional Park Master Plan (TRRP) and the Master Environmental Impact Report are the guiding documents for the development and use of TRRP-controlled lands in the Tuolumne River and Dry Creek CPDs.
- c. The Regional Park system consisting of Dry Creek, Stanislaus River, and Tuolumne River shall be developed through the “Comprehensive Planning District” process outlined in Chapter III. The River Greenway Program policies (Section VII-B.7, above) shall be incorporated into each of these three Comprehensive Planning Districts by including the following design elements:
  - (1) A riparian protection, restoration, and maintenance plan.
  - (2) A Riverfront Greenway trail element identifying access points and interconnection with any appropriate pathway programs.
  - (3) Dedication requirements to guarantee access is permanent (e.g., dedication of fee, easement, or deed restriction).
  - (4) A maintenance and operations element specifying how trails and accessways shall be maintained and operated and by what agency.
  - (5) A trail/accessway standards element specifying standards including minimum width of trails, trail surface, etc. consistent with state and federal law and state standards, and as outlined in the City of Modesto’s Non-Motorized Transportation Plan.
- d. Any action by a county or city by which open space land or any interest therein is acquired or disposed of or is restricted or regulated, whether or not pursuant to this part, must be consistent with the local open space plan (Section 65566, Government Code).

## **C. SOILS AND GEOLOGIC RESOURCES**

### **1. Overview**

This section deals with soils and other geologic features as resources. Section VI-C deals with soils and geologic features as hazards. This section is intended to comply with Section 65302(d) regarding “...the conservation, development, and utilization of...soils.”

In the San Joaquin Valley, the Modesto Formation is comprised of ancient alluvial fans of the San Joaquin River and can be divided into upper and lower members. The upper member is composed primarily of unconsolidated, unweathered, coarse sand and sandy silt. The lower member is composed of consolidated, slightly weathered, well-sorted silt and fine sand, silty sand, and sandy silt. Pleistocene-age alluvial deposits of the Modesto Formation are known to contain paleontological resources.

The alluvial fan soils in the area of Modesto are highly suitable for agriculture. The soils are composed of materials derived from Sierran granitic terraces. The following soils found in the Modesto area are particularly suited to agriculture:

### **Chualar Series**

These soils are moderately well drained and moderately coarse textured. They are on smooth, very gently sloping to nearly level relief. Many areas of these soils are in the vicinity of Modesto, especially to the north and northwest. They are important for growing a wide variety of orchard, vineyard, field, and forage crops. Yields are good to excellent.

### **Dinuba Series**

These soils are imperfectly drained and moderately coarse textured. They are very gently sloping to nearly level. They are found north and northwest of Modesto. These soils are largely cultivated. They are mainly used for irrigated pasture and grain and vine crops.

### **Hanford Series**

These soils are well drained and moderately coarse textured. They have smooth, very gentle slopes. They are along the Stanislaus and Tuolumne Rivers and on broad alluvial fans in the Modesto vicinity. These are important soils for the production of a wide variety of irrigated orchards and field and truck crops.

### **Modesto Series**

These soils are moderately well drained, medium and moderately fine textured. They occur on nearly level areas where runoff is very slow. They are found north and northwest of Modesto. These soils are used for a wide variety of field crops and for orchards and vineyards.

In addition to soil resources, aggregate sand and gravel resources are found along the Stanislaus River. A surface mining operation for aggregate existed near the Stanislaus River at the northwestern corner of the General Plan area, but ceased operation in 1966. This site has since been converted into a concrete aggregate recycling operation.

No specific policies are proposed in this section. Policies for soils resources as they relate to agricultural production can be found in Section VII-D.

## **2. Paleontological Policies—Baseline Developed Area and Planned Urbanizing Area**

- a. To minimize potential adverse impacts to unique, scientifically important paleontological resources, project applicant(s) shall be required to do the following:

- (1) Prior to grading or excavation activities in locations where there has not been previous development or where construction would occur at depths below existing foundations, roads, or trenches, construction personnel involved with earth-moving activities must immediately stop all earth-moving activities if bones or any other fossil materials are discovered. In that event, the City’s Community and Economic Development Department must be notified of the discovery and a qualified paleontologist must be contacted.
- (2) If paleontological resources are discovered during earth-moving activities, the construction crew shall immediately cease work in the vicinity of the find, and the City Planning Department shall be notified. A qualified paleontologist shall evaluate the resource and prepare a proposed mitigation plan in accordance with Society of Vertebrate Paleontology guidelines. The proposed mitigation plan may include a field survey of additional construction areas, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.

## **D. AGRICULTURE RESOURCE POLICIES**

### **1. Overview**

As in other parts of the Central Valley, Modesto is located in the center of rich agricultural lands. This means that urban expansion almost inevitably results in conversion of agricultural land to urban uses. The General Plan Land Use Diagram and Plan policies define the long-term edge between urban and agricultural activities.

Most of the agricultural land in the General Plan Area is found outside Modesto’s corporate limits. A wide variety of crops is grown. Predominant among them are fruits and nuts, with almonds representing a major share.

Almost all farmland in the General Plan Area is rated by the California Department of Conservation as either “Prime” or “of Statewide Importance” (see Figure 4-1, “Important Farmland, in the Master Environmental Impact Report). The Master Environmental Impact Report presents a detailed analysis of the characteristics of this farmland. Prime Farmland is the most suitable for a variety of agricultural uses based on soil characteristics, irrigation, and other indicators. Farmland of Statewide Importance is distinguished from Prime Farmland because it is less desirable with respect to rooting depth, permeability, salinity or alkalinity, and/or erosion hazard. These classifications do not provide information about actual productivity of the land, which is also affected by availability of irrigation water, and the use of agricultural management techniques. Many valuable commodities (for example, milk) are produced in areas with relatively poor soils.

The displacement of Productive Agricultural Soils by urban uses represents a “significant environmental effect which cannot be avoided.” The Project Objectives of the General Plan, as presented in Chapter I, require an urban development pattern to be introduced into all areas depicted on the General Plan Land Use Diagram. Given the magnitude of the significant

environmental impacts on Agriculture, no mitigation is available, over the long term, which would reduce these impacts to an insignificant level.

## **2. General Agriculture Resource Goal**

- a. The General Plan should attempt to minimize the loss of agricultural land by having future development be relatively compact and of reasonable high density.

## **3. Agriculture Policies—Baseline Developed Area**

- a. If a subsequent project is within the Baseline Developed Area or Redevelopment Area as identified on the General Plan Growth Strategy Diagram (Figure II-1), the project shall be considered to have minimal effect on the conversion of agricultural lands, and no mitigation for that impact is required.

## **4. Agriculture Policies—Planned Urbanizing Area**

The following policies apply to new development proposed in the Planned Urbanizing Area:

- a. The City will not annex agricultural land unless urban development consistent with the General Plan has been approved by the City.
- b. The City shall support the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- c. The City shall encourage the County to retain agricultural uses on lands surrounding the General Plan area and on lands within the General Plan area pending their annexation to the City or development by mutual agreement with the County.
- d. Where necessary to promote planned City growth, the City shall encourage development of those agricultural lands that are already compromised by adjacent urban development or contain property required for the extension of infrastructure or other public facilities, before considering urban development on agricultural lands that are not subject to such urban pressures.
- e. For any subsequent project that is adjacent to an existing agricultural use, the project proponent may incorporate measures to reduce the potential for conflicts with the agricultural use. Potential measures to be implemented may include the following:
  - (1) Include a buffer zone of sufficient width between proposed residences and the agricultural use.
  - (2) Restrict the intensity of residential uses adjacent to agricultural lands.
  - (3) Inform residents about the possible exposure to agricultural chemicals.

## **E. WILDLIFE AND OTHER NATURAL RESOURCES**

### **1. Overview**

This section is intended to comply with Section 65302(d) of the Government Code regarding “...conservation, development, and utilization of natural resources including...wildlife...and other natural resources....”

The Modesto Urban Area hosts a variety of natural and altered habitats supporting a diverse assemblage of plant and animal species. Many of these species depend upon natural areas and linkages between natural areas for their survival. Other species are well adapted to and proliferate in urban areas. This second category of species may have deleterious impacts on native, sensitive, and other species that may lead to the reduction of biological diversity.

Eight habitat types, four natural and four altered, supporting various plant communities and wildlife, have been identified within the City of Modesto’s urban area:

- Valley Foothill Riparian
- Riverine
- Wetland
- Grassland
- Pasture
- Cropland
- Orchard-Vineyard
- Urban

Figure 7-1, in the Final Master Environmental Impact Report (Riparian Corridor Diagram), presents areas of the Modesto urban area where there is the greatest potential to impact wildlife and other natural resources.

### **2. Policies in the Baseline Developed Area**

- a. For proposed development consistent with the adopted Urban Area General Plan on lands within the Baseline Developed Area and Redevelopment Plan Area, exclusive of lands within the Dry Creek and Tuolumne River Comprehensive Planning Districts, an assessment of whether any potential habitat for special-status species is present within proposed development areas shall be made. No further biological study is warranted unless habitat is present or if specific information concerning the known or potential presence of significant biological resources is identified in future updates of the California Natural Diversity Database, or through formal or informal input received from resource agencies or other qualified sources.

### **3. Policies in the Planned Urbanizing Area**

Focused Environmental Impact Reports for Specific Plans in the Planned Urbanizing Area shall incorporate the following measures.

- a. For all lands within the Planned Urbanizing Area, site-specific surveys shall be conducted by a qualified biologist to determine whether any sensitive natural communities or species are present within the proposed development area. These studies shall particularly focus on proposed development within any lands included within a potential biological resource study area, as delineated on Figure 7-1 in the Final Master Environmental Impact Report (Riparian Corridor Diagram). Prior to considering development applications, the City shall coordinate with the U.S. Fish and Wildlife Service (USFWS) regarding listed species and potential for impacts. The City shall employ the measures recommended by the USFWS to avoid an incidental take.

Surveys should be conducted at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies as determined by the California Department of Fish and Game (CDFG) and the USFWS. The significant results of such surveys should be recorded onto the City's existing biological resources map for future planning purposes.

- b. All areas occupied or potentially occupied by special-status species shall be avoided and preserved, where feasible. Areas that can be avoided shall be protected by fencing, signage, or establishment of buffer zones appropriate to the species and/or habitat involved. Generally, a minimum 100-foot buffer of undeveloped land would be necessary. This buffer area should be improved through sustainable habitat restoration. The protected habitat shall be required to be managed so as to contribute to the long-term conservation of the species and ecosystems on which they depend.

Where state and/or federally listed species are determined to be present, consultation shall be carried out with the CDFG and/or USFWS in accordance with the California and/or federal Endangered Species Acts to determine mitigation measures to avoid and minimize impacts to those species. If other special-status species are determined to be present and cannot be avoided, then species-specific mitigation measures shall be implemented to minimize impacts on those species through informal consultation with CDFG and/or USFWS. The mitigation measures and other recommendations of these agencies shall be incorporated into the development plan. Where a Community Plan is prepared, these shall become policies of the plan.

- c. Additional measures to protect sensitive habitats may be implemented. Potential measures to be implemented may include measures listed in Table 7-1 in the Final Master Environmental Impact Report.

## **F. ARCHAEOLOGICAL AND CULTURAL RESOURCES**

### **1. Overview**

Cultural resources is a general term that includes many types of physical remains of past human activities as well as other types of resources important to Native Americans and other ethnic groups. Cultural resources include prehistoric and historical archaeological remains, historical architectural remains including buildings and structures and other features of the built environment, and places of importance to Native Americans.

Prehistoric archaeological resources include material remains indicating the presence of Native Americans. Material remains include artifacts, which were made, used, or altered by people, such as lithic material, groundstone, discarded artifacts, and human remains. These are often found in midden deposits, a rich organic dark brown soil that contains charcoal, ash, and food waste, but they may also be found individually, isolated from other archaeological remains. Intermittent use of an area by Native Americans can also be seen in lithic (stone) scatters, and food processing sites such as bedrock mortar sites or areas with mortars and pestles. Burial grounds or cemeteries are often associated with habitation.

Figure 8-1 in the Master Environmental Impact Report presents areas of the Modesto Urban Area where there is the greatest potential to impact archaeological and cultural resources.

A number of resources have been identified within the Modesto Urban Area and environs. Specifically, four sites have been recorded at the Central California Information Center, Turlock, California. These areas include habitation sites, burials, and artifacts concentrations, and they are located near the Stanislaus and Tuolumne Rivers, Dry Creek, and terraces above waterways. However, information on prehistoric cultural resources in the Modesto Urban Area is limited and is often obtained as a result of development or other proposed activities where archaeological research is required. Agricultural use, grazing, and urban expansion tend to erase evidence of cultural resources.

Historic archaeological resources include remains of human activities in the historical period, when non-Native Americans entered the area. Historical archaeological remains include a wide variety of remains including trash deposits and scatters, building foundations, mining remains, remains of farms and ranches, and roads and trails, to name a few.

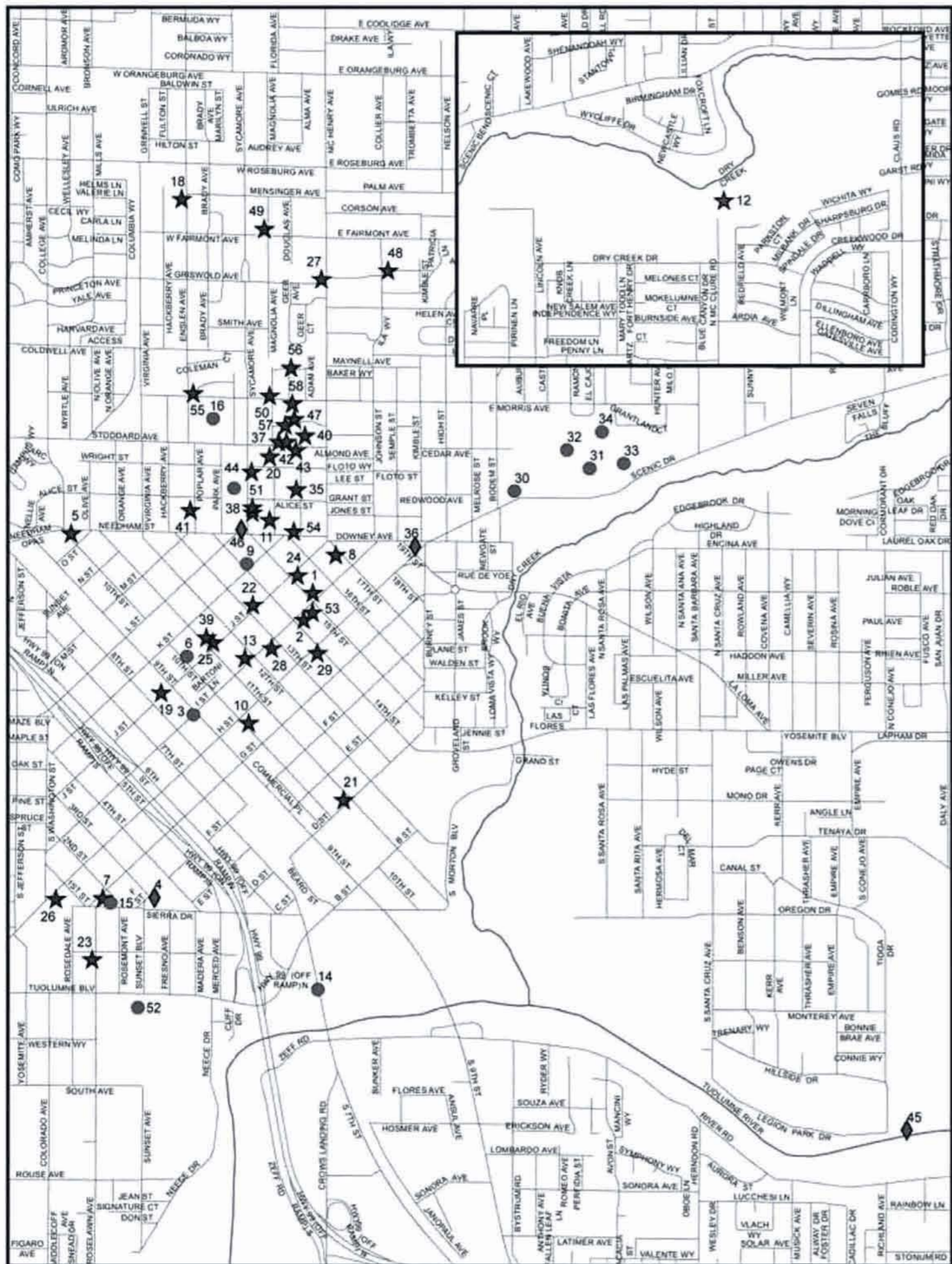
Historical architectural resources generally include structures (residential, commercial, civic, farm, ranching) relating to historic occupation of an area. In the Modesto Urban Area, known or identified historic architectural resources are primarily found within the urban area. Many of these architectural resources have been placed on various preservation lists. A number of historic properties within the City of Modesto have been listed on the National Register of Historic Places (NRHP), the California State Points of Historical Interest, and the City of Modesto Landmark Preservation Sites list. Some of the NRHP-listed properties and city landmarks are eligible for the California Register of Historical Resources (CRHR), but no formal steps have been taken to nominate them. Six properties have been listed on or have been determined eligible for the NRHP, and more than 100 properties are listed on the Directory of Determination of Eligibility (1990) for the NRHP. The City of Modesto's Landmark Preservation List, Figure VII-1, in 2007, includes 58 properties, which include buildings, structures, objects, and natural features of local importance.

Places of importance to Native Americans or other ethnic groups include sacred places, burial ground, areas where certain natural resources are collected or used, and areas where traditional cultural practices have long been conducted or observed.


## **2. Policies in the Redevelopment Area and Baseline Developed Area**

- a. The City of Modesto shall implement regulations that identify important historic resources, and preserve the important aspects of those resources. The City could encourage adaptive reuse of National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR) eligible or potentially eligible buildings, including historically sensitive restoration, as a means of preserving eligible structures. Restoration and renovation of buildings should be performed in accordance with the “Secretary of the Interior’s Standards for the Treatment of Historic Properties” and the State Historic Building Code. The standards serve as guidelines for rehabilitation, restoration, preservation, retaining, and preserving the historic character of a property.
- b. The City shall ensure that zoning provisions for structures of historical significance are sufficiently flexible to ensure that parking or other structures requirements of the Zoning Ordinance allow the historic structures to remain viable in the future.
- c. The modification of historic structures and places can be mitigated through the application of existing regulations and consultation with the State Historic Preservation Officer (SHPO), an interim procedure whereby the City evaluates proposals to modify historic structure and develops a program to reduce the impacts on an individual basis. Projects that require federal funding or permits will be addressed through Section 106 compliance in consultation with the SHPO. If the project appears to have impacts on eligible or potentially eligible structures, the project proponent will resolve adverse effects through consultation with the SHPO. Demolition of significant (eligible) buildings and removing landmarks from the Modesto inventory cannot be mitigated to a less-than-significant level and will require CEQA review.
- d. When structures or areas of historical significance more than 50 years old are proposed for demolition or alteration, or where construction is proposed within 100 feet of that structure, the applicant shall submit data to the City regarding the structure’s history or locations prepared by a qualified architectural historian. The City shall evaluate the historical significance of the proposal and require measures be implemented to preserve all structures and places it deems historically significant.
- e. As an ongoing measure, the City of Modesto shall maintain professional standard inventories of historic resources, with the findings of those inventories concurred by the SHPO and kept on file with the State Office of Historic Preservation. The records will provide a preliminary assessment of eligibility at the initial study stage to indicate whether CEQA regulations would apply in the case of a project application or whether the resource has previously been determined ineligible. When no previous survey has been conducted, buildings and structures more than 50 years old must be evaluated by a professional historian or architectural historian prior to project approval to determine whether the resource is a historically significant resource, for purposes of CEQA.

When CEQA regulations are applied, the character-defining elements of resources that will be affected should be identified by a qualified architectural historian, qualified City staff



- Landmark Sites**
- 1 - McHenry Mansion
  - 2 - McHenry Museum
  - 3 - Modesto Arch
  - 4 - Modesto Ash Tree
  - 5 - Pump Station No. 9
  - 6 - Woolworth Company Sign
  - 7 - Fire Station No. 2
  - 8 - Cressey Manor
  - 9 - Turner Hitching Post
  - 10 - Modesto News Herald Bldg.
  - 11 - Hawke Castle
  - 12 - McClure Country Place
  - 13 - U.S Post Office and Federal Bldg.
  - 14 - 7th Street Bridge
  - 15 - Fire Bell
  - 16 - Enslin Park
  - 17 - Graceada Park
  - 18 - "Rammed Earth" House - Mrs. A. Bradley, owner
  - 19 - Southern Pacific Transportation Center
  - 20 - Ralph M. Brown Home
  - 21 - Gallo Founders Bldg.
  - 22 - The State Theatre
  - 23 - Graham Home
  - 24 - Masonic Temple
  - 25 - Stockton Savings Bank
  - 26 - H Street Facade of Modesto High School
  - 27 - Wissner Medical Office Bldg
  - 28 - Elk's Lodge
  - 29 - First Church of Christ Scientist
  - 30 - Acacia Memorial Park
  - 31 - Modesto Pioneer Cemetery
  - 32 - Modesto Cemetery
  - 33 - St. Stanislaus Catholic Cemetery
  - 34 - Stanislaus County Cemetery (aka Potter's Field)
  - 35 - Dr. Donald Robertson Home
  - 36 - City's Christmas Tree
  - 37 - The Stanley Home
  - 38 - The John M. Walthall Home
  - 39 - The Pacific Telephone
  - 40 - The Gundlach Residence
  - 41 - Lish Residence
  - 42 - Guzman Residence
  - 43 - Ayres Residence
  - 44 - Harris Home
  - 45 - Large Valley Oak Tree
  - 46 - Bunya Bunya Tree City of Modesto
  - 47 - Balmannos Residence
  - 48 - Cadrett Residence
  - 49 - Montrie & Robinson Residence
  - 50 - Anderson Residence
  - 51 - Scully Residence
  - 52 - Municipal Golf Course
  - 53 - Apartments (historic name "Foy" Apartments)
  - 54 - Centenary Methodist Church
  - 55 - McDonald Residence (historic name "Johnson House")
  - 56 - Draizen Residence (historic name "Dr. J.C. Robertson House")
  - 57 - Lundgren House
  - 58 - Silva House



**CITY of MODESTO**

## GENERAL PLAN PROGRAM


Figure VII-1

### LANDMARK PRESERVATION SITES IN THE CITY OF MODESTO

#### LEGEND

**Landmark Sites**



- ★ BUILDING
- OTHER
- ◆ TREE
- ROADS
- ~ RIVER



0 0.25 0.5 0.75  
Miles

1:21,000 SCALE

Landmark Preservation Sites.mxd  
July 23, 2007

member, or other professional qualified under Secretary of Interior Standards to review such projects. It is these elements that are a crucial part of the ability of the resource to convey its historic significance. Projects that would alter character-defining elements would cause a compromise in historic integrity and would constitute a significant impact. Projects that follow Secretary of Interior Standards, in consultation with SHPO, can be considered mitigated to a level of less than significant.

The modification of historic structures and places can be mitigated through the application of existing regulations and consultation with the State Historic Preservation Officer, an interim procedure whereby the City evaluates proposals to modify historic structures and develops a program to reduce the impacts on an individual basis.

- f. For all proposed development within an archaeological resource study area a combination of archival research, particularly through the Central California Information Center at Turlock, and preliminary surface field reconnaissance as well as consultations with the Native American Heritage Commission (NAHC) and those individuals and organizations identified by the NAHC shall be employed to identify any areas that may have been used by Native Americans. Areas containing prehistoric deposits shall be recorded and mapped. Only in those areas where proposed development might affect the resources will an evaluation of their significance be necessary.
- g. Prior to the adoption or amendment of the City of Modesto's General Plan, the City shall conduct consultations with the NAHC and those individuals and organizations identified by the NAHC for the purpose of preserving specified places, features, and objects that are located within the City's jurisdiction in compliance with SB 18 of 2005.
- h. If land designated or proposed to be designated for development within the City of Modesto contains a sacred or traditional place, the City shall conduct consultations with the Native American Heritage Commission and the appropriate Native American groups and individuals for the purpose of determining the level of confidentiality required to protect the cultural place and for the purpose of developing treatment with appropriate dignity of the cultural place in any corresponding management plan. Avoid and preserve sacred sites whenever feasible.
- i. Any project subject to CEQA that involves substantial earth-disturbing activities, where excavation/construction would occur outside of areas where previous development has occurred, or where excavation/construction would occur at depths greater than existing foundations, roads, and/or trenches in the immediate vicinity, shall require evaluation of the site by a qualified archaeologist retained by the project applicant, which would include at minimum a records search, a Phase I pedestrian survey, and preparation of an archaeological report containing the results of this cultural resources inventory identification effort for submittal to the Central California Information Center.
- j. If Phase II archaeological evaluations are recommended, a report of all such surveys and excavations with recommendations shall be completed prior to project approval.
- k. Any project subject to CEQA that involves substantial earth-disturbing activities shall require consultation by the applicant for the purposes of determining archaeological and cultural resources impacts and creating appropriate mitigation to address such impacts.

- l. Any project that involves earth-disturbing activities within previously undisturbed soils in an area determined to be archaeologically or culturally sensitive by the City of Modesto through consultation with the project applicant and a qualified archaeologist shall be subject to archaeological and Native American monitoring during all ground-disturbing activities.
- m. Any project that involves earth-disturbing activities within previously undisturbed soils in an area determined to be archaeologically or culturally sensitive by the City of Modesto through consultation with the project applicant and a qualified archaeologist and the Native Americans will be required to have the following mitigation measures, at a minimum:
  - (1) If prehistoric archaeological remains are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist shall be retained by the project sponsor to investigate the find, and make recommendations as to treatment and mitigation. In the event of the discovery of a burial, human bone, or suspected human bone all excavation or grading in the vicinity of the find shall halt immediately and the area of the find shall be protected and the project applicant immediately shall notify the County Coroner of the find and comply with the provisions of California Health and Safety Code Section 7050.5, including California Public Resources Code Section 5097.98, if applicable. If human remains are identified, the project sponsor will also retain a Native American monitor.
  - (2) A qualified archaeological monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the Native Americans and their designated monitors, to evaluate the significance of any Native American archaeological resources discovered on the property.
  - (3) Native American monitors from the appropriate Native American Tribes, as determined by the Native American Heritage Commission (NAHC) shall be allowed to monitor all groundbreaking activities, including all archaeological testing and data recovery excavations that are likely to affect Native American resources, as determined by a qualified archaeologist. The project proponent will be responsible for compensating Native American monitors. If human remains are discovered, the NAHC will assign a Most Likely Descendent (MLD).
  - (4) The landowner agrees to relinquish ownership of all Native American human remains and associated burial artifacts that are found within the project area, to the appropriate Native American MLD, as assigned by the NAHC, for proper treatment and disposition. The MLD will decide whether or not standard archaeological analysis will be allowed on human remains and associated artifacts from burials.
- n. The City of Modesto shall promote historical awareness through provision of educational opportunities for residents of all ages.

In addition, the City has adopted procedures for mitigating impacts to cultural resources, as listed below. These policies will reduce the project's impacts to a less-than-significant level except when a significant historic building would be demolished.

- o. Whenever possible, the City shall avoid disturbing or damaging archaeological resources. Preservation in place to maintain the relationship between the artifacts and the archaeological context is the preferred manner of mitigating impacts to archaeological sites. Preservation may be accomplished by:
  - (1) Planning construction to avoid archaeological sites;
  - (2) Incorporating sites within parks, green space, or other open space;
  - (3) Covering the sites with a layer of chemically stable soil;
  - (4) Deeding the site into a permanent conservation easement.

When in-place mitigation is not feasible, data recovery through excavation may be necessary. A data recovery plan, which makes provisions for adequately recovering the scientifically consequential information about the site, shall be prepared and adopted prior to any excavation being undertaken. Such studies must be deposited with the Central California Information Center in Turlock, California. Special rules apply to any archaeological sites known to contain human remains (Health and Safety Code Section 7050.5; Guidelines Section 15126.4(b)).

Data recovery shall not be required if the lead agency determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR and are available for review at the California Historical Resource Regional Information Center (Guidelines Section 15126.4(b)).

- p. Prior to excavation and construction, the prime construction contractor and any subcontractors shall be cautioned on the legal and/or regulatory implications of knowingly destroying cultural resources or removing artifacts, human remains, bottles, or other cultural materials from the project area.
- q. The project sponsor shall identify a qualified archaeologist prior to any demolition, excavation, or construction. The City will approve the project sponsor's selection of a qualified archaeologist. The archaeologist would have the authority to temporarily halt excavation and construction activities in the immediate vicinity (ten-meter radius) of a find if significant or potentially significant cultural resources are exposed and/or adversely affected by construction operations.
- r. Reasonable time shall be allowed for the qualified archaeologist to notify the proper authorities for a more detailed inspection and examination of the exposed cultural resources. During this time, excavation and construction would not be allowed in the immediate vicinity of the find; however, those activities could continue in other areas of the project site.
- s. If any find is determined to be significant by the qualified archaeologist, representatives of the construction contractor and the City, the qualified archaeologist, and a representative of the Native American community (if the discovery is an aboriginal burial) would meet to determine the appropriate course of action.

- t. All cultural materials recovered as part of a monitoring program would be subject to scientific analysis, professional museum curation, and a report prepared according to current professional standards.

### **3. Policies in the Planned Urbanizing Area**

- a. Policies for the Planned Urbanizing Area are the same as those presented for the Baseline Developed Area.

## **G. NOISE**

### **1. Overview**

In an effort to improve the quality of life in urban areas, California planning law requires every general plan to address local noise issues (Government Code Section 65302(f)). The purpose of the noise section is to provide a guide for establishing a pattern of land uses that minimizes the exposure of community residents to excessive noise. This section of the General Plan identifies the community's noise goals and establishes its policies to reduce noise pollution. The policies presented in this section were derived from mitigation measures established in the Master Environmental Impact Report, which in turn recognized the guidelines established by the State Office of Noise Control (Department of Health Services).

Noise is defined as unwanted sound and is part of everyday life in an urban community, resulting from either stationary or mobile sources. Stationary sources include noise generators such as the airport, loud music, and industrial and construction activities. Mobile noise sources are typically transportation-related, such as aircraft, trains, automobiles, trucks, buses, motorcycles, and construction vehicles. Construction noise is considered localized and temporary.

Land uses in the City include varying densities of both clustered and non-contiguous residential development, different densities and types of businesses and commercial developments, open space, and recreation. The existing background or "ambient" noise level in the community is the product of the cumulative effects of a variety of noise sources that accumulate over a period of time. Exposure to excessive noise has often been cited as a health hazard and a significant source of environmental degradation.

Sound intensity is measured in "A-weighted" decibels (dBA) that are weighted to correct for the relative frequency response of the human ear. Typical dBA sound levels for various types of noise sources are summarized in Table VII-1 and range from quiet to painfully loud.

**Table VII-1.** Weighted Sound Levels and Human Response

Noise Source	Sound level (dBA)*	Response
	— 140 —	
Carrier deck jet operation		
	— 130 —	Painfully loud
Civil defense siren (at 100 feet)		
	— 120 —	Threshold of feeling and pain
Jet takeoff (at 200 feet)		
	— 110 —	
Riveting machine (at 1 foot)		
Rock music concert		
	— 100 —	Very loud
Pile driver (at 50 feet)		
Ambulance siren (at 100 feet)		
	— 90 —	
Heavy truck (at 50 feet)		
	— 80 —	
Pneumatic drill (at 50 feet)		
Freight train cars (at 50 feet)		
Garbage disposal in home		
Freight train cars (at 100 feet)		
Freeway traffic (at 50 feet)	— 70 —	Moderately loud
Vacuum cleaner (at 10 feet)		
Air conditioning unit (at 20 feet)		
	— 60 —	
Speech in normal voice (at 15 feet)		
	— 50 —	
Residence—typical movement of people, no TV or radio		
	— 40 —	Quiet
Soft whisper (at 5 feet)		
	— 30 —	
Recording studio		
	— 20 —	
	— 10 —	
	— 0 —	Threshold of hearing

\* Typical A-weighted sound levels in decibels. A-weighting approximates the frequency response of the human ear.

Table VII-2 depicts “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable” noise levels for various land use categories. These noise levels identify noise limitations for determining land use compatibility between a new development and neighboring uses. Table VII-2 utilizes the community noise equivalent level (CNEL), which is the time-varying noise over a 24-hour period with a weighting factor applied to noises occurring during evening and nighttime hours.

**Table VII-2. Noise and Compatibility Matrix**

Land Use Category	Community Noise Exposure— $L_{dn}$ or CNEL (db)						
	50	55	60	65	70	75	80
Residential—low density single family, duplex, mobile homes	█	█	█	█	█	█	█
Residential—multi-family	█	█	█	█	█	█	█
Transient lodging—motels, hotels	█	█	█	█	█	█	█
Schools, libraries, churches, hospitals, nursing homes	█	█	█	█	█	█	█
Auditoriums, concert halls, amphitheaters	█	█	█	█	█	█	█
Sports arenas, outdoor spectator sports	█	█	█	█	█	█	█
Playgrounds, neighborhood parks	█	█	█	█	█	█	█
Golf courses, riding stables, water recreation, cemeteries	█	█	█	█	█	█	█
Office buildings, business commercial and professional	█	█	█	█	█	█	█
Industrial, manufacturing, utilities, agriculture	█	█	█	█	█	█	█
<b>█ Normally Acceptable</b>	Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.						
<b>█ Conditionally Acceptable</b>	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.						
<b>█ Normally Unacceptable</b>	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.						
<b>█ Clearly Unacceptable</b>	New construction or development generally should not be undertaken.						

Source: City of Modesto

A “Noise Contour Map” (Figure VII-2) connects with closed lines those locations subject to the same average noise levels. Noise contours are lines drawn on a map around a source indicating constant levels of noise exposure. CNEL is a commonly used noise contour metric. Figure VII-2 shows projected traffic noise levels resulting from General Plan continuing growth generated by traffic, the airport, and the railroad. The noise contour data is also provided in the Master EIR. The Day-Night Average Sound Level (Ldn) used in Figure VII-2 is a 24-hour average of the sound levels with a 10-dB nighttime weighting factor applied to account for the general principle that nighttime noise is more annoying than daytime noise. All noise levels (dB) described in the Noise Section are considered to be A-weighted, unless specifically described as otherwise.

### **a. Roadways**

Noise sources that contribute significantly to the noise environment in the Modesto urban area include three highways, State Route (SR) 99, SR 132, and SR 108; various arterials; railroads; and the Modesto City–County Airport. Of the various roadways, highest sound levels occur along SR 99, as a result of its relatively high traffic volume and truck traffic. Caltrans has installed sound barriers along two portions of SR 99. In general, other roadways in the City are level and at grade with adjacent properties.

In addition to SRs 99, 108, and 132, truck routes in Modesto include all or portions of the following:

- Pelandale Avenue
- Standiford/Sylvan Avenue
- Briggsmore Avenue
- Kansas Avenue/Needham Street/Downey Avenue
- Maze Boulevard/L Street/Yosemite Boulevard/SR 132
- SR 99
- McHenry Avenue (SR 108)
- Scenic Drive
- Carpenter Road
- Franklin Street
- Martin Luther King Drive
- N. Washington Street
- Tully Road
- Empire Avenue
- S. Santa Cruz Avenue
- Santa Rosa Avenue
- El Vista Avenue/Oakdale Road
- Claus Road



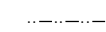
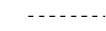
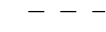


CITY of MODESTO

# GENERAL PLAN PROGRAM

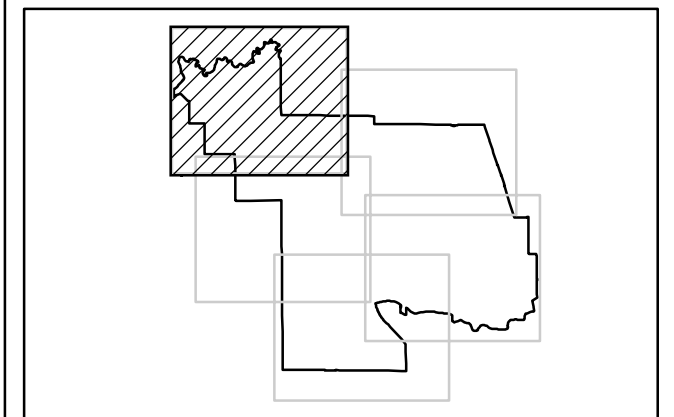
Figure VII-2  
Sheet 1 of 10

## NOISE CONTOURS - EXISTING

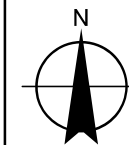
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-  60 Ldn
-  65 Ldn
-  70 Ldn
-  75 Ldn
-  Project Area Boundary

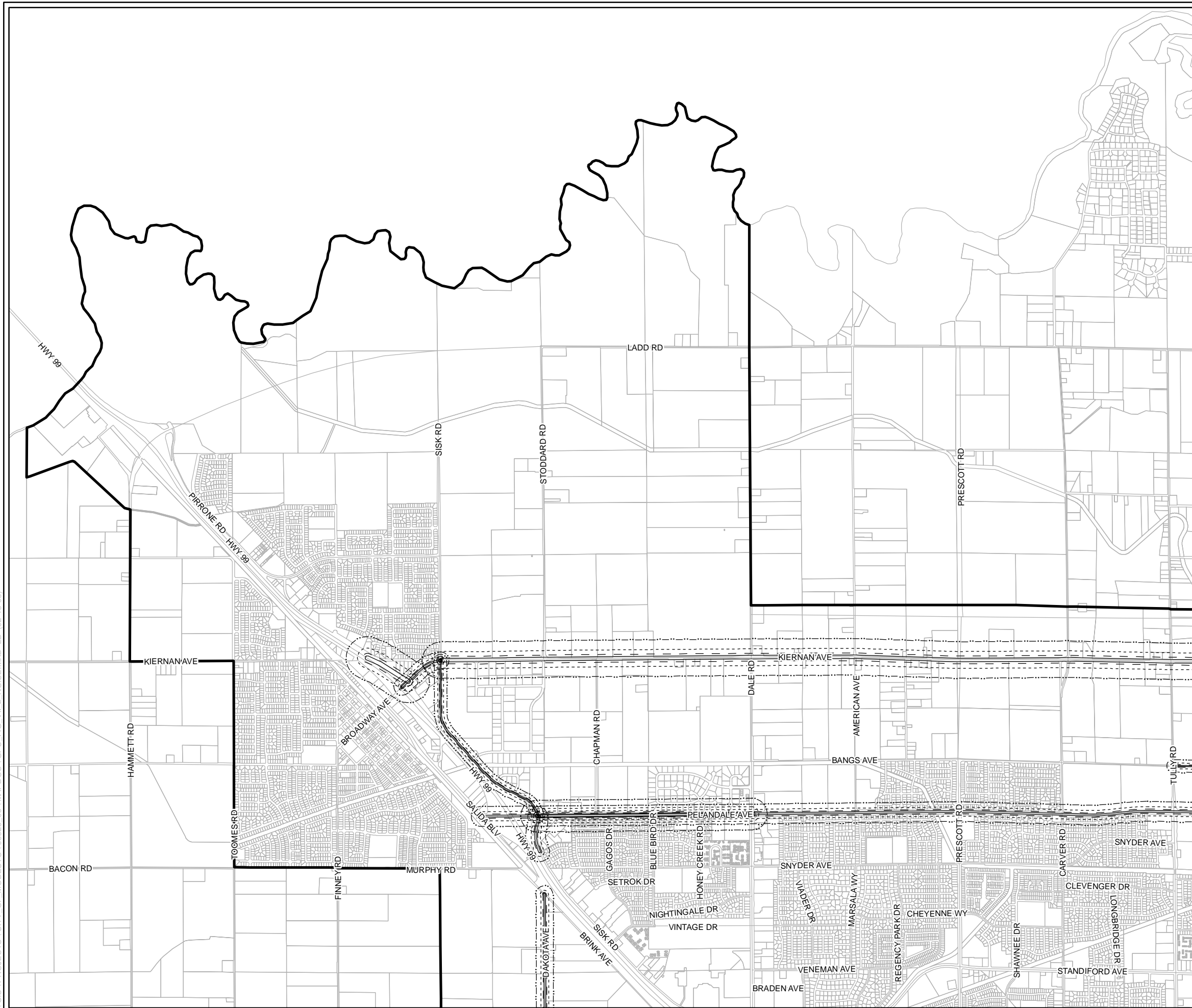
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Basemap: City of Modesto 2007



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S:\GIS\PROJECTS\CITY OF MODESTO\06826\_06\MAPDOC\1.GPU\_FIG\_VII.2\_NOISE.MXD\_LD (02-15-08)



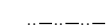
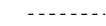
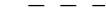


CITY of MODESTO

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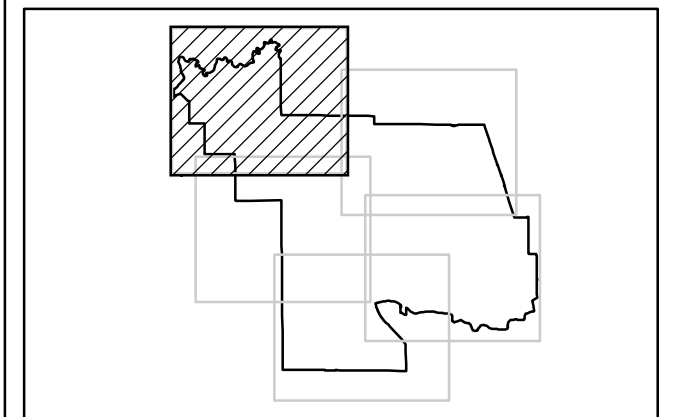
Figure VII-2  
Sheet 2 of 10

## NOISE CONTOURS - FUTURE

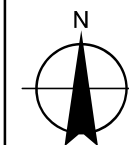
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-  70 Ldn
-  75 Ldn
-  Project Area Boundary

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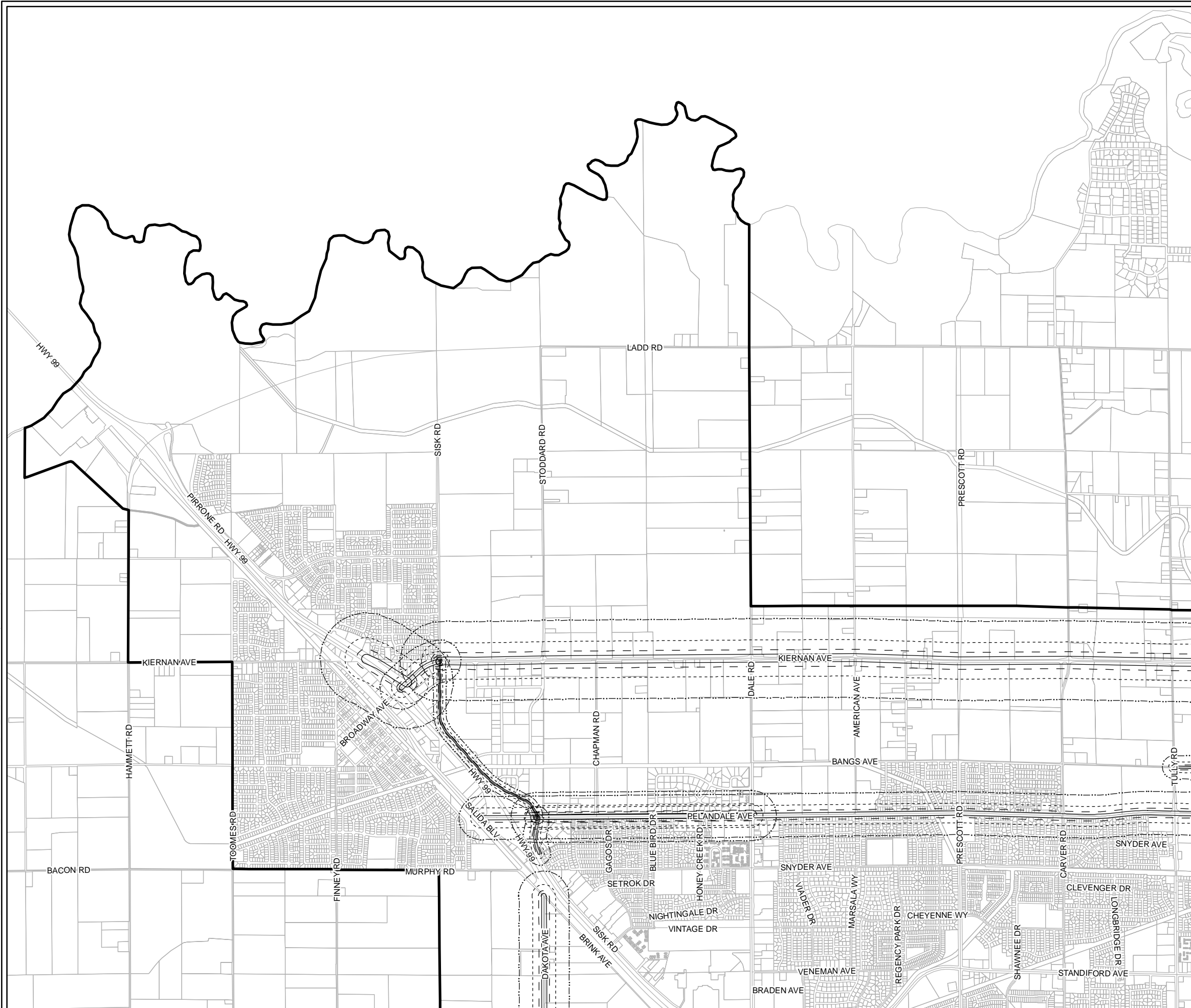
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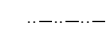
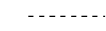
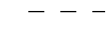


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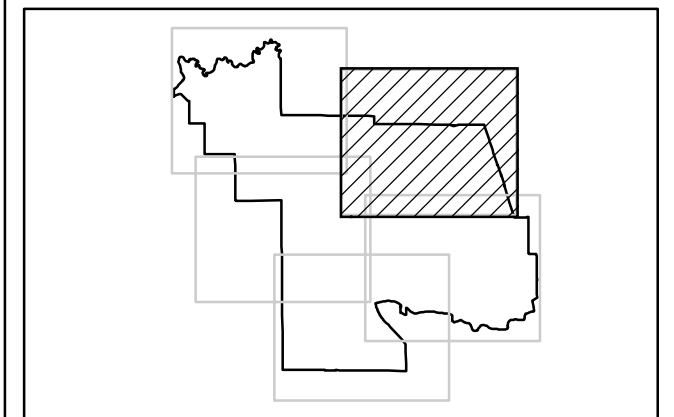
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Sheet 3 of 10

## NOISE CONTOURS - EXISTING

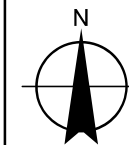
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-  65 Ldn
-  70 Ldn
-  75 Ldn
-  Project Area Boundary

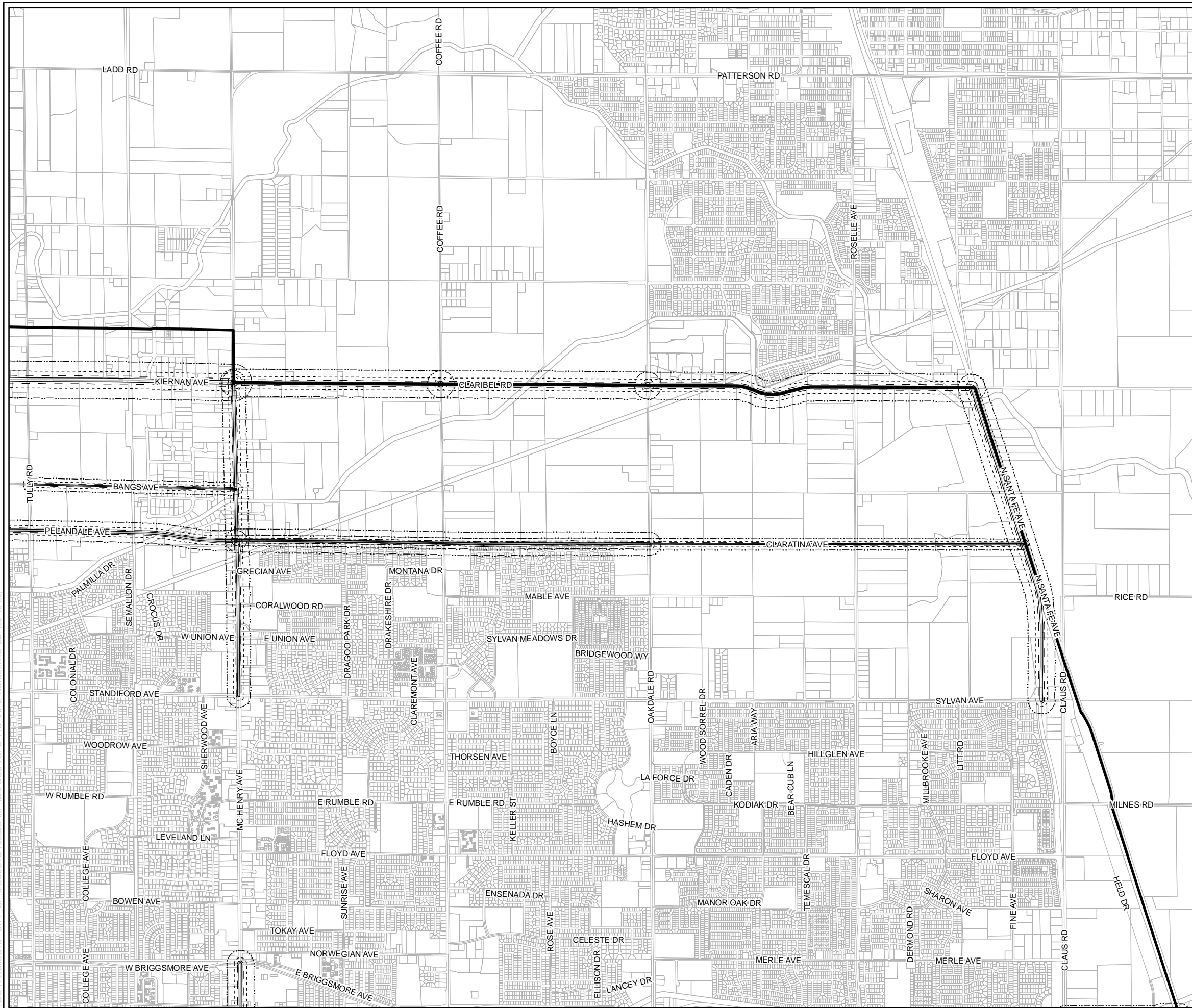
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S:\GIS\PROJECTS\CITY OF MODESTO\1\_06826\_06\MAPDOC\GPU\_FIG\_VII\_2\_NOISE.MXD LD (02-15-08)



CITY of MODESTO

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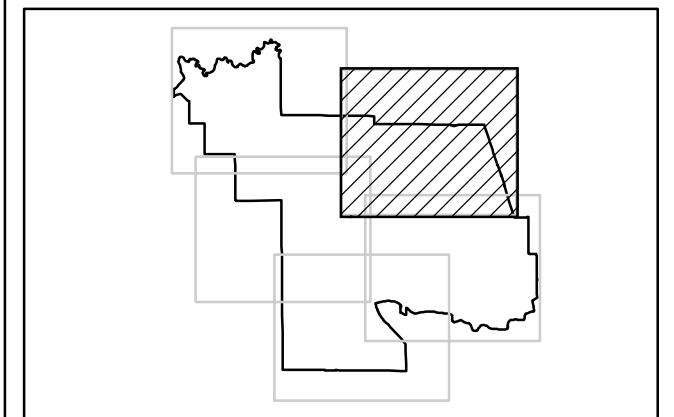
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Sheet 4 of 10

## NOISE CONTOURS - FUTURE

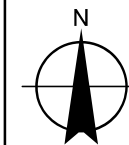
### LEGEND

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- 65 Ldn
- 70 Ldn
- 75 Ldn
- Project Area Boundary

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Basemap: City of Modesto 2007



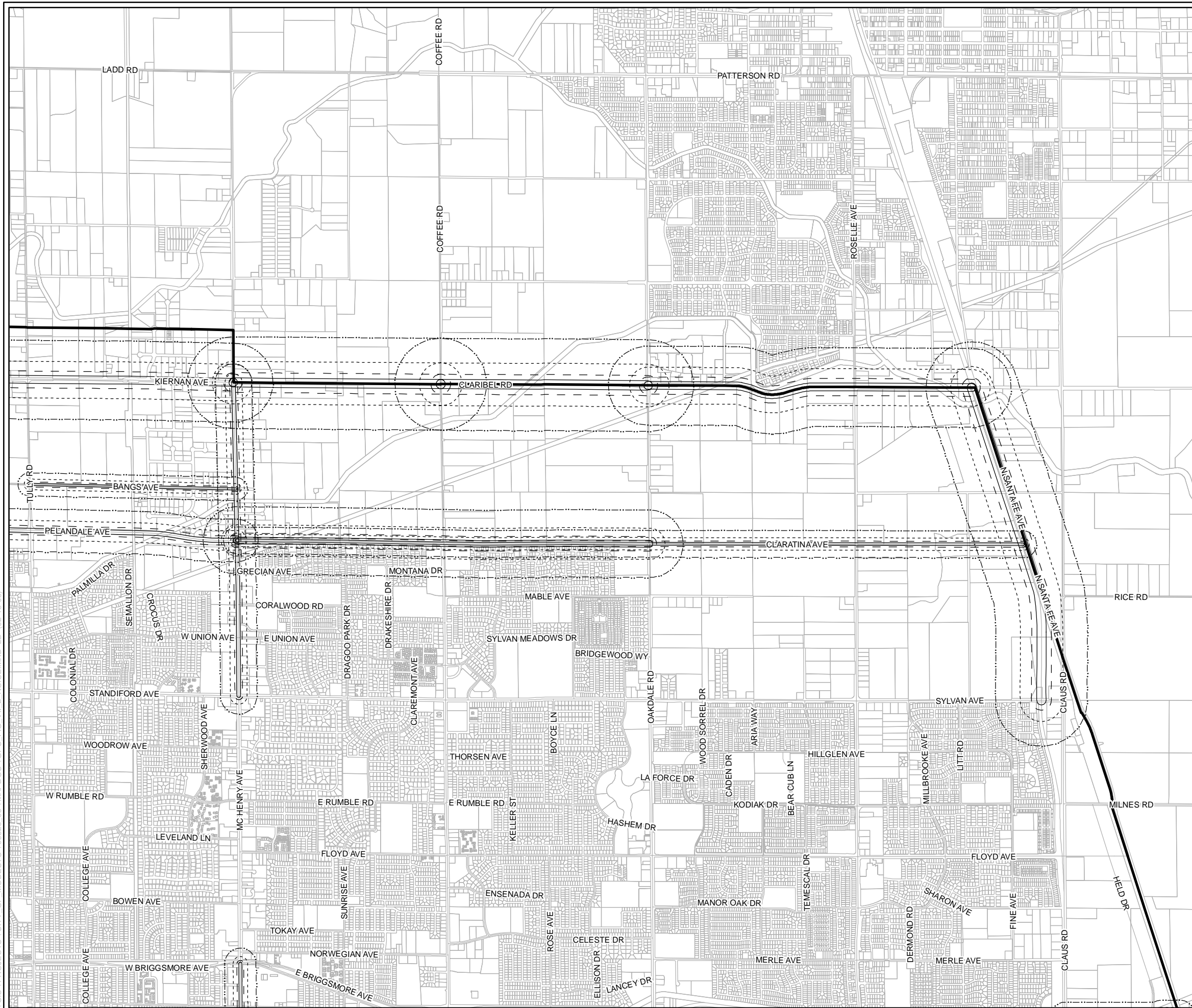
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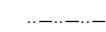
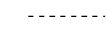
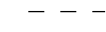




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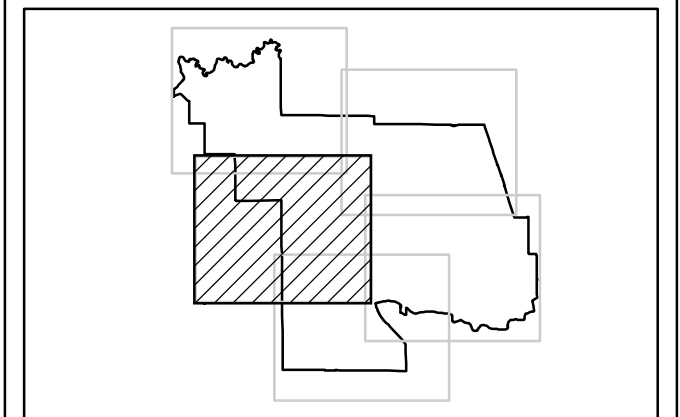
Figure VII-2  
Sheet 5 of 10

## NOISE CONTOURS - EXISTING

### LEGEND

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-  70 Ldn
-  75 Ldn
-  Project Area Boundary


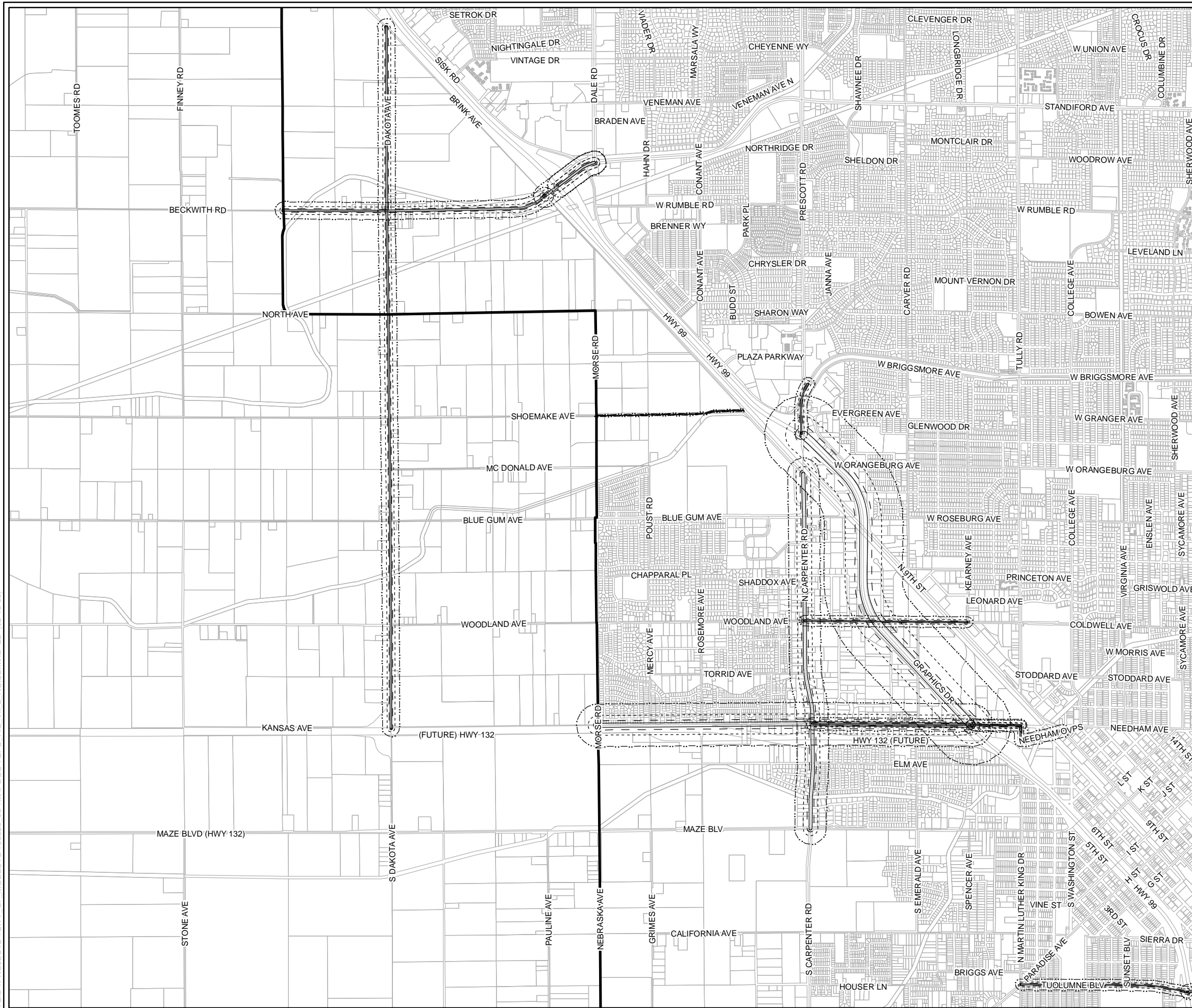
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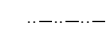
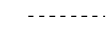
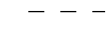




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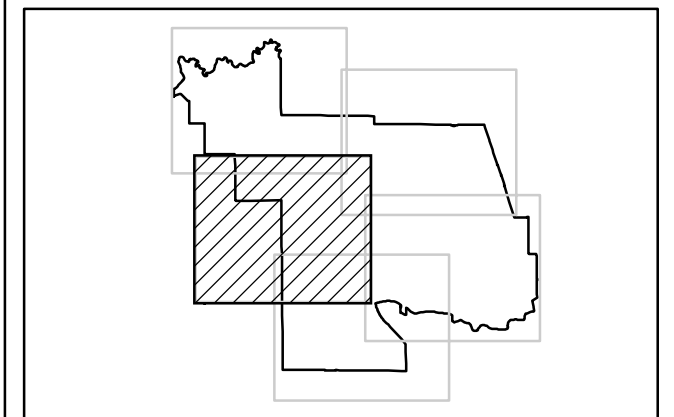
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Sheet 6 of 10

## NOISE CONTOURS - FUTURE

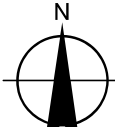
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-  70 Ldn
-  75 Ldn
-  Project Area Boundary


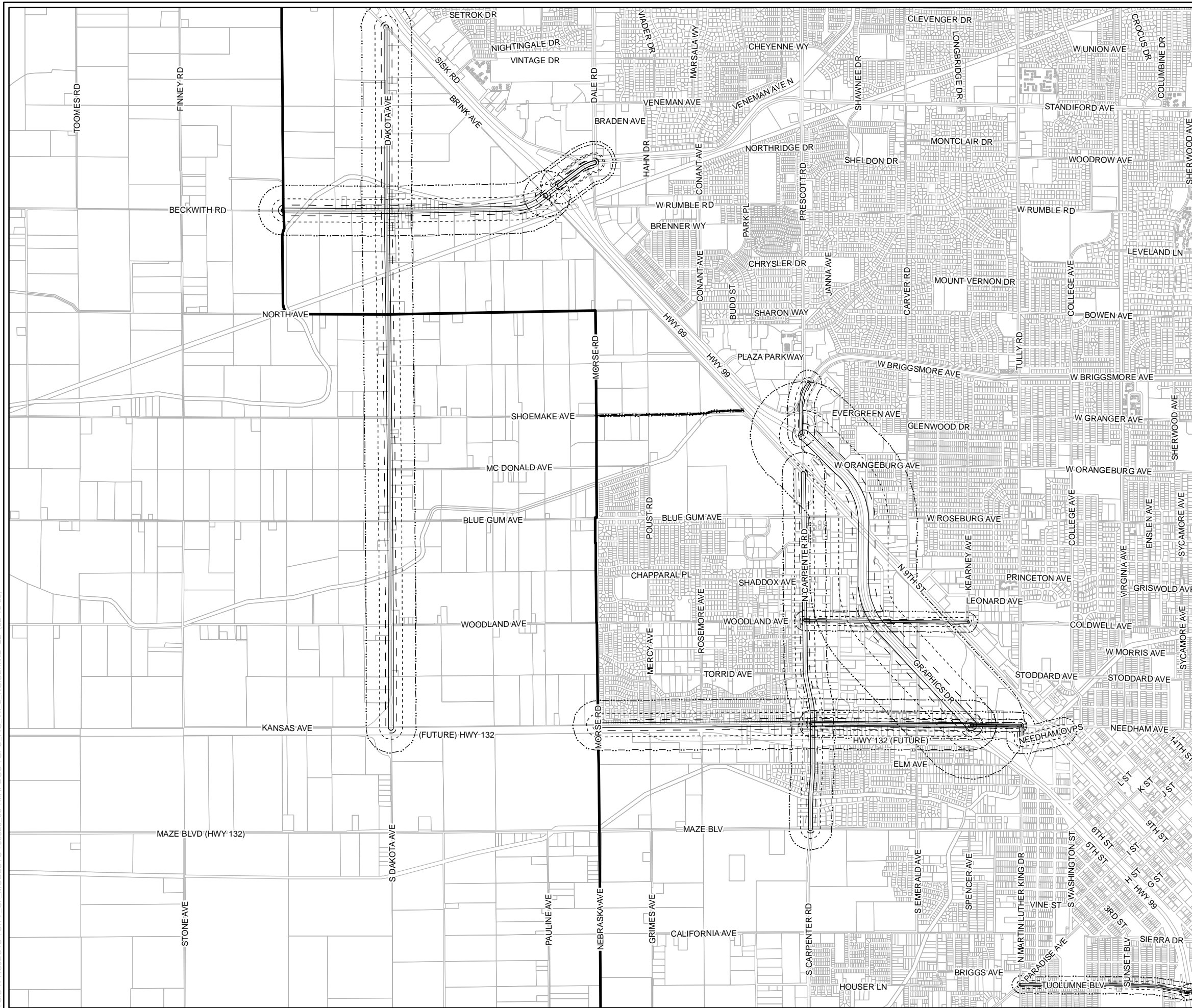
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# CITY of MODESTO GENERAL PLAN PROGRAM

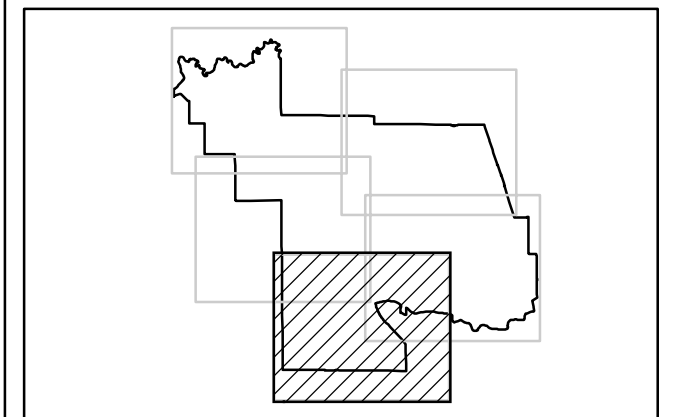
Figure VII-2  
Sheet 9 of 10

## NOISE CONTOURS - EXISTING

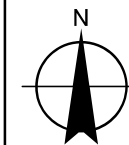
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- 60 Ldn
- 65 Ldn
- 70 Ldn
- 75 Ldn
- Project Area Boundary

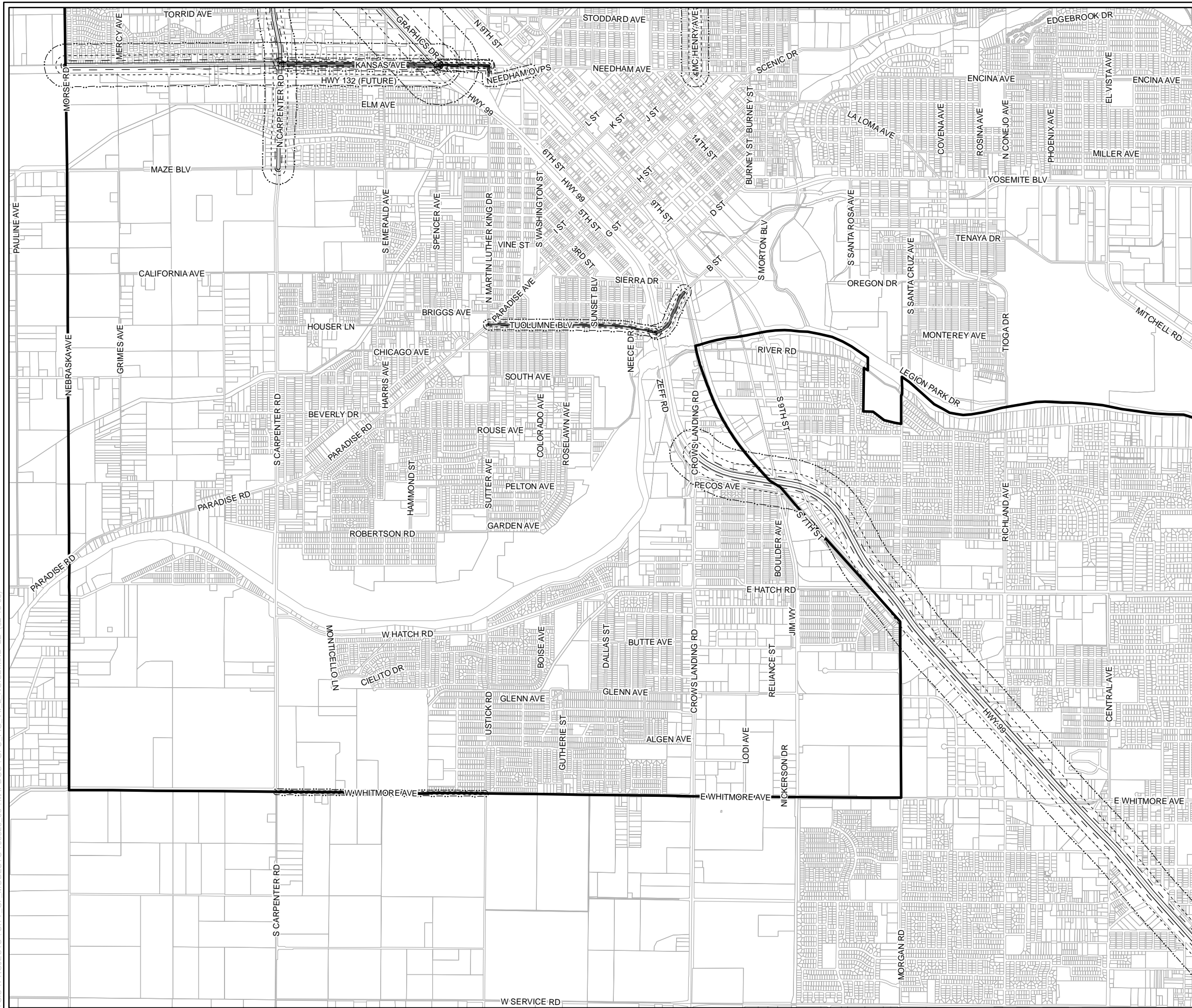
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






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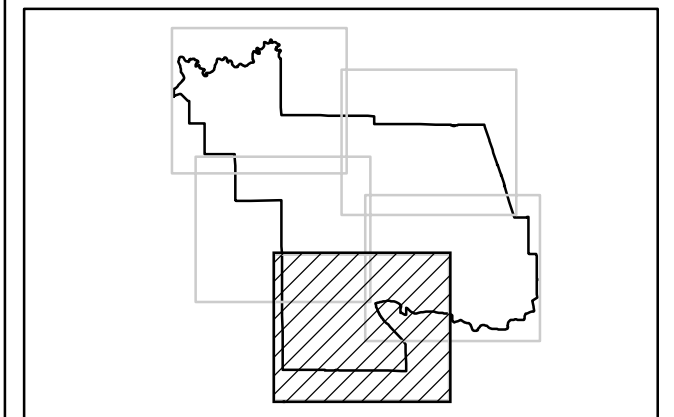
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Sheet 10 of 10

## NOISE CONTOURS - FUTURE

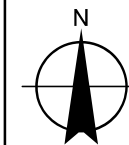
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-  60 Ldn
-  65 Ldn
-  70 Ldn
-  75 Ldn
-  Project Area Boundary

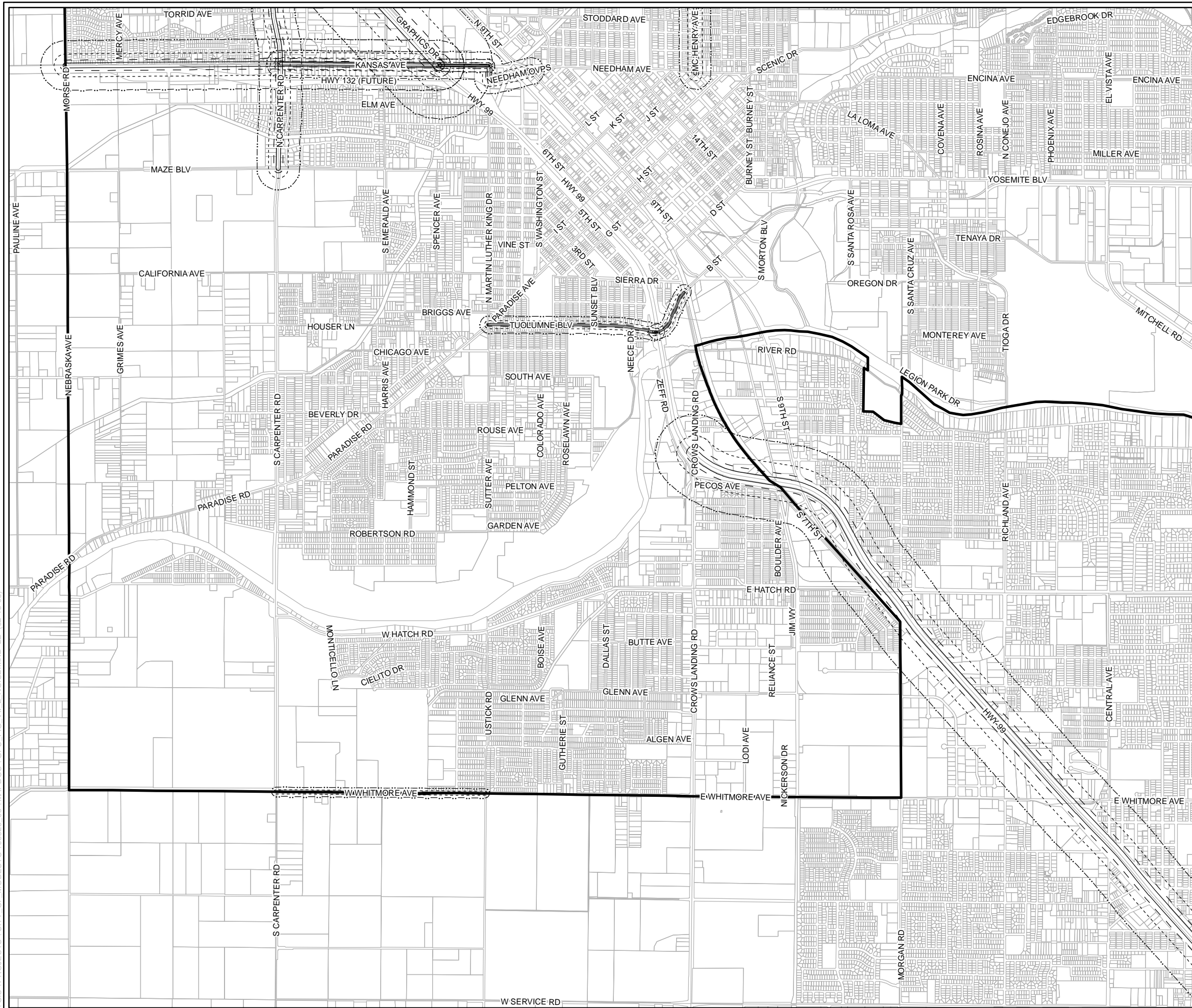
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Feet



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- First Street
- Fifth Street
- Sixth Street
- Seventh Street
- Eighth Street
- Ninth Street
- Tenth Street
- Eleventh Street
- Fourteenth Street
- Seventeenth Street
- Nineteenth Street
- Paradise Road/H Street
- O Street
- N Street
- K Street
- G Street
- D Street/Burney Street
- B Street

The City of Modesto will continue to coordinate with Stanislaus County, the Stanislaus Area Association of Governments, and the California Department of Transportation regarding roadway improvements and traffic forecasts so that each of these agencies can more accurately predict the need for additional noise abatement along their respective road networks. The City will also evaluate the need to identify additional truck routes, as truck traffic increases within the City, as well as the abandonment of existing truck routes due to increased truck traffic and the increasing size of trucks as well as conflicts with pedestrian-oriented areas and noise-sensitive land uses.

#### **b. Railroad System**

The City of Modesto is a regional distribution center for commercial products, and a considerable portion of the business activity in the area is related to warehousing, transporting and processing of foods, wine, and related products. The City of Modesto is served by three railroads: the Burlington Northern and Santa Fe Railroad (BNSF); the Union Pacific Railroad (UPRR); and the Modesto and Empire Traction Company (M&ET). Data regarding daily rail operations is not available, as operations fluctuate as demand for rail services varies. Further, the City has no control over the schedule of rail operations or amount of rail activities that occur within the City. The BNSF Railroad runs adjacent and parallel to Santa Fe Avenue on the eastern edge of Modesto; the UP Railroad runs adjacent and parallel to Ninth Street, Brink Avenue, and SR 99 on the western edge of Modesto; and

the M&ET Company runs primarily in the Beard Industrial District along Yosemite Boulevard on the southern edge of Modesto.

On August 17, 2006, the final rule regarding the use of locomotive horns at highway–rail grade crossings was published in the federal register (Federal Register, volume 49, pages 47614 through 47667). The Final Rule establishes horn-sounding requirements for trains passing through highway–rail grade crossings. The rule requires that a horn from the lead locomotive be sounded as the lead cab car or locomotive is approaching a public highway–rail grade crossing and to continue sounding the locomotive horn until the lead locomotive blocks access to the crossing from all roadway approaches. The locomotive horn must be sounded for at least 15 seconds, but no more than 20 seconds, before the locomotive enters the crossing, although trains operating at speeds in excess of 60 mph are exempt from the 15-second minimum horn sounding requirement, as they are prohibited from providing an advance warning more than one-quarter mile in advance of public grade crossings. The final rule also establishes minimum and maximum noise standards for locomotive and wayside horns. For locomotive horns, which are horns mounted on a locomotive or control cab car, the minimum noise level is 96 dBA, while the maximum noise level is 110 dBA at a distance of 100 feet forward of the locomotive in its direction of travel. For wayside horns, which are stationary horns located at a highway–rail grade crossing, the minimum noise level is 92 dBA, while the maximum noise level is 110 dBA at a distance of 100 feet from the centerline of the nearest track. Based on the requirements of the final rule, rail crossings located within the City would exceed the City’s daytime and nighttime noise standards.

### **c. Airport**

The Modesto City–County Airport is located in the southeastern portion of the City near the Beard Industrial District. Residential areas are adjacent to the airport to the south, west, and northwest. The airport had an annual total of 89,832 operations in 2001 and is forecasted to have 102,960 annual operations in 2007, 115,570 annual operations in 2012, and 141,180 annual operations in 2022 (Coffman Associates, Draft Airport Master Plan 2002). The 1990 operations included commuter air service, general aviation, air cargo, air taxi, and military services. Other aviation-related noise sources include heliports, helipads, and noise related to hospital transportation services, such as Medi-Flight.

### **d. Industry**

Another potential sound source is industrial plant facilities. Food processing and related industries represent the main industrial activities in Modesto. Major industries within Modesto include Blue Diamond Growers, California Fruit & Tomato Kitchens, Del Monte Foods, E & J Gallo Winery, Foster Farms, Foster Farms Dairy, Frito Lay, Hershey Chocolate, Modesto Bee, Pacific Southwest Containers, Racor, Save Mart Supermarkets, Signature Fruit Company, Silgan Containers, and Stanislaus Food Products.

Noise associated with these facilities is intermittent and variable, depending on what activities are occurring, and comes from sources such as forklift and equipment activity in equipment yards, delivery trucks, and other facility operations. The facilities are typically

located in areas with some separation from noise-sensitive land uses, and noise from facility operations is typically not audible in areas where noise-sensitive land uses are located.

#### **e. Miscellaneous Domestic Noise Sources**

A large number of noise complaints are registered concerning barking dogs. One or more complaints on this matter are received every day, as reported by the City of Modesto Police Department. Other complaints, as reported by the Police Department, relate to persons working on automobiles in private garages, improper functioning of mufflers, and loud parties, as well as athletic events and other assemblies.

### **2. Sensitive Receptors**

Sensitive noise receptors are persons and facilities that could be adversely affected by noise. Sensitive receptors in Modesto include residences, hospitals, parks, churches, and schools. Modesto Junior College is located within the City limits and has two campuses. The larger parks in Modesto include Davis Park on Rumble Road, Thousand Oaks Park south of Scenic Drive, and Legion Park at South Santa Cruz Avenue. The high schools in Modesto include Beyer, Davis, Downey, Johansen, and Modesto. There are approximately 10 senior housing facilities in Modesto, including Ralston Tower, a 14-story building at I and 17th Streets; there are also several rest homes. Hospitals in Modesto include Doctor's Medical Center on Florida Avenue, Memorial Medical Center on Coffee Road, and Stanislaus Medical Center on Scenic Drive.

### **3. Noise Mitigation Policies—Baseline Developed Area**

All development projects located within the Baseline Developed Area (and Redevelopment Area) shall be required to incorporate the following measures into the project.

- a. The City of Modesto shall require construction activities to comply with the City's noise ordinance (Title 4, Chapter 9), and noise-reducing construction practices to be implemented as conditions of approval for development projects where substantial construction-related noise impacts would be likely to occur (e.g., where construction would include extended periods of pile driving, where construction would occur over an unusually long period, or where noise-sensitive uses like homes and schools would be in the immediate vicinity, etc.). The City should consider potential mitigation measures, including, but not limited to, the following:
  - (1) Construction equipment and vehicles should be equipped with properly operating mufflers according to the manufacturers' recommendations. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
  - (2) Equipment that is quieter than standard equipment should be utilized.
  - (3) Haul routes that affect the fewest number of people should be selected.

- b. During City review of a proposed project consistent with the updated General Plan, the City of Modesto shall use the following guidelines to decide whether to require additional study and/or mitigation for outdoor activity areas typically defined as common outdoor recreational areas, as discussed below:
- (1) Single-family Residential uses: the noise would exceed 65 dBA,  $L_{dn}$  at outdoor activity areas. Outdoor activity areas for single-family residential uses are defined as backyards.
  - (2) Other proposed uses: the noise/land compatibility guidelines (i.e., those noise levels that are “conditionally acceptable,” “normally unacceptable,” or “clearly unacceptable”) shown on Table VII-2. For multi-family residential uses, the exterior noise level standard shall be applied at the common outdoor recreation area, such as pools, play areas, or tennis courts. Where such areas are not provided in multi-family residential uses, the standards shall be applied at individual patios and balconies of the development. Outdoor activity areas of transient lodging facilities include swimming pool and picnic areas.
- c. For new single-family residential development within the 65 dBA,  $L_{dn}$  contour, new multi-family residential development within the 65 dBA  $L_{dn}$  contour (Figure VII-2), and other land uses located within the “Normally Acceptable” contour distances indicated in Table VII-2 and Figure VII-2, the City of Modesto shall require developers to demonstrate that the proposed development will incorporate measures to reduce noise impacts to a less-than-significant level, as follows:
- (1) Incorporate construction techniques to achieve an interior noise limit of 45  $L_{dn}$  (these potential techniques are presented in CCR Title 24 standards).
  - (2) Where feasible and consistent with General Plan policy, incorporate setbacks and/or locate less-sensitive uses between a noise source and noise-sensitive uses.
  - (3) Provide (to the extent feasible and consistent with General Plan policy) berms, barriers, or other techniques to shield noise-sensitive uses. This policy is appropriate for more suburban, less densely populated areas of the City. More urban areas of the City would more likely require policies VII-G.3[c.1] and [c.2], above.
- d. The City of Modesto shall use the most recent noise contour map to implement the requirements of Noise Insulation Standards contained in Title 24 of the California Code of Regulations. (Title 24 applies to multi-family housing, not single-family.) Title 24 also specifies minimum values for the sound insulation afforded by interior partitions separating different dwelling units from each other and from interior common space.
- e. For proposed non-residential uses, where noise mitigation is deemed necessary for new developments to meet the exterior noise land use compatibility guidelines (Table VII-2), the City of Modesto shall require developers to demonstrate that the proposed development will incorporate measures to reduce noise impacts to a less-than-significant level, as follows:
- (1) Where feasible and consistent with General Plan policy, incorporate setbacks and/or locate less-sensitive uses between a noise source and noise-sensitive uses.

- (2) Provide (to the extent feasible and consistent with General Plan policy) berms, barriers, or other techniques to shield noise-sensitive uses from noise sources.
  - (3) Incorporate construction techniques to achieve specified interior noise limits. One source that can be used for such specifications is the *Noise Control Manual for Residential Buildings* (Builder's Guide) by David A. Harris (1997).
- f. With road extension, widening, and upgrade projects, the City of Modesto shall implement, as feasible, techniques to minimize noise impacts on adjacent uses. Potentially available techniques may include:
- (1) Widened right-of-way
  - (2) Depressed roadway alignments
  - (3) Earthen berms or earthen/wall combination
  - (4) Walls
  - (5) Acoustical retrofitting to affected parties
- g. In recognition of the conservative methodology used to develop the noise contours shown on Figure VII-2, builders, developers (for private development projects), and the City (for Capital projects) shall be allowed to demonstrate that detailed noise studies and/or mitigation are not necessary because future noise levels would be substantially less than depicted on Figure VII-2 due to, for example, natural shielding (e.g. from intervening topographical features or man-made structures) of a site or inapplicability of assumptions (shown on Table 3-3 of the Master Environmental Impact Report) used to develop the contours.
- h. The City of Modesto shall limit trucking to specific routes, times, and speeds that minimize adverse effects to sensitive land uses such as schools and residential areas.
- i. Airport and aircraft noise analysis will be conducted in accordance with the Modesto City–County Airport’s Master Plan mitigation measure in the approved plan and Federal Aviation Regulation (FAR) Part 150. Mitigation will be required for new construction as necessary to meet the noise compatibility standards of the UAGP. As airport operations increase, mitigation will be provided to existing residential and other sensitive uses, either through operations or direct property improvements, in order to meet Title 14 Code of Federal Regulations Part 150 land use compatibility guidelines.
- j. Proponents of new heliports where projected noise impacts from helicopter operations would exceed 65  $L_{dn}$  at the nearest residential uses should utilize the latest FAA helicopter modeling tools and noise assessment criteria.

#### **4. Noise Mitigation Policies—Planned Urbanizing Area**

- a. The Focused EIR for each Comprehensive Planning District shall include a Noise Analysis prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics. Noise mitigation measures shall be used as a guide for establishing a pattern of land uses that minimizes the exposure of present and future community residents to excessive noise. The noise contours developed by the Noise Analysis shall be used to determine the land use pattern appropriate within the Specific Plan. (For example, noise from a freeway or expressway might indicate the need for sound barriers or for non-residential uses adjacent to the noise source.)
- b. All Noise Mitigation policies adopted for the Baseline Developed Area apply equally in the Planned Urbanizing Area.

### **H. AIR QUALITY**

#### **1. Overview**

Local government's responsibility for air quality increased significantly with the passage of the California Clean Air Act (1988) and the 1990 Amendment to the Federal Clean Air Act. Both of these pieces of legislation place new emphasis on reducing motor vehicle trips and vehicle miles traveled at the local level. Although the San Joaquin Valley Unified Air Pollution Control District is required to include transportation control measures and indirect source programs in its Air Quality Attainment Plan, cities and counties through their Councils of Government are responsible for most implementation.

Local government responsibilities for air quality are found in four areas: (1) land use planning; (2) reviewing and mitigating the environmental impacts of development projects; (3) developing and maintaining the transportation infrastructure in the community, including transit systems; and (4) implementing local air quality programs such as commute-based trip reduction and rideshare. In order to assist cities in achieving these responsibilities, the San Joaquin Valley Unified Air Pollution Control District published, in 1994, a document entitled "Air Quality Guidelines for General Plans," which was subsequently updated in 2005. Concurrently, the Master Environmental Impact Report utilized many of the recommended policies from this District publication, as a comprehensive set of principles designed to mitigate air quality impacts.

#### **2. Air Quality Policies**

The Air Quality mitigation measures presented in the Master EIR have been distributed throughout the General Plan chapters, recognizing the comprehensive structure of this integrated policy document. In addition, the following policies shall apply throughout the General Plan Area.

- a. The City of Modesto shall implement measures to reduce motor vehicle use and related ozone precursor and PM10 emissions through changes to the transportation infrastructure. Potential measures to be implemented may include those measures listed in Table 2-2 in the Final Master Environmental Impact Report.

- b. The City of Modesto and project proponents shall implement measures to reduce vehicle use and associated emissions related to existing and future land use development in the City of Modesto. Potential measures to be implemented may include those measures listed in Table 2-3 in the Final Master Environmental Impact Report.
- c. The City of Modesto shall implement measures to reduce emissions associated with energy use by residences and businesses. Potential measures to be implemented may include those measures listed in Table 2-4 in the Final Master Environmental Impact Report.
- d. The City of Modesto recognizes the efforts of the San Joaquin Valley Air Pollution Control District (SJVAPCD) to identify the cumulative transportation and air quality impacts of all General Plan amendments approved during the previous year. This measure is intended to track the effectiveness of current air quality-related programs and guide revision to these programs through periodic review of cumulative air quality impacts in the City.

The City of Modesto encourages employers to implement the following measures:

- (1) In-house matching services (for carpools and vanpools) at employers with over 100 weekday employees, or at large development sites occupied by several smaller employers, or coordination with Caltrans' "Commuter Computer" program;
- (2) Employer-based dissemination of commute information;
- (3) Employer subsidies for transit passes and incorporation of transit stop facilities into site design;
- (4) A program to guarantee rideshare participants a ride home in case of emergency;
- (5) Flex-time scheduling;
- (6) Site plan design that encourages pedestrian movement between adjacent land uses;
- (7) Incentives such as preferred parking for carpoolers;
- (8) Encouraging submission of site plans featuring mixed land uses or "neo-traditional" design; and
- (9) Encouraging employers to experiment with telecommuting options, where feasible.

The following policies are intended to reduce air quality impacts through inter-agency coordination:

- e. The City of Modesto shall work with neighboring jurisdictions and affected agencies to address cross-jurisdictional and regional transportation and air quality issues.
- f. The City of Modesto shall coordinate with other jurisdictions and other regional agencies in the San Joaquin valley to establish parallel air quality programs and implementation measures (trip reduction ordinances, indirect source programs, etc.).

- g. The City of Modesto shall implement measures to reduce emissions associated with future development through the CEQA review process. Table 2-5 in the MEIR describes those measures to be implemented, as well as additional measures that may be implemented at the discretion of the City.
- h. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should consult with the SJVAPCD during CEQA review for discretionary projects with the potential for causing adverse air quality impacts.
- i. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should consider supporting investment in geographic information system technology.

The following policies are intended to reduce air quality impacts through public outreach and education programs:

- j. The City of Modesto shall work to improve the public's understanding of the land use, transportation, and air quality link.
- k. The City of Modesto shall encourage local public and private groups to provide air quality education programs.

The following policies are intended to minimize exposure of the public to toxic air contaminants (TACs) and noxious odors from industrial, manufacturing, and processing facilities:

- l. The City of Modesto should encourage new air pollution sources such as, but not limited to, industrial, manufacturing, and processing facilities to be located an adequate distance (based on pollutant dispersion characteristics, site orientation, prevailing winds, etc.) from residential areas and other sensitive receptors.
- m. The City of Modesto should implement measures to reduce the temporary, yet potentially significant, local air quality impacts from construction activities. Potential measures to be implemented may include those measures listed in Table 2-6 in the Master Environmental Impact Report.
- n. The City of Modesto shall require residential development projects and projects categorized as sensitive receptors (hospitals, schools, convalescent homes, etc.) to be located an adequate distance from existing and potential sources of toxic and/or odorous emissions such as freeways, major arterials, industrial sites, refuse transfer or disposal sites, and hazardous material locations.

The following policies are intended to accurately determine and fairly mitigate the local and regional air quality impacts of projects proposed in the City of Modesto:

- o. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should determine project air quality impacts using analysis methods and significance thresholds recommended by the SJVAPCD.

- p. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should ensure that air quality impacts identified during CEQA review are consistently and fairly mitigated.
- q. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should ensure all air quality mitigation measures are feasible, implementable, and cost effective.
- r. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should identify the cumulative transportation and air quality impacts of all General Plan amendments approved during the previous year.
- s. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should reduce the air quality impacts of development projects that may be insignificant by themselves, but cumulatively are significant.
- t. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should encourage innovative mitigation measures to reduce air quality impacts by coordinating with the SJVAPCD, project applicants, and other interested parties.
- u. Review of new development shall be coordinated with SJVAPCD staff to ensure all projects subject to the SJVAPCD Rule 9510 (Indirect Source Review) comply fully with the rule. This rule fulfills the SJVAPCD's emission reduction commitments in the PM10 and Ozone Attainment Plans through emission reductions from the construction and use of development projects through design features and onsite measures. Rule 9510 applies to any applicant that seeks to gain a final discretionary approval for a development project, or any portion thereof, which upon full buildout will include any one of the following:
  - 50 residential units
  - 2,000 square feet of commercial space
  - 25,000 square feet of light industrial space
  - 100,000 square feet of heavy industrial space
  - 20,000 square feet of medical office space
  - 39,000 square feet of general office space
  - 9,000 square feet of educational space
  - 10,000 square feet of government space
  - 20,000 square feet of recreational space
  - 9,000 square feet of space not identified above

The following policies are consistent with the SJVAPCD's Air Quality Guidelines for General Plans and are intended to integrate land use planning, transportation planning, and air quality planning to make the most efficient use of public resources and to create a healthier and more livable environment:

- v. The City of Modesto should consider air quality when planning the land uses and transportation systems to accommodate the expected growth in this community.
- w. All City of Modesto submittals of transportation improvement projects to be included in regional transportation plans (RTP, RTIP, CMP, etc.) should be consistent with the air quality goals and policies of the General Plan.
- x. The City of Modesto should consult with transit providers to determine project impacts on long-range transit plans and ensure that impacts are mitigated.
- y. The City of Modesto should work with the Housing Authority, transit providers, and developers to encourage the construction of low-income housing developments that use transit-oriented and pedestrian-oriented design principles.
- z. The City of Modesto should work with Caltrans and the Regional Transportation Planning Agency to minimize the air quality, mobility, and social impacts of large scale transportation projects on existing neighborhoods.

The following policies are consistent with the SJVAPCD's Air Quality Guidelines for General Plans and are intended for public facilities and operations to provide a model for the private sector in implementing air quality programs:

- aa. The City of Modesto Departments should implement employer-based trip reduction programs for their employees.
- bb. The City of Modesto fleet vehicle operators should replace or convert conventional fuel vehicles with clean fuel vehicles as feasible, considering budgetary constraints.
- cc. The City of Modesto supports the use of teleconferencing in lieu of employee travel to conferences and meetings when feasible.

The following policies are intended to ensure that new development provides the facilities and programs that improve the effectiveness of transportation control measures and congestion management programs:

- dd. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should work with employers and developers to provide employees and residents with attractive, affordable transportation alternatives.
- ee. The City of Modesto Non-Motorized Transportation Plan (NMTP; updated and adopted January 2007) provides guidelines and policies that pertain to the development of the non-motorized transportation system and is hereby adopted into the Modesto Urban Area General Plan. The guidelines and policies in the NMTP will help contribute to air quality improvements.
- ff. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should work to establish public/private partnerships to develop satellite and neighborhood work centers for telecommuting.

- gg. To be consistent with the SJVAPCD's Air Quality Guidelines for General Plans, the City of Modesto should encourage the development of state of the art communication infrastructure linked to the rest of the world.

The following policies are consistent with the SJVAPCD's Air Quality Guidelines for General Plans and are intended to reduce emissions of PM10 and other particulates with local control potential:

- hh. The City of Modesto should work with the SJVAPCD to reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources.
- ii. The City of Modesto shall require all access roads, driveways, and parking areas serving new commercial and industrial development to be constructed with materials that minimize particulate emissions in accordance with the requirements of SJVAPCD Regulation VIII and are appropriate to the scale and intensity of use.
- jj. The City of Modesto should reduce PM10 emissions from City of Modesto–maintained roads to the maximum extent feasible.

The following controls are required to be implemented at all construction sites:

- kk. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- ll. All onsite unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- mm. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- nn. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
- oo. When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- pp. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
- qq. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

- rr. Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.
- ss. Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

The following measures should be implemented at construction sites when required to mitigate significant PM10 impacts (note, these measures are to be implemented in addition to Regulation VIII requirements):

- tt. Limit traffic speeds on unpaved roads to 15 mph; and
- uu. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent (1%).

The following measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors, or which for any other reason warrant additional emissions reductions:

- vv. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site;
- ww. Install wind breaks at windward side(s) of construction areas;
- xx. Suspend excavation and grading activity when winds exceed 20 mph (regardless of windspeed, an owner/operator must comply with Regulation VIII's 20 percent (20%) opacity limitation); and
- yy. Limit the area subject to excavation, grading, and other construction activity at any one time.

## **I. ENERGY CONSERVATION**

### **1. Overview**

The California Environmental Quality Act identifies energy conservation as a goal in community development. Under the CEQA Guidelines, a project may have a significant environmental impact if it will "use fuel, water, or energy in a wasteful manner." The following policies employed by the City provide sufficient mitigation for those impacts.

- a. The City of Modesto shall require shade trees, where feasible and appropriate, in landscape plans for all new development proposals. Mature trees have lower water needs. The City shall develop shade-tree specifications for different land uses (residential, commercial, parking lots, etc.) including appropriate types of trees (size, deciduous or evergreen, absence or lower branches, etc), locations (e.g., distance from structures), density (i.e. within a subdivision or parking lot), and orientation (trees on the west side of a building generally provide the most benefit) for use in landscape plans.
- b. The City shall require the planting of large-canopy species in new development areas in such a way that they grow to full size without damaging streets and sidewalks (including, but not

limited to, deep watering until roots are well established, proper fertilizers, root barriers, and structured soils).

- c. Removal of street trees shall be discouraged unless they are badly diseased and have become a threat to public safety. If a tree must be removed, it should be replaced no later than the end of the next planting season with a large-canopy species.
- d. The goal of the street tree maintenance program is to maintain trees in the best possible health by ensuring that newly planted trees are cared for in such a way as to prevent or minimize sidewalk and street damage (including, but not limited to, deep watering until roots are well established, proper fertilizers, root barriers, and structured soils), pruning to remove mistletoe as often as necessary, pruning to prevent the tree from leaning, and using measures to control disease.
- e. The City of Modesto shall encourage the Modesto and Turlock Irrigation Districts to establish and promote a program whereby existing residential and commercial building owners are provided incentives to increase the number of shade trees in developed parts of the City. The City shall also provide information on appropriate types of trees and their locations to maximize the energy savings from the program.
- f. The City of Modesto shall coordinate with the Modesto and Turlock Irrigation Districts (for electricity) and Pacific Gas & Electric Company (for natural gas) on all new, large-scale, development proposals in the City.
- g. The City of Modesto shall encourage the use of solar energy systems for residential, agricultural, parks, public buildings, and business purposes as provided in Government Code Section 65892.13.
- h. Lots in new subdivisions should be oriented in such a way to maximize solar energy.
- i. The City of Modesto shall approve applications for solar energy systems in accordance with State Assembly Bill 2473 (2004).
- j. To reduce heat gain from pavement, the City should consider reducing street rights-of-way and pavement widths to pre-World War II widths (typically 22 to 34 feet curb-to-curb for local streets, 30 to 35 feet curb-to-curb for collector streets) and consider working with StanCOG to place an emphasis on non-automobile transportation; to realign CMAQ (Congestion Mitigation Air Quality Improvement Program) dollars and other similar flexible funds to non-automobile projects and clean-fuel vehicle projects; to promote increases in funding for transit, bicycle, and pedestrian projects; to promote the establishment of a regional bicycle coordinator; and to require accountability for local expenditures on bicycle and pedestrian facilities. The City shall reinstate the use of parkway strips, where feasible, which allow shading of streets by street trees.
- k. The City should consider instituting a development pattern that facilitates non-automobile transportation. Features of such a pattern may include redirecting growth into existing City limits in specified areas, reducing road widths, increasing sidewalk widths, and adding Class II bicycle facilities to City streets.

- l. The City should consider renegotiating employee union contracts to eliminate parking subsidies for public employees, encourage carpools through preferential parking and a graduated parking fee, institute parking payouts, and institute on-street metered parking that is consistent with current philosophies and technologies.
- m. The City shall consider purchasing clean-fuel/alternative-fuel fleet vehicles.
- n. All commercial development projects should include bicycle racks and changing rooms to facilitate trips by bicycle and on foot by both employees and customers.
- o. The City shall attempt to facilitate development of “brownfields,” which is property on which development is complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

The following policies are intended to encourage the use of energy conservation features and low-emission equipment for all new residential and commercial development:

- p. The City of Modesto shall work with the local energy providers and developers on voluntary incentive based programs to encourage the use of energy efficient designs and equipment.
- q. The City of Modesto shall work with the local building industry, utilities, and the SJVAPCD to promote enhanced energy conservation standards for new construction.
- r. The City of Modesto shall encourage new residential, commercial, and industrial development to reduce air quality impacts from area sources and from energy consumption.
- s. The City shall consider requiring new public buildings to achieve at least the minimum Leadership in Energy and Environmental Design (LEED™) “Certified” rating. LEED™ certification must be applied for through the United States Green Building Council ([www.usgbc.org](http://www.usgbc.org)), which administers the program and reviews and evaluates working drawings. Information about required and optional design elements can be found at the U.S. Green Building Council’s website.
- t. The City shall work with applicants and developers to encourage green building methods and practices and achieve LEED™ standards for all new development. The City shall develop a program to promote green building methods.
- u. New development shall comply with Green Building Standards adopted by the California Building Standards Commission incorporated in the building codes in effect at the time of building permit application. The City shall consider adopting additional measures that achieve a greater reduction in energy and water use reduction than required by state law, which may include, but not be limited to: cool roofs (as defined by the California Energy Commission’s Building Energy Efficiency Standard (Title 24) and the Cool Roof Rating Council), high efficiency insulation, high efficiency plumbing fixtures, tankless water heaters, high efficiency space cooling and heating systems, and high efficiency lighting.
- v. The City shall encourage compliance with the new California Green Building Code Guidelines, which are expected to be adopted in 2009.

## **2. Implementation of Energy Conservation Policies**

New building projects are subject to review to ensure use of energy efficient materials and methods of construction, in accordance with Title 24 of the California Code of Regulations.

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## **Chapter VIII**

### **General Plan Implementation**

#### **A. INTRODUCTION**

This chapter presents a variety of tools available to the City of Modesto (City) to help build the physical city envisioned in Chapter III.

While the Modesto Urban Area General Plan provides a comprehensive “vision” for the future physical development of the City, the General Plan can only be successful if the vision is realistic and can be implemented. The City implements the General Plan through the review of privately initiated development requests, such as subdivisions, rezonings, conditional use permits, and building permits. In addition, the City undertakes public development through redevelopment and construction of infrastructure. Finally, the City considers a variety of administrative and financial tools that facilitate public and private development activities. This chapter presents the tools to guide development in the City by implementing the policies contained in earlier chapters.

#### **B. SUBMITTAL AND APPROVAL OF SUBSEQUENT PROJECTS**

In order to fully utilize the Master Environmental Impact Report, streamlining provisions Section 21157(b)(2)D of the Public Resources Code requires the Master EIR to include “A capital outlay or capital improvement program, or other scheduling or implementing device that governs the submission and approval of subsequent projects.” Sections VIII-C through VIII-T, which follow, present those implementing devices which meet the State Law requirements of PRC 21157(b)(2)(D).

#### **C. SPHERE OF INFLUENCE**

The Sphere of Influence is defined by Section 56076 of the Government Code as a “plan for the probable physical boundaries and service area of a local agency.” The Sphere of Influence for the City of Modesto is adopted by the Stanislaus County (County) Local Agency Formation Commission (LAFCO), in accordance with Section 56425 of the Government Code. Following adoption of the Modesto Urban Area General Plan, Modesto’s Sphere of Influence should be expanded to include the Planned Urbanizing Area boundaries as presented on the Growth Strategy Diagram. In this way, Land Use policy direction would be provided for all land within the (expanded) Sphere of Influence.

##### **1. Implementation Device Governing the Amendment and Approval of the Sphere of Influence**

The Stanislaus County LAFCO uses the City of Modesto’s Sphere of Influence as a guide for approving annexations, known technically as Changes of Organization or Reorganizations, to the City of Modesto. In accordance with Section 56425(g) of the Government Code, on or before January 1, 2008, and every five years thereafter, Stanislaus County LAFCO, as necessary, is to

review and update the City of Modesto’s Sphere of Influence. Criteria for adopting or amending a Sphere of Influence are defined in Section 56425(e) of the Government Code, as follows:

- a. The present and planned land uses in the area, including agricultural and open space lands.
- b. The present and probable need for public facilities and services in the area.
- c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- d. The existence of any social or economic communities of interest in the area if the [LAFCO] commission determines that they are relevant to the agency.

## **D. ANNEXATION**

Annexations, known technically as Changes of Organizations or Reorganizations, are defined by Section 56017 of the Government Code as the “annexation, inclusion, attachment, or addition of territory to a city or district.” Annexations, like Spheres of Influence, are approved by the Stanislaus County Local Agency Formation Commission.

To the extent that the LAFCO considers Sphere of Influence amendments to be consistent with the Urban Area General Plan, LAFCO can be considered an MEIR “responsible agency” for purposes of Public Resources Code Section 21157.1. Infrastructure in County “islands” should be improved to City standards before annexation is complete.

### **1. Implementation Device Governing the Submittal and Approval of an Annexation**

Section 56668 of the Government Code provides guidance for the approval of Annexations, as follows:

56668. Factors to be considered in the review of a proposal shall include, but not limited to, all of the following:

- a. Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- b. Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

“Services,” as used in this subdivision, refers to governmental services whether or not the services are services that would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

- c. The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.
- d. The conformity of both the proposal and its anticipated effects with both the adopted commission policies and priorities set forth in Section 56377.
- e. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.
- f. The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- g. Consistency with city or county general and specific plans.
- h. The sphere of influence of any local agency which may be applicable to the proposal being reviewed.
- i. The comments of any affected local agency.
- j. The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.
- k. Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.
- l. The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the Stanislaus Council of Governments (StanCOG).
- m. Any information or comments from the landowner or owners, and residents of the study area.
- n. Any information relating to existing land use designations.

## **E. SPECIFIC PLANS**

Specific Plans are used by the City to implement the Comprehensive Planning Districts presented in Chapter III. Specific Plans are authorized under Section 65450 of the Government Code for “the systematic implementation of the general plan for all or part of the area covered by the general plan.” In October 2004, the city of Modesto adopted the Specific Plan Procedures and Preparation Guide. This document outlines the procedures for the initiation, preparation, review, and implementation of Specific Plans within the City of Modesto. Specific Plans should follow the policies and procedures established in the City of Modesto’s adopted “Guidelines for Small-Lot Single-Family Residential Developments,” as applicable, the “Specific Plan Procedures and Preparation Guide,” and the “Design Guidelines for Commercial and Industrial Development,” as applicable.

A Comprehensive Planning District shall consist of one or more Specific Plans (as defined by Section 65450 of the State Government Code) and shall include a text narrative and a map or diagram conforming to the requirements of the relevant Comprehensive Planning District. The minimum size of a Specific Plan is established in policies found in Chapter III-D.1.

The Specific Plan implements the City's General Plan by creating a bridge between general plan policies and individual development proposals. Ideally, a Specific Plan directs all facets of future development; from the distribution of land uses, to the location and sizing of supporting infrastructure; from methods of financing public improvements, to standards of development. In addition to establishing land use policies, development standards, and infrastructure requirements, it may directly impose exactions and payment schedules in conjunction with its capital improvement policies. If exactions are included in the plan, the plan shall include the required "nexus" between the development exactions being imposed and the development-induced impacts being mitigated by those exactions. Establishment of a nexus and reasonable proportionality between impacts and exactions is important to ensure the legal defensibility of the exactions.

### **1. Implementation Device Governing the Submittal and Approval of a Specific Plan**

The City of Modesto's Specific Plan Procedures and Preparation Guide (2004) provides the direction for adopting and amending Specific Plans. All Specific Plans shall be prepared in accordance with this document.

No Specific Plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan. It is the intent of the City that Specific Plans be utilized to implement the goals and policies of the General Plan. In addition, no local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a Specific Plan unless it is consistent with the adopted specific plan.

## **F. GENERAL PLAN AMENDMENTS**

Proposed General Plan Amendments that will result in a change in land use designation shall be accompanied by a concept plan, if deemed appropriate. The concept plan will be used to evaluate the environmental impacts of the proposed General Plan Amendment and to evaluate subsequent development proposals for consistency with the changed land use designation.

## **G. ZONING**

The City's Zoning Ordinance is Title X of the Modesto Municipal Code. The purpose of zoning is to regulate the use of buildings, structures, and land for industry, business, residences, and open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes.

### **1. Implementation Device Governing the Amendment and Approval of Zoning**

Title X of the Modesto Municipal Code governs the amendment and approval of Zoning, which must be adopted by ordinance. At least one public hearing before the Planning Commission and City Council will be required, prior to adoption of zoning by the City Council.

## **H. MISCELLANEOUS LAND USE PERMITS**

The City processes a variety of permits which facilitate development. Examples include, but are not limited to, the following:

1. Conditional Use Permits (authorized under Section 10-2.2503 of the Modesto Municipal Code).
2. Variances (authorized under Section 10-2.2501 of the Modesto Municipal Code).
3. Building Permits (authorized under Title IX of the Modesto Municipal Code).

### **1. Implementation Device Governing the Submittal and Approval of Miscellaneous Land Use Permits**

The Modesto Municipal Code references above cite the adopted procedures governing the approval of those miscellaneous land use permits.

## **I. SUBDIVISIONS**

Subdivisions are the process by which land is divided and subsequently developed. Subdivisions are governed by the Subdivision Map Act (Section 66410, et seq. of the Government Code), and the City's Subdivision Regulations (Section 4-4.4101 et seq. of the Modesto Municipal Code).

The creation of four or fewer lots is considered a minor subdivision, or parcel map. The creation of five or more lots is a major subdivision. After approval of a Final Map, as defined by Section 66434 of the Government Code, the only subsequent approvals required for development are building permits.

### **1. Implementation Device Governing the Submittal and Approval of Subdivisions**

Section 66474 of the Government Code (Subdivision Map Act) allows the City to approve subdivisions; however, it shall deny approval if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

Section 66473.3 of the Government Code (Subdivision Map Act) allows the following:

- h. The City of Modesto may adopt an ordinance requiring the design of a subdivision to provide for cable television and internet services.

Section 66453 of the Government Code (Subdivision Map Act) allows the following:

- i. The City of Modesto may make recommendations concerning proposed subdivisions in any adjoining city, or in any adjoining unincorporated territory, for any proposed subdivision within the planning area of the requesting local agency.

Sections 66475.1 and 66475.2 of the Government Code (Subdivision Map Act) permit the following:

- j. The City of Modesto requires all subdividers to dedicate land as may be necessary and feasible to provide bicycle paths for the residents.
- k. The City of Modesto may authorize a local ordinance to require land within any subdivision to be dedicated or irrevocably offered for dedication for local transit facilities.

## **J. DEVELOPMENT AGREEMENTS**

Development Agreements are the means by which private developers and the City can each receive certain assurances regarding a given development proposal and its entitlements. Development Agreements are authorized by Chapter 4 (commencing with Section 65864) of the Government Code.

### **1. Implementation Device Governing the Submittal and Approval of Development Agreements**

Section 65865.2 of the Government Code specifies the minimum contents of a Development Agreement, as follows:

**65865.2.** A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within a specified time.

The agreement may also include terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time.

Section 65867 of the Government Code requires a public hearing by the Planning Commission and City Council, prior to City Council adoption of a Development Agreement.

## **K. CAPITAL IMPROVEMENT PROGRAM**

The Capital Improvement Program (CIP) guides the funding and construction of all public improvements constructed by the City, including roads, wastewater treatment facilities and lines, water lines, and parks.

### **1. Implementation Device Governing the Submittal and Approval of the Capital Improvement Program**

Section 65401 of the Government Code provides for a review of public works projects for conformity with the General Plan, as follows:

**65401.** If a general plan or part thereof has been adopted, within such time as may be fixed by the legislative body, each county or city officer, department, board, or commission, and each governmental body, commission, or board, including the governing body of any special district or school district, whose jurisdiction lies wholly or partially within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the official agency, as designated by the respective county board of supervisors or city council, a list of the proposed public works recommended for planning, initiation or construction during the ensuing fiscal year. The official agency receiving the list of proposed public works shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such coordinated program shall be submitted to the county or city planning agency for review and report to said official agency as to conformity with the adopted general plan or part thereof.

## **L. REDEVELOPMENT PLAN**

The California Community Redevelopment Act of 1945 gives cities the authority to establish redevelopment agencies and gives these agencies the authority to attack problems of urban decay. To remedy these problems, agencies are given certain fundamental tools:

1. The authority to buy real property, including, if necessary, the power to use eminent domain.
2. The authority to sell real property without bidding.
3. The authority and obligation to relocate persons who have interests in property.
4. The authority to impose land use and development controls pursuant to a comprehensive plan of redevelopment.

### **1. Implementation Device Governing the Submittal and Approval of a Redevelopment Plan**

The authority to establish a redevelopment agency and the authority for a redevelopment agency to function as an agency, adopt a redevelopment plan, and implement the plan is granted by the Community Redevelopment Law of the State of California (Health & Safety Code, § 33000 et seq.). Redevelopment agencies are therefore creations of the state. The Community Redevelopment Law provides that the agency and legislative body shall both conduct public hearings to approve the redevelopment plan (§ 33348, 33360). However, the more typical approach in cities and counties where the members of the legislative body are also members of the agency (as in the case in Modesto) is for the agency and legislative body to conduct a joint public hearing on the redevelopment plans (§ 33355). Any redevelopment plan must conform to the adopted general plan (Health & Safety Code, § 33302 and § 33331). A redevelopment plan must include, among other things, plans for streets, buildings, and open space; a statement of the effect of the plan on existing residents of the area; a description of the proposed financing methods; and a plan for the participation of affected property owners.

The City of Modesto Redevelopment Master Plan was adopted in October 2007. The Redevelopment Master Plan encompasses the City's downtown core and will allow higher density, mixed-use development in order to create a balanced and vibrant downtown core and active neighborhood centers. The Redevelopment Master Plan is designed to serve as the Redevelopment Agency's blueprint for the next ten years and beyond and will be updated as needed. The Redevelopment Master Plan identifies and prioritizes land use and economic development goals, and recommends improvements that will contribute to a visually appealing public realm, efficient automobile, bicycle, and pedestrian circulation, and adequate infrastructure to serve the projected development.

## **M. PARKS FACILITIES PLANS**

The City may adopt plans or policy documents in order to implement the Open Space and Park policies presented in Section V-G of this General Plan. These subsequent policy documents will be considered “anticipated subsequent projects” in the context of Section 21157.7 of CEQA. Commonly used anticipated subsequent projects are described below.

The City Parks, Recreation and Neighborhoods Department is charged with the responsibility of constructing and maintaining public parks and recreation facilities throughout the community. To guide development of these facilities, the City uses a variety of tools, which include, but are not limited to, the following: Parks Master Plan and Design Development Reports for Neighborhood, Community, and Regional Parks; and the City of Modesto’s Non-Motorized Transportation Plan.

### **1. Implementation Device Governing the Submittal and Approval of Parks Facilities Plans**

Section 65401 of the Government Code provides for a review of public works projects for conformity with the General Plan, as follows:

**65401.** If a general plan or part thereof has been adopted, within such time as may be fixed by the legislative body, each county or city officer, department, board, or commission, and each governmental body, commission, or board, including the governing body of any special district or school district, whose jurisdiction lies wholly or partially within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the official agency, as designated by the respective county board of supervisors or city council, a list of the proposed public works recommended for planning, initiation or construction during the ensuing fiscal year. The official agency receiving the list of proposed public works shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such coordinated program shall be submitted to the county or city planning agency for review and report to said official agency as to conformity with the adopted general plan or part thereof.

## **N. STANISLAUS COUNTY AIRPORT LAND USE PLAN**

Section 21675(a) of the Public Utilities Code allows for the creation of comprehensive land use plans “that will provide for the orderly growth of each public airport and the area surrounding each public airport within the jurisdiction of the commission...” In formulating a Land Use Plan, the Airport Land Use Commission may develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports, within the planning area.

### **1. Implementation Device Governing the Submittal and Adoption of the Stanislaus County Airport Land Use Plan**

The Stanislaus County Airport Land Use Plan was adopted in 1978 in accordance with Section 21670 of the Public Utilities Code; it may be amended from time to time, as allowed by that Code.

## **O. HOUSEHOLD HAZARDOUS WASTE ELEMENT**

Section 41500 of the Public Resources Code requires the City to adopt a Household Hazardous Waste Element, which identifies a program for safe collection, recycling, treatment, and disposal of hazardous wastes that are generated by households in the City and that should be separated from the solid waste stream.

### **1. Implementation Device Governing the Submittal and Approval of the Household Hazardous Waste Element**

Section 41500(a) of the Public Resources Code requires City Council adoption, and submittal to Stanislaus County, of the household hazardous waste element.

## **P. SOURCE REDUCTION AND RECYCLING ELEMENT**

Section 41000 of the Public Resources Code requires the City to adopt a Source Reduction and Recycling Element to show the methods by which the City will reduce the amounts of solid waste disposed of by the City.

### **1. Implementation Device Governing the Submittal and Approval of the Source Reduction and Recycling Element**

Section 41000 of the Public Resources Code requires City Council adoption of the Source Reduction and Recycling Element, with the following components, which are further defined by state law:

- a. A waste characterization component
- b. A source reduction component
- c. A recycling component
- d. A composting component
- e. A solid waste facility capacity component
- f. An education and public information component
- g. A funding component
- h. A special waste component

## **Q. WASTEWATER MASTER PLAN**

The City has developed a Wastewater Master Plan in order to construct, operate, and maintain various wastewater facilities. The purpose of the Wastewater Master Plan is to implement the Wastewater policies presented in Section V-D of this General Plan. In developing the Wastewater Master Plan, consideration shall be given to rehabilitation of existing facilities, expansion for current excess demand, and the timely expansion for future demand. As the City's population increases, the City shall update the Wastewater Master Plan as appropriate to adequately address the sewage collection and treatment needs anticipated at General Plan continuing growth.

### **1. Implementation Actions:**

- a. The City of Modesto shall ensure that the minimum standards discussed in the City's Public Works Department Standard Specifications are met. The primary scope of these standards is intended to be those improvements to be turned over to the City of Modesto for operations and/or maintenance and City of Modesto Capital Improvement Projects. However, these standards may also be applied to privately owned and maintained improvements and Capital Improvement Projects, which affect public health and safety.
- b. The City of Modesto shall support the necessary disposal alternative(s), as discussed in the City's Domestic Wastewater Near Term Capacity Study, to safely accommodate domestic wastewater contributions from the projected near-term development.
- c. The City of Modesto shall support the wastewater system improvements and associated costs needed to serve the City's existing and future customers as discussed in the City's Engineer's Report, Justification and Cost Allocation for Proposed Wastewater Collection System, and Treatment Plan Improvements.
- d. The City of Modesto shall provide additional planning level assistance that is needed to help complete the facilities planning phase as discussed in the Northern San Joaquin Valley Water Reclamation Project. The City of Modesto should support stakeholder coordination, funding strategy development, detailed market analysis, public outreach planning, additional engineering evaluation, and environmental compliance.

### **2. Implementation Device Governing the Submittal and Approval of the Wastewater Master Plan**

The Wastewater Master Plan shall be considered an "anticipated subsequent project" in the context of Section 21157 of CEQA.

## **R. WATER MASTER PLANS**

The City may develop master plans such as a "conjunctive groundwater–surface-water management program" in order to construct, operate, and maintain various water facilities. The purpose of these master plans would be to implement the Water policies presented in Section V-C of this General Plan.

### **1. Implementation Actions:**

- a. The City supports the local management of groundwater resources. The City will adopt and maintain a Groundwater Management Plan in accordance with AB 3030, and in cooperation with the adjacent and overlying water providers within the groundwater basins the City occupies.
- b. The City of Modesto shall support and participate in the completion of the Turlock Groundwater Basin Association’s Groundwater Management Plan.
- c. The City of Modesto shall continue to participate with the Stanislaus and Tuolumne Rivers Groundwater Basin Association and help implement the Integrated Regional Groundwater Management Plan to improve the regional and local management of water resources.
- d. The City of Modesto shall participate in the design of a Turlock Irrigation District (TID) Surface Water Supply Project (SWSP) to be located east of Modesto on the south side of the Tuolumne River. The SWSP should be operational by the year 2011.
- e. The City of Modesto shall enter into a Treatment and Delivery Agreement for delivery of 11.5 MGD of TID surface water to the south Modesto area.
- f. The City of Modesto shall continue to increase groundwater pumping and install new wells to meet demands until completion of Phase Two of the Modesto Regional Water Treatment Plant (MRWTP).
- g. Upon completion of Phase Two of the MRWTP, the City of Modesto shall reduce groundwater pumping to below current usage, allowing groundwater supplies to accumulate (or “bank”) for use in meeting normal and dry year demands in the future. The City of Modesto shall bank additional groundwater following the construction of the SWSP project.
- h. The City of Modesto should pursue additional potential water supply alternatives available to the City for meeting future demand in both normal and dry years including additional MID surface supply, in conjunction with a Phase Three MRWTP Expansion as well as recycled water implementation.
- i. The City of Modesto shall support the following Regional Basin Management Objectives (BMOs) discussed in the Integrated Regional Groundwater Management Plan:
  - (1) To identify and protect remaining natural recharge areas.
  - (2) To development a Basin-Wide Water Budget.

- (3) To evaluate the need to supplement recharge from natural recharge areas should the basin-wide water balance demonstrate either that the basin is in overdraft or is likely to fall into overdraft in the near future.
- (4) To optimize well operations needed to implement recommended actions in the Integrated Regional Groundwater Management Plan.
- (5) To balance surface water and groundwater use and implement a conjunctive management strategy, which may involve reduced groundwater pumping in some parts of the basin and broad controls on pumping to meet targeted groundwater levels.
- (6) To support well construction and demolition standards designed to specifically protect groundwater quality.
- (7) To perform a detailed geologic assessment of groundwater basins that focuses on areas with poor water quality and identifies the sources of the contaminants.
- (8) To perform groundwater monitoring and analysis and the archiving of collected data that is needed to implement recommended actions in the Integrated Regional Groundwater Management Plan and to meet the requirements of this plan.
- (9) To review and assess water policies with support and participation of the Stanislaus and Tuolumne Rivers Groundwater Basin Association.
- (10) To promote cooperation and coordination between water entities.

## **2. Implementation Device Governing the Submittal and Approval of Water Master Plans**

These master plans shall be considered an "anticipated subsequent project" in the context of Section 21157 of CEQA. However, because the specific facilities covered by these master plans are not determined at this time, a Focused Environmental Impact Report will be required prior to adoption of these plans. Preparation of a Focused Environmental Impact Report shall be undertaken in accordance with Section 21158 of CEQA.

## **S. STORMWATER FACILITIES PLANS**

Stormwater drainage facilities may be constructed, operated, maintained, and replaced in a manner that will provide the best possible service to the public, given the financial abilities and constraints of the City and of the private sector alike. In developing implementation plans, consideration may be given to rehabilitation of existing facilities, remediation of developed areas with inadequate levels of drainage service, and the timely expansion of the system for future development. The purpose of these facilities plans is to implement the policies contained in Section V-E of this General Plan.

## **1. Implementation Device Governing the Submittal and Approval of Stormwater Facilities Plans**

These facilities plans shall be considered an "anticipated subsequent project" in the context of Section 21157 of CEQA. However, because the specific facilities covered by these facilities are not determined at this time, a Focused Environmental Impact Report will be required prior to adoption of these plans. Preparation of a Focused Environmental Impact Report shall be undertaken in accordance with Section 21158 of CEQA.

## **T. PUBLIC FACILITIES FINANCING PLANS**

The City's role in implementing a financing strategy is crucial to the planning and provision of public facility and service needs. There are a number of options available to local government to finance public facilities such as streets, sewers, water, drainage, schools, parks, fire and police stations, and public utilities. Examples of these options currently used or contemplated by the City of Modesto include, but are not limited to, the following: Mello-Roos Community Facilities Districts, Landscaping and Lighting Districts, Capital Facilities Fees Programs, Assessment Districts, Area of Benefit procedures, and a Long-Range Financial Plan. California law limits developments' required contributions for the construction of public facilities to a proportional fair-share based on a clear nexus. Therefore, the City is responsible for its fair-share of public facility and infrastructure costs to address current needs. The ultimate implementation of the City of Modesto's strategy is contingent upon the City's ability to provide and maintain its facilities in a timely fashion.

### **1. Implementation Actions**

- a. Address current and future public facility needs by pursuing, adopting, implementing, and maintaining a diverse funding and management strategy. Continue to develop, evaluate, and apply innovative public infrastructure and facility financing mechanisms and strategies.
- b. Investments in capital improvements are to be increased through maintaining or enhancing existing funding sources, maximizing joint-use efficiencies, strategically prioritizing capital investments, and allocating additional revenues for infrastructure.
- c. Adopt new, or increase existing, Capital Improvements Program funding sources for needed public facilities and infrastructure. The CIP shall include the upgrading of existing facilities that have experienced deterioration or obsolescence.
- d. Integrate all planning and development policies and strategies into the annual development of the CIP to ensure projects are programmed in a cost efficient manner.
  - (1) Review all capital projects for consistency with adopted planning documents, including the General Plan, community plans, financing plans, and others.
  - (2) Evaluate the fiscal impact and timing of needed capital improvements to minimize the burden on operations and maintenance budgets.
  - (3) Conduct annual conformance and audit reports of the CIP.

- (4) Ensure the annual CIP is coordinated and developed in a timely manner to allow for required consistency and prioritization reviews.
- e. Create an organization-wide method for identifying and ranking capital improvement projects for proposed inclusion in the annual CIP and to guide the City's applications for regional, state, federal, or other funds.
  - (1) Establish an objective rating system which includes criteria that are appropriate for each facility type (bridges, roadways, traffic signals, pedestrian, drainage, water, sewer, parks, libraries, fire, police, etc.).
  - (2) Ensure projects conform to community plans and infrastructure financing plans (IFP) and incorporate community-level priorities identified in each of the plans in the ranking process.
  - (3) Develop broad-based regional financing options for regional-serving capital projects.
  - (4) Assign a high priority to projects within existing and potential Specific Plan Areas that are also located within communities not meeting General Plan-identified public facilities guidelines or acceptable levels of service for the type of facility or service being considered. The next preference are areas generally outside existing and potential Specific Plan Area locations, as previously described, in areas that are not meeting public facilities guidelines or acceptable levels of service as identified in the General Plan for the type of facility or service being considered.
  - (5) Include in the ranking process preference for funding new or expanded public facilities and services which can address needs in multiple areas.
  - (6) Coordinate with other public, private, and not-for-profit entities to include areas with existing needs as a major criterion for allocating resources for new or expanded infrastructure, facilities, or amenities.
- f. Evaluate and arrange prioritized community needs within a Community Facilities element of a Community Plan, giving consideration to management, operation, and maintenance requirements.
- g. Ensure effective management and optimal allocation of all financial resources for both capital and operational needs. Maximize operational and capital efficiencies.
- h. Support state and local government fiscal reform efforts which provide an equitable redistribution of property tax proceeds or other revenues to the City from the state.
- i. Assume an active leadership role in planning and implementing infrastructure investments on a collaborative regional basis and apportion, as applicable and appropriate, eligible infrastructure expenses to support regionally beneficial capital improvements projects.
- j. Coordinate with all appropriate authorities and agencies for a more efficient use of shared resources and increased joint-use of facilities and services.

- k. Adopt facilities, infrastructure, improvements, and/or maintenance districts, and other special assessments for locally prioritized facilities and/or services.
- l. Continue to use and seek a broad range of funding sources to finance public facilities and infrastructure.
  - (1) Evaluate City real estate assets for opportunities to address multiple public facility needs.
  - (2) Partner with other agencies and organizations to leverage public financing and resources with private funds and assets.
  - (3) Utilize development, reimbursement, and other agreements to provide timely public facilities.
  - (4) Coordinate with redevelopment agencies to effectively utilize tax increment and other agency financing to leverage additional funds, initiate public and private investment, and address needs.
- m. Partner with redevelopment agencies to effectively utilize tax increment and other agency financing to leverage additional funds, initiate public and private investment, and address needs.
- n. Maximize the procurement of grants, endowments, and private donations for public facility and services needs.

## **2. Implementation Device Governing the Submittal and Approval of Public Facilities Financing Plans**

Virtually all of these public facilities are programmed for construction by a policy document such as a master plan or the Capital Improvement Program. Because the environmental review for these facilities would be focused on the policy documents, the financing of these facilities will not trigger subsequent environmental review. When a Master EIR has been prepared for a plan or program, or the plan or program is described in the Master EIR for the Urban Area General Plan, the review of facilities can be streamlined, pursuant to CEQA Guidelines Section 15176(d).

## **U. REVIEW OF APPLICATIONS OUTSIDE THE CITY LIMITS OF THE CITY OF MODESTO**

The City of Modesto reviews developments proposed within the Sphere of Influence and in the General Plan Area of the City outside the Sphere of Influence. These projects may or may not be discretionary. The following policy direction governs project review based on the geographical location of the projects proposed outside the City limits. In accordance with an agreement between the City of Modesto and Stanislaus County, executed on the 13<sup>th</sup> of March, 1990, the County shall limit development within the City of Modesto's Sphere of Influence to "agricultural uses, churches, and such other uses that may be mutually agreed upon by the parties."

Projects submitted to the City of Modesto for comment and information purposes by Stanislaus County Planning and Community Development Department shall be subject to the following:

1. Within both the City of Modesto's Sphere of Influence, the County shall apply City standards for development, when the County's and City's development standards conflict.
2. Within the City of Modesto's Sphere of Influence, City staff shall be authorized to review, make recommendations, and condition County referrals for development projects.
3. Within the City's Sphere of Influence, but outside of City limits and sewer district boundaries, the extension of water service shall only be approved when annexation of a property is completed.
4. For property outside the Sphere of Influence and City limits, but inside, contiguous to, and near the former service area of Del Este Water Company, the extension of water service may be approved on a case-by-case basis.

### **1. Implementation Device Governing the Submittal and Approval of Applications Outside the City Limits of the City of Modesto**

The City shall request that Stanislaus County provide a copy of any development application received within the City's Sphere of Influence. The City's comments are not considered a project subject to CEQA.

## **V. PUBLIC ADVISORY ELECTIONS, MEASURE M**

This measure, passed on November 4, 1997, requires an advisory election be held among the citizens of Modesto prior to extending sewer improvements to new areas with five or more dwelling units, and does not apply to non-residential areas. The purpose is to allow the public to provide input into decisions concerning whether or not to allow urban expansion. Areas that have received support for expansion of development through Public Advisory Elections have not all been planned, developed, or annexed, but each area is expected to eventually annex to the City and be developed. The positive or negative result of a public advisory election is not binding upon the City Council, which may choose to either allow or prohibit growth in these areas.

In order to annex to the City of Modesto, properties subject to Measure M must be in the City's Sphere of Influence, must have been evaluated in the biennial Urban Growth Review and received authorization from the City Council to be placed on the ballot to satisfy the Measure M requirement, and must then be authorized by City Council to begin the planning process.

### **1. Implementation Device Governing Public Advisory Elections, Measure M**

Before the City Council approves, authorizes, or appropriates funds for sewer improvements to any development project that has a residential component of five units or more, other than projects in those areas that have previously been subject to an advisory election, an advisory election shall be held as provided in the City's policy to implement Measure M as follows:

- a. Before a Specific Plan application is processed.
- b. In the case of a City-sponsored annexation, before the City submits an annexation application to LAFCO.
- c. In the case of annexations initiated by any party other than the City, advisory elections will be held before the City notifies LAFCO that sewer service is available to serve the territory proposed to be annexed.
- d. An advisory election pursuant to Measure M will be required before staff is authorized to process tentative subdivision maps for an area that is outside the City limits.

Measure M applies to (i) sewer trunk line extensions and sewer improvements and (ii) expansion of all urban development.

Measure M does not apply to (i) five or fewer dwelling units, (ii) expansion of urban development on a total of five or less contiguous gross acres, or (iii) expansion of urban development consisting solely of non-residential uses.

# **APPENDIX A**

# City of Modesto 2005–2009 Consolidated Plan Executive Summary



Public Review Draft (April 2005)

# City of Modesto

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## 2005 – 2009 Consolidated Plan

### Executive Summary

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Public Review Draft (April 2005)

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## Introduction

### Purpose of the Plan

*The Consolidated Plan directs the City's investment of federal funds to meet priority needs for housing, public services, and community and economic development*

The City of Modesto (City) receives funds each year from the federal government for housing and community development activities.<sup>1</sup> These funds are intended to meet priority needs locally identified by the City. To receive these federal funds, the City must submit a strategic plan—the Consolidated Plan—every five years to the U.S. Department of Housing and Urban Development (HUD) that identifies local needs and how these needs will be addressed. The Consolidated Plan must also demonstrate how the City will meet national goals set by the U.S. Congress to develop viable communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of low- and moderate-income<sup>2</sup> (lower-income).

The Consolidated Plan is guided by three overarching goals:

*The overall goals of the Consolidated Plan are:*

- Provide decent and affordable housing*
- Provide a suitable living environment*
- Expand economic opportunities*

- **To provide decent and affordable housing** for lower-income and homeless persons and increase the supply of supportive housing to enable persons with special needs to live with dignity.
- **To provide a suitable living environment** by improving the safety and livability of neighborhoods.
- **To expand economic opportunities** by creating jobs accessible to lower-income persons and empowering lower-income persons to achieve self-sufficiency.

### Focus of the Plan

As required by the federal government, the identification of needs and the adoption of strategies to address those needs must focus primarily on lower-income individuals and households. The Consolidated Plan must also address “special” needs identified by the federal government or locally, such as the needs of the elderly, persons with disabilities, large families, single parents, homeless individuals and families, and persons with HIV/AIDS.

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<sup>1</sup> Federal programs covered by the Consolidated Plan are: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

<sup>2</sup> Low-income households are defined as earning 50 percent or less of the Stanislaus County area median income (AMI), as defined by the federal government. Moderate-income households earn between 50 percent and 80 percent of the County AMI.

## Priority Needs and Strategies

The City's overall priority is to increase self-sufficiency and economic opportunity for lower-income residents and individuals with special needs so that they can achieve a reasonable standard of living. This priority can be achieved through a combination of:

- Affordable housing;
- Supportive services to maintain independence;
- Investment in lower-income and deteriorating neighborhoods, and in facilities that serve lower-income populations; and
- Education and technical skills that allow individuals to obtain jobs paying self-sufficiency wages.

*The housing affordability gap leads to high rates of overcrowding, overpayment, and substandard housing conditions among lower-income households*

The City, by focusing on these overall priorities, seeks to address community concerns such as:

- A need for additional affordable housing to address the growing gap between housing costs and local incomes, which leads to rising rates of overcrowding, overpayment, and substandard housing conditions for the City's lowest income residents;
- Supportive services that increase the ability of seniors, persons with disabilities, and others with special needs to live independently and avoid institutions;
- A network of shelter, housing, and support services to prevent homelessness, move the homeless to permanent housing and independence, and eliminate homelessness within ten years; and
- Programs that promote economic development and create jobs, and that increase the job skills level of potential employees.

Specific priorities and how these priorities were established are described below.

One of the main obstacles to meeting community needs is inadequate resources for programs that could address these needs. Although California voters approved dedicated funding for mental health services through a 2004 voter initiative, other State and federal funding sources for housing and community development programs are expected to be limited for the foreseeable future.

## Housing Needs

*Housing costs have increased significantly in Modesto, causing a growing gap between home prices and local incomes*

In recent years, Modesto has experienced a significant increase in home prices and rents. High housing costs reduce economic opportunities, access to jobs and services, and the ability of lower-income households to live in the communities and neighborhoods of their choice. The affordability gap results in a concentration of lower-income households in older neighborhoods that have higher levels of substandard housing and overcrowding. Some of the indicators of housing need and the challenges facing the City are described below.

- Since 2000, the median home price in Stanislaus County has doubled, while the median rent has increased by over 50 percent. From 2002 to February 2005, the median home price in Modesto increased by 44 percent.
- Few lower-income households can afford to purchase homes. Most households earning less than 50 percent of the area median income face difficulties in finding affordable rental housing, as well.
- Approximately 18,100 lower-income households in the City did not have adequate housing in 2000.<sup>3</sup>
- There are only approximately 1,180 assisted rental units affordable to lower-income households, of which 735 units are at risk of converting to market-rate housing within the next ten years.
- Over 2,600 rental housing vouchers are provided to City households by the Housing Authority of the County of Stanislaus (HACS). The HACS reports over 1,600 City applicants on its waiting list for rental housing vouchers.
- According to the Stanislaus Council of Governments (Stan COG) regional housing needs allocation, the City should accommodate 5,985 new housing units affordable to lower-income households between 2001 and 2008 (800 per year).
- Approximately 2,000 beds in 78 residential care facilities are available for individuals with special needs, (such as frail elderly and persons with disabilities) who cannot live independently in conventional housing. However, this is significantly less than the population of frail elderly, disabled, and others who may need a supportive housing environment.

*Households most affected by the cost of housing are those earning 30 percent of median income, large families, senior renters, and others with special needs*

<sup>3</sup> Based on calculations provided by HUD from the 2000 Census on overpayment, overcrowding, and substandard housing conditions.

Due to the ongoing gap in the availability of affordable housing, the City has assigned a high priority to new housing construction, homeownership assistance, and housing rehabilitation, particularly for households earning less than 50 percent of the area median income. Despite the high cost, it is essential to expand the supply of affordable housing and supportive housing, because the affordability gap cannot be addressed solely through existing housing.

Priorities and strategies for addressing affordable housing needs are as follows:

### **Priorities**

***Priority H-1. Increase the supply of affordable rental housing.***

***Priority H-2. Provide homeownership opportunities.***

***Priority H-3. Preserve existing affordable housing stock.***

***Priority H-4. Continue to support fair housing.***

### **Strategies**

- Increase rental housing by partnering with the Modesto Redevelopment Agency (RDA) to develop housing units.
- Use HOME funds to leverage funding for the construction of new housing units.
- Use the Revolving Loan Fund to acquire property for affordable housing.
- Continue monitoring the Down Payment Assistance Program closely, along with the housing market, to ensure the program can benefit as many first-time homebuyers as possible while protecting the City's investment.
- Investigate preserving existing affordable housing covenants in Section 8 rental housing units.
- Complete the Highway Village Mandatory Housing Rehabilitation Target Area project.

*The City shall increase rental housing by partnering with RDA to develop housing units*

*An estimated 2,000-2,500 persons in Stanislaus County become homeless each year, and an estimated 5,400 households in Modesto are at risk of becoming homeless*

- Begin a new City-wide Housing Rehabilitation Program, with fewer restrictions and higher loan limits, to encourage rehabilitation of existing housing units.
- Consider new Mandatory Target Area to coordinate with the Police Department's "Weed and Seed" designation, starting with Roselawn Area "A".
- Implement the recommendations in the City's Analysis of Impediments to Fair Housing Choice, currently being prepared.

## **Homeless Needs**

The priorities for ending homelessness are based on the recognition that homelessness results from more than just a lack of affordable housing, although providing housing is the ultimate objective.

An estimated 2,000-2,500 people experience homelessness in Stanislaus County at some point during the year. A homeless point-in-time count conducted in January 2005 found 1,613 homeless persons countywide, 935 of whom were living outdoors and the rest in shelters, transitional housing, soup kitchens, and other programs serving the homeless. Of the homeless persons counted, 623 were members of homeless families, and the remainder homeless individuals. It is not known how many of the homeless were identified in Modesto, but it is expected that a majority were located in the City, due to the size and availability of services.

In addition, an estimated 5,400 households in the City have extremely low incomes and are at risk of homelessness, paying an excessive portion of their income for rent. An unexpected job loss, illness, or eviction can force these individuals and families onto the streets because high rents and other financial problems preclude them from accumulating a savings cushion to protect themselves.

The City has participated in countywide planning to move individuals and families from homelessness to permanent housing and independent living through a network of supportive services linked to housing. The primary strategy document is the Continuum of Care. A draft plan to end homelessness has been prepared for Stanislaus County, but has not yet been adopted by the County or the City.

Priorities and strategies for addressing affordable housing needs are as follows:

### **Priorities**

**Priority HM-1. Address chronic homelessness.**

**Priority HM-2. Increase transitional housing.**

**Priority HM-3. Provide permanent supportive housing.**

**Priority HM-4. Prevent homelessness for those at most risk.**

**Priority HM-5. Provide intensive and coordinated case management.**

**Strategies**

- Establish a "One-Stop Homeless Service Center" within the former Social Security Administration building at 1230 12<sup>th</sup> Street.
- Investigate entering into "Master Leasing" arrangements with non-profit organizations and the County's Behavioral Health Department.
- Consider longer-term contracts for Direct Shelter Services for ESG or CDBG funding.
- Develop and adopt a ten-year plan to end long-term homelessness, and identify the number of units and the support services needed to assist the homeless.
- Increase options for long-term transitional housing, especially for certain affected groups such as women with children, and those with mental health and chemical dependency issues.
- Apply for federal and State grants and other special funding that is designed to increase shelter and transitional housing options for homeless individuals, such as State of California Proposition 46 funds.
- Support services and agencies listed in the Stanislaus County 2004 Continuum of Care Application.
- Support the Homeless Management Information System (HMIS) to better identify gaps in service and to maintain accurate data about housing and service needs.

*Many individuals with special needs require access to a coordinated network of support services to achieve economic self-sufficiency and independent living*

## **Community Development Needs**

To achieve the City's goals for economic opportunity leading to self-sufficiency, a suitable living environment, and decent housing, a network of support services is needed to ensure that lower-income residents are trained and educated for the labor needs of today and tomorrow. This network is also needed to ensure that lower-income residents have access to transportation between work, home, and other daily activities; and have access to health care to remain self-sufficient. For working parents, access to childcare and/or programs for their school-age children is important. The network of services must ensure that lower-income residents can live as independently as possible within their physical and developmental abilities, and can be secure in their homes without the threat of violence.

Within the City, in various degrees, there is an ongoing gap in the availability of services across most categories of special need, including seniors, at-risk youth, working parents, persons with disabilities, individuals with chronic illness, and persons with other conditions affecting their ability to function independently and productively. In addition, there is a need to link access to supportive services to affordable and appropriate housing. More coordination and collaboration is needed between housing providers and service providers.

Based upon a community questionnaire, the following community development needs were determined to have a High priority:

- Affordable housing
- Health care facilities and health services
- Youth centers
- Fire stations and equipment
- Anti-crime programs
- Youth activities
- Child care centers
- Transportation services
- Park and recreational facilities
- Community centers
- Libraries
- Homeless shelters/services
- Child care services

Affordable housing and homeless needs are addressed under their respective sections. Priorities and strategies for addressing community development needs are as follows:

### *Community/Economic Development*

## **Priorities**

**Priority CD-1. Infrastructure improvements in low-income neighborhoods.**

**Priority CD-2. Americans with Disabilities Act (ADA) accessibility improvements.**

**Priority CD-3. Community centers/recreation facilities in low-income neighborhoods .**

**Priority CD-4. Infrastructure improvements to attract job-creating businesses.**

**Priority CD-5. Comprehensive workforce training.**

**Priority CD-6. Business recruitment and retention.**

General public services are intended to improve the quality of life and independence of lower-income persons, and promote prevention and early intervention on a variety of social concerns

## **Strategies**

- Continue to fund the renovation of the Maddux Youth Center, a facility located in a low-income area.
- Continue to fund the Neighborhood Center at Marshall Park, which contains a fire station, a police substation, and an office of the City's Parks, Recreation and Neighborhoods Department.
- Continue street paving in low-income areas as defined by HUD.
- Continue with installation of ADA curb cuts.
- Develop a Neighborhood Revitalization Strategy that will complement the "Weed and Seed" program. Components of this strategy will include the following:

- Code enforcement
- Housing rehabilitation
- Police Department's "Beat Health" programs
- Neighborhood clean-ups

### Public/Supportive Services

#### **Priorities**

**Priority CD-7. Supportive services that allow for independent living by populations with special needs.**

**Priority CD-8. Supportive services combined with housing programs for homeless persons and families .**

**Priority CD-9. Training in life skills and job and language skills.**

**Priority CD-10. Child care services.**

**Priority CD-11. Programs for at-risk youth.**

**Priority CD-12. Transportation services for those with special needs.**

#### **Strategies**

- Continue to fund public services at the highest percentage allowed by HUD regulations.
- Combine housing and services for homeless populations.
- Investigate new program to increase child care opportunities to low-income families.
- Investigate the use of CDBG funds for assistance in funding health care issues for low-income families and individuals.

### **How Priorities Were Established**

Priorities for the Consolidated Plan derive from the primary goals described at the beginning of this Executive Summary:

- To provide decent housing;
- To provide a suitable living environment; and
- To expand economic opportunities.

Priorities are also based on the City's belief that, by increasing self-sufficiency and economic opportunity, many of the housing, social service, educational, and other needs can be addressed more readily.

Members of the City are committed to allocating funds that serve the needs of the lowest-income and most disadvantaged residents. Households with incomes less than 50 percent of the area median income, particularly those with extremely low incomes (less than 30 percent of area median income), are particular priorities. The City has also identified special needs individuals as among those who face the greatest challenges and who should receive high priority in the expenditure of federal funds, including at-risk children and youth, lower-income families, the homeless and persons threatened with homelessness, the elderly (especially frail elderly), and persons with disabilities.

As described below, the City undertook an extensive outreach process to public and private organizations and individuals to identify priority needs and methods establishing those priorities.

## **The Planning Process**

The preparation of the Consolidated Plan began with "in-reach" among public agencies in the City. The City sought first to identify potential needs, service gaps, and key issues on which to focus the community outreach process.

The City also solicited input through the distribution of service provider questionnaires and resident surveys. Service providers were asked to identify critical issues pertaining to housing and community development needs, and any unmet needs or gaps in service. Residents were asked to rank various service and public facility needs in the City. The results were tabulated and priorities were established based on an average score.

To obtain further public input on the identification of priority needs and proposed strategies to address those needs, the City conducted a public workshop on the Consolidated Plan in February 2005, and a public hearing on the draft Consolidated Plan in May 2005.

## **Funding to Implement the Plan**

City members have identified several potential funding sources to implement the strategies contained in the 2005 – 2009 Consolidated Plan. These sources include, but are not limited to:

- Federal funds covered under the Consolidated Plan: CDBG, HOME, ESG, and HOPWA (provided through an agreement with the State of California as a recipient of HOPWA funds);
- Funds provided under other HUD programs, the Department of Commerce, the Federal Emergency Management Agency, and other federal agencies;
- State funds provided under various programs of the California Department of Housing and Community Development and the California Housing Finance Agency;
- State and federal tax credits and mortgage credit certificates;
- Tax-exempt bond proceeds;
- City's Redevelopment Agency tax increment funds and the low/moderate income set-aside from those funds;
- City's General Fund; and
- Private industry sources such as the Federal Home Loan Bank Board's Affordable Housing Program.

# **APPENDIX B**

## **Appendix B**

### **Amendments to the General Plan**

This document is the General Plan for the City of Modesto, as adopted by the Modesto City Council by Resolution No. 95-409 (August 15, 1995), and revised by the following General Plan Amendments:

#### **GPA 95-01 Fairview Village**

Adopted by City Council Resolution No. 95-584 (December 12, 1995).

#### **GPA 96-01 Pelandale-Snyder**

Adopted by City Council Resolution No. 96-20 (January 16, 1996).

#### **GPA 96-02 Delineating Number of Lanes For Expressways**

Adopted by City Council Resolution No. 96-338 (June 18, 1996).

#### **GPA 96-03 North Bever Park**

Adopted by City Council Resolution No. 96-639 (November 26, 1996).

#### **GPA 97-01 Empire North**

Adopted by City Council Resolution No. 97-3 (January 7, 1997).

#### **GPA 97-02 Deleting Housing Policy 15**

Adopted by City Council Resolution No. 97-137 (March 18, 1997).

#### **GPA 97-03 Kiernan Business Park/Carver Bangs**

Adopted by City Council Resolution No. 97-158 (April 1, 1997).

#### **GPA 98-01 Coffee/Claratina**

Adopted by City Council Resolution No. 98-293 (June 2, 1998).

**GPA 99-01 Pelandale/Snyder**

Adopted by City Council Resolution No. 99-162 (April 13, 1999).

**GPA 99-02 Coffee/Claratina**

Adopted by City Council Resolution No. 99-564 (November 16, 1999).

**GPA 00-01 Carpenter Road**

Adopted by City Council Resolution No. 2000-3030 (June 13, 2000).

**GPA 00-02 Dual Use Basins**

Adopted by City Council Resolution No. 2000-633 (December 12, 2000).

**GPA 01-01 Residential to Mixed Use, Dale Road**

Adopted by City Council Resolution No. 2001-47 (February 6, 2001).

**GPA 01-02 Allow Access to Class B & C Expressways**

Adopted by City Council Resolution No. 2001-476 (September 11, 2001).

**GPA 01-03 Residential to Mixed-Use, Roseburg/Mensing**

Adopted by City Council Resolution No. 2002-154 (April 2, 2002).

**GPA 02-01 Residential to Mixed-Use, Standiford Avenue**

Adopted by City Council Resolution No. 2002-526 (October 22, 2002).

**GPA 02-02 Shift Boundary Between Hetch Hetchy and North Beyer CPD'S to Add 17.4 Acres to the North Beyer CPD**

Adopted by City Council Resolution No. 2003-101 (February 25, 2003).

**GPA 03-01 Circulation & Transportation Map, School Policy, Archeological & Cultural Resource Policies, Airport Noise Policy, Employment Estimates, and Salida Comprehensive Planning District**

Adopted by City Council Resolution No. 2003-122 (March 4, 2003).

**GPA 04-01 Housing Element Update**

Adopted by City Council Resolution No. 2004-233 (April 27, 2004).

**GPA 05-01 Regional Commercial to Residential, Coffee/Claratina**

Adopted by City Council Resolution No. 2005-70 (January 25, 2005).

**GPA 06001- Add “Principal Arterial with Bike Lanes” to Circulation Element and Adopt Non-Motorized Transportation Master Plan.**

Adopted by City Council Resolution No. 2007-065,066, and 067 (January 9, 2007).

**GPA 07-001 Modesto Redevelopment Master Plan**

Adopted by Redevelopment Agency Resolution No. 09-2007 (October 2007).

Adopted by City Council Resolution No. 2007-599 (October 2007).