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**City of Modesto**
**Community and Economic**
**Development Department/Planning Division**
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*Modesto, CA 95354*

June 4, 2015

Melinda Benson, Specialist
California Department of Housing and Community Development
P.O. Box 952053
Sacramento, CA 94252-2053

Dear Ms. Benson:

Transmitted herewith is a copy of Modesto's General Plan Annual Report, approved by City Council at its regularly scheduled meeting of June 2, 2015.

This document is submitted for your use in compliance with Program 5.3c of Modesto's 2009 Housing Element.

Should your office require additional information, please feel free to contact me.

Kind regards,

Cindy van Empel, AICP CNU-A
Senior Planner

Enclosure

Housing Policy Department
Received on:

JUN 05 2015

# MODESTO

CALIFORNIA

# 2014 General Plan Annual Report

# 2014 General Plan Annual Report

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# I. INTRODUCTION

## A. Purpose of the Annual Report

This Annual Report on the Modesto Urban Area General Plan (Annual Report) has been prepared pursuant to California Government Code Section 65400(a)(2), and covers activities for calendar years 2010 through 2014. The purpose of this report is to update the Planning Commission, the City Council, the Governor's Office of Planning and Research (OPR), and the State Department of Housing and Community Development (HCD) regarding the City's progress in implementing the Urban Area General Plan (General Plan) and progress in meeting regional housing needs.

The Annual Report helps citizens and City officials review progress toward achieving the City's stated goals and objectives. It also provides the means to monitor the success of implementing the General Plan and determine if changes need to be made in the plan or its implementation programs.

## B. Purpose of the General Plan

The General Plan is a comprehensive statement of the City's goals and how those goals will be achieved over time. Policies and programs in the General Plan provide guidance to the public, staff, and decision makers on development issues. The General Plan for Modesto is best described as "a set of instructions on how to build a city". The General Plan is adopted and amended by the City Council, after considering recommendations by citizens, advisory bodies, other agencies, and City staff.

# II. OVERVIEW OF GENERAL PLAN STATUS WITH STATE GENERAL PLAN GUIDELINES

Section 65400 of the Government Code requires jurisdictions to include the degree to which the approved General Plan complies with the State of California General Plan Guidelines (Guidelines) in their Annual Report. The Guidelines outline the general framework for preparation and revision of a General Plan, Attorney General Opinions, and the relationship of the General Plan to State CEQA requirements. The Guidelines describe elements that are mandatory for all General Plans (e.g. Land Use Element, Housing Element, Circulation Element, etc.). In general, however, the State's Guidelines are advisory rather than prescriptive, thus preserving opportunities for local jurisdictions to address contemporary planning topics in a locally appropriate manner. Planning Division staff reviewed the State's General Plan Guidelines and determined that the Modesto Urban Area General Plan meets the requirements of the State Guidelines.

State law requires that general plans include seven (7) elements: Land Use, Circulation, Housing, Safety, Noise, Conservation, and Open Space. San Joaquin Valley cities must also have an Air Quality Element. Elements for other topics of local concern may also be included. The table below shows where in the Modesto General Plan each state-required element is found.

**Table II-1: Correspondence between Modesto General Plan and State-Mandated Elements**

| | Modesto General Plan Chapters | | | | |
|---|---|---|---|---|---|
| **State Required Element** | **Ch. III Community Development** | **Ch. IV Housing** | **Ch. V Community Services & Facilities** | **Ch. VI Public Safety** | **Ch. VII Environmental Resources & Open Space** |
| Air Quality | | | | X | |
| Circulation | | | X | | |
| Conservation | | | | | X |
| Housing | | X | | | |
| Land Use | X | | | | |
| Noise | | | | | X |
| Open Space | | | | | X |
| Safety | | | | X | |

The Modesto General Plan was adopted in 1995. The horizon year for the General Plan is 2025. The most substantial general plan amendments since 1995 are described below. Additional General Plan Amendments considered during the reporting period is provided in Section III, below.

**2003 General Plan Amendment (City Initiated)**

In 2003, the City adopted an amendment to the General Plan to revise the roadway system of the Circulation and Transportation Map and text in Chapter V (Community Facilities). This amendment revised roadway network facilities to reflect the 1998 Capital Facilities Fees Update. The Amendment also included changes to school policy in Chapter V to reflect SB-50, changes to airport noise policies in Chapter VII (Environmental Resources & Open Space) to permit air carrier service upgrades, and changes to the archeological and historical resources policies in that same chapter to meet new state law. Also included were changes to employment estimates for General Plan Comprehensive Planning Districts (CPDs) to reflect General Plan Master EIR traffic model data and amendment of the Salida CPD by combining CPDs to be consistent with the adopted Salida Community Plan in the Stanislaus County General Plan.

**2008 General Plan Amendment (City Initiated)**

In 2008, the City adopted an amendment to the Modesto Urban Area General Plan to add new policies to the General Plan according to one of three major categories: (1) incorporating as policy those practices that are regularly approved and which effectively have become policy, such as updating land use classifications to better correspond to zoning; (2) proposing new policies to provide direction for anticipated issues, such as climate change; and (3) incorporating previously-adopted policies that were not reflected in the General Plan, such as the roundabout policy. The amendment did not include major changes to the General Plan. A summary of the changes to the General Plan (GPA-06-002), and the location(s) where they can be found, is attached to this report (see Attachment 1).

**2011 General Plan Amendment (City Initiated)**

In 2011, the City adopted an amendment to the Modesto Urban Area General plan to include and/amend policies relating to flood control, groundwater recharge, transportation corridor studies, passenger rail, complete streets and minor text amendments. A summary of the changes to the General Plan (GPA-09-004), and the location(s) where they can be found, is attached to this report (see Attachment 2).

**2009-2011 Housing Element**

In June 2011, the City adopted the 2009-2014 Housing Element. In July 2011 the State Housing and Community Development Department (HCD) certified Modesto's 2009-2014 Housing Element as being in compliance with State housing law.

**2015-2023 Housing Element**
The City is currently preparing an amendment to the Housing Element, scheduled to be adopted by December 2015.

**2010 Circulation and Land Use Elements Update**
The City is currently preparing an amendment to the General Plan, focused on Chapter III, Community Development (Land Use Element) and Chapter V, Community Facilities and Services (Circulation Element). The General Plan Amendment project will modernize the General Plan goal and policy framework, and will result in a revised land use designation program intended to facilitate enhanced economic development. The GPA will identify priority locations and infrastructure projects, and establish stronger links to funding policies, programs and sources. Transportation corridors are a primary focus of the project, in terms of enhanced economic development potential, including mixed-use development, improved travel mode choice options and safety. The GPA will update the General Plan horizon year to 2040. The amendment is scheduled to be completed in 2016. The GPA work program is summarized in Attachment 3. Additional information on the GPA is available on the City of Modesto Community & Economic Development / Planning Division web site at: http://www.modestogov.com/ced/projects/gp-amendment.asp

**General Plan Master Environmental Impact Report**
The City prepared a Master Environmental Impact Report for the 2025 Urban Area General Plan. The Master EIR is a comprehensive analysis of the impacts of growth anticipated in the General Plan. The Master EIR provides a benefit to subsequent development projects by providing the required environmental review at the time of adoption of the General Plan. Updates to the MEIR were certified with associated City-initiated General Plan amendments adopted in 2003 and 2008. The City is preparing an update to the General Plan Master EIR for the related General Plan Amendment underway.

# III. IMPLEMENTATION OF THE GENERAL PLAN

The City of Modesto continues to actively implement policies of the General Plan including the goals, policies and programs of the Housing Element. The following represents the progress the City has made towards implementing the General Plan and Housing Element goals and policies during the reporting period.

## Community Development (Chapter III)

***Crows Landing Road Corridor Study:*** This Corridor Study establishes a plan for a safe and efficient multi-modal transportation facility serving the southern portion of Modesto, the western extension of Ceres, and portions of unincorporated Stanislaus County. The Corridor Study was funded by a Cal Trans Environmental Justice Grant, awarded in 2012, and the project was completed in February 2015.

***2015 Urban Growth Policy Review:*** The Modesto Urban Area General Plan "Community Growth Strategy" calls for a review of growth trends in the Modesto Urban Area on a periodic basis. Work on the 2015 Urban Growth Review (UGR) Update commenced in 2014 and is expected to be completed by May 2015. The primary purpose of UGR is to assure that there is an adequate inventory of vacant land served with urban infrastructure to accommodate anticipated economic development during the next five years. UGR is also conducted to assist the City Council in channeling the timing and direction of growth to those areas that can most feasibly be served with urban infrastructure. As an end result of this review, the City Council may determine which, if any, sewer trunk extensions as defined by the Modesto Citizens' Advisory Growth Management Act of 1995 (Measure M, see below) are needed and schedule those areas for a public advisory election. The UGR also provides information for a

determination as to which, if any of the unincorporated County "island" areas in the Modesto Sphere of Influence area should be considered for a Measure M sewer advisory vote.

***Downtown Partnership Program:*** The City is working with community groups, developers, business owners, citizens, and other stakeholders to create an improved program for the downtown area. The program coordinates downtown management and operations and addresses the full gamut of issues that contribute toward a successful downtown, including policing and security, transportation and parking, entertainment and nightlife, marketing, special events, fees, infrastructure needs, regulatory obstacles, new development, and passenger rail station planning (Ongoing).

***Mayors' Growth Management Plan:*** In 2010 through 2012, staff participated in discussions on a growth management plan/countywide agricultural preservation policy intended to be inclusive of each City's goals to guide future growth within cities and to protect prime farmland, initiated by the Mayors of the nine cities of Stanislaus County. The outcome of this effort lead to a City Council action in January 2012, declaring the Modesto General Plan boundary as Modesto's Urban Growth Boundary.

***Residential Urban Limit:*** In January 2014, City Council approved a motion directing that a Residential Urban Limit (RUL) Initiative proposal be reviewed and considered with the General Plan Amendment process currently under way and placement of a RUL ballot initiative on the November 2015 Regular Election. The RUL would have required a vote by the citizens of Modesto to allow entitlement processing for proposed specific plans and annexations that include residential land uses on land areas outside a defined Residential Urban Limit line. In March 2014, a Notice of Intention to Circulate a different proposed Citizen Initiative Petition referred to as the Stamp-Out-Sprawl (SOS) Initiative was filed with the City Clerk that served as a request for the City to prepare a ballot title and summary as required by law. In light of the proposed SOS Initiative, in November, 2014, the City Council rescinded the previous motion considering placement of a RUL ballot initiative on the November 2015 election. The proposed Citizen Initiative would add a new policy to the General Plan establishing a voter approval requirement for new nonresidential development and residential development with a density lower than 100 units per 10 gross acres that is located outside of areas defined by the initiative. The policy would apply to non-residential development outside of an Urban Limit (UL) and residential development outside of a Residential Urban Limit. This proposed Citizen initiative is scheduled for the November 2015 Election

***SR 108 Relinquishment and Reinvestment Plan:*** The State Route (SR) 108 Relinquishment and Reinvestment Plan is a collaborative project involving the cities of Modesto, Riverbank and Oakdale to identify urban design and streetscape concepts, regulatory guidance and incentives that would help encourage reinvestment along this important regional highway. The consulting firm AECOM and the Local Government Commission, prepared a successful grant application for the California Sustainable Communities Planning grant program to fund this work on behalf of this collaboration of the partner cities. The plan specifically focuses on existing, developed areas within the incorporated cities. The SR 108 corridor study area within Modesto extends approximately 4.5 miles from downtown Modesto north to the city limits at Pelandale Avenue. The plan is expected to be completed in the spring of 2015.

**Capital Improvement Program (CIP):** Staff assists with the annual updates to the Capital Improvement Program (CIP). In 2012, the CIP committee established downtown Modesto and the Kiernan Business Park Specific Plan area as priority development areas for capital improvement funding. The general plan amendment currently under way (GPA-10-001) proposes policies that support these priority development areas.

## Housing (Chapter IV)

Pursuant to Government Code Section 65400, the City is required to prepare an annual report on the status and progress in implementing the City's Housing Element using forms and

definitions adopted by the Department of Housing and Community Development. These forms and definitions were adopted on March 27, 2010, and are required to be used for the Annual Progress Report. The Housing Element annual report is provided in Section IV.

## Community Services and Utilities (Chapter V)

***Modesto Fire Department General and Master Plan for Services:*** The Fire Department has engaged the services of a consultant to prepare a plan for providing improved and more efficient service to City residents. This plan will guide investments in fire safety for the next 10 years and is expected to be completed in 2016.

### Transportation Policies

***Signal Timing Project***: The City has an ongoing program of citywide signal timing, funded through the federal Congestion Mitigation and Air Quality Improvement program. Additionally, dedicated right-turn pockets are built at various locations throughout Modesto through the Capital Improvement Program, which is updated annually.

***Bicycle Facilities:*** The City added approximately 1.25 miles of new Class II bicycle facilities to major thoroughfares in 2012, 20.5 miles in 2013, and about four miles more in 2014. This is a significant increase over Modesto's previous inventory of approximately 13.8 miles of Class II facilities, bringing the 2014 end-of-year Class II mileage to about 39.6 miles.

***Passenger Rail Feasibility Study:*** The City Council accepted a Downtown Passenger Rail Feasibility Study in February 2013. The study was funded by a Transportation Planning Grant awarded to the City in 2010. The Downtown Passenger Rail Feasibility Study addresses the following:

1. Preferred location of future passenger rail station (Chapter 2)
2. Passenger rail station site plan and local transportation interface (Chapter 2)
3. Preliminary planning estimates for right-of-way for station and rail approach, departure areas and for alignment from San Joaquin County to Merced County (Chapter 3)
4. Street / rail crossing alternatives (Chapter 2)
5. Funding sources and needed policy revisions (Chapter 4)
6. Recommendations and next steps (Chapter 5)

The Passenger Rail Feasibility Study is accessible on the City's web site at: http://www.modestogov.com/ced/rail/

### Water Policies

The Utilities Department is implementing the 2010 Water System Engineer's Report and is evaluating new well and tank sites to improve service in the Del Este system. Recent Findings of Conformance with the Water System Engineer's Report Program EIR include infrastructure for the unincorporated communities of Hickman and Del Rio, which receive City water through the former Del Este system.

### Wastewater Policies

The two following projects are being implemented via improvements to the Jennings Road Treatment Plant to treat sewer effluent to tertiary standards prior to discharging effluent to the San Joaquin River and by reducing storm water runoff flowing into the treatment plant, causing overflows of untreated sewage into the river. The third project is being implemented to allow the continuation of service to built areas of Modesto.

***Jennings Road Tertiary Treatment Plant:*** In 2011, Phase 1A of this project was completed, increasing tertiary-treated effluent from zero to 2.3 million gallons per day. Phase 2 of this

project, expected to be completed in four or five years, will result in all of the effluent discharged to the San Joaquin River to be treated to tertiary standards.

***Cross Connections Proposition 84 Grant:*** The City applied for and received a Proposition 84 grant in 2012 that will begin eliminating sewer-storm drain cross-connections.

***Sewer Trunk and Lift Station Rehabilitations:*** Several lift stations and sewer trunk lines around the city have been upgraded or replaced or are in the process of being upgraded or replaced to ensure continued good service. The Primary Outfall, Emerald Trunk, Emerald Relief Trunk, Coffee/Claratina Lift Station, Jefferson Lift Station, and Scenic Lift Station were all completed during the reporting period. Work continues on several other projects.

## Public Safety (Chapters VI)

Policies were added to the general plan in 2011 (GPA-09-004) that comply with recent changes to State law regarding flood hazards. Text and figures in Section VI.C.2 of the general plan acknowledge flood potential along the Stanislaus and Tuolumne Rivers, as updated by the Department of Water Resources.

## Open Space (Chapter VII)

***Virginia Corridor Bridge:*** In 2012, Modesto opened a pedestrian/bicycle bridge across Briggsmore Avenue, as part of the Virginia Avenue Corridor non-motorized path, to facilitate the ability of people to cross this four-lane expressway.

The Briggsmore Avenue overcrossing was also completed in 2013. The overcrossing is the 5th phase of the 4.2-mile Virginia Corridor park/trail. This project removed the physical barrier of crossing Briggsmore Avenue when using the Virginia Corridor and expanded use of the trail to the residents living north of Briggsmore Avenue.

***Mary Grogan Community Park:*** The City completed Phase 1 of the Mary E. Grogan Community Park in 2013, located in the Roselle-Claribel Comprehensive Planning District in the northeast part of Modesto. This phase developed the infrastructure of the 42-acre park while installing three (3) synthetic turf soccer fields and sufficient natural turf to accommodate four (4) full-size soccer fields. In addition, a one-mile long trail that circumnavigates the park was installed along with pathway lights, a 500 car parking lot, and a restroom, concession stand, and office building.

***Modesto – Waterford Greenbelt / Community Separator:*** City Council decided in 2013 to provide a letter of support for a greenbelt / community separator between Modesto and the City of Waterford.

## Safety, including flood hazards (Chapter VI)

### Flood Hazards:

The City restricts development in the 100-year floodplain. Much of the land in the floodplain has some level of development entitlement. As a result, eliminating the potential for development in parts of the floodplain not already owned by a governmental agency would result in a "taking." Instead, Modesto has limited the amount of new development that can occur. Policy VI.C.3.d further refers to policies contained in Chapter III designating most or all of the 100-year floodplain "Open Space," which restricts new development to one (1) unit for every ten (10) acres. Additionally, 200-year floodplain concerns are addressed.

***Local Hazard Mitigation Plan:*** The City has adopted and maintains a Local Hazard Mitigation Plan, in accordance with State law. The current plan is for 2010 – 2015 and was approved by

Cal-EMA September 22, 2010, and by FEMA March 7, 2011. City Council approved and adopted the Local Hazard Mitigation Plan on December 13, 2011.

### Fire Safety

Stanislaus County has a large number of fire protection districts, five (5) of which (Burbank-Paradise, Industrial, Salida, Woodland Avenue, Consolidated) have or had boundaries within Modesto's Sphere of Influence. In 2011, Modesto Fire Department entered into a Joint Powers Agreement with Stanislaus Consolidated Fire Protection District, Salida Fire Protection District, and the County Fire Warden for the provision of fire prevention and fire suppression services. Until mid-2014, these organizations operated as the Modesto Regional Fire Authority, when the organization was terminated, returning fire operations to the three parent agencies.

## Chapter VII. Environmental Resources and Open Space

Noise policies continue to be implemented through conditions of approval, contracting requirements, and recommending changes to development of sensitive receptors that are located in noise-incompatible areas, as identified by noise contours in the general plan. Construction mitigation is applied as a condition of approval or as a term of construction contracts with Modesto. Sensitive receptors that may be located within incompatible noise contours must either locate receptors outside incompatible noise contours or provide mitigation (superior insulation, sound walls, etc.) to reduce noise levels.

Implementation of the Modesto Urban Area General Plan is ongoing. Activities typically include processing private development applications and amendments to adopted specific plans and to the Urban Area General Plan. All planning-related applications and development permits including building permits, rezones, parcel maps, and specific plans must be found to be consistent with the General Plan to obtain approval. The Planning Commission and the City Council conduct public hearings to weigh the merits of development proposals as they affect the implementation and integrity of the General Plan.

Summaries of various planning applications and efforts from 2010 to 2014 are provided below. The summary identifies whether an activity was initiated by the City or by a private applicant.

### General Plan Amendments

Modesto's general plan was amended or proposed for amendment eight times between 2010 and 2014, including the amendments described below. State law allows a maximum of four amendments during any calendar year.

#### 2010

***Circulation and Land Use Elements Update:*** This City-initiated amendment to the Land Use and Circulation elements (described in further detail on page 4 of this report) will modernize policies and bring them into conformance with state law. The general plan will be realistic and will align land use and transportation, regional plans, fee programs, and expectations.

#### 2011

***Crows Landing Road***: This project proposed an amendment to the Land Use diagram changing the land use designation from Residential (R) to Commercial (C) for property on the east side of Crows Landing Road, north of Hatch Road and south of SR 99. This general plan amendment is related to the Shackelford Annexation (ANX-03-002), initiated to conform land uses with general plan designations for commercial uses fronting Crows Landing Road. Approved in November 2011. (City of Modesto)

**2012**

***Standiford Dental Office:*** This project proposed an amendment to the Land Use Diagram changing the land use designation from Residential R to Mixed-Use (MU) and a rezone from R-1 to Professional Office to allow for the conversion of a single family home to a dental office at 500 Standiford Avenue. Approved October 2012 (see also RZN 12-002). (Private applicant)

**2013**

***Marketplace Shopping Center:*** Amendment to the Land Use Diagram changing the land use designation for 12 acres of Mixed Use (MU) to Commercial (C) and 6 acres from Residential (R) to Commercial to allow the construction of an 18-acre shopping center. Changing the designation did not reduce Modesto's achievement of the Regional Housing Needs Allocation. Approved January 2014. (Private applicant)

**2014**

***Don's Mobile Glass (GPA-14-002):*** This project amended the Land Use Diagram, to change the land use designation from Redevelopment Planning District (RPD), Mixed-Use (MU), and Residential (R) to Commercial (C). It also included and a rezone from Medium Density Residential (R-2), Neighborhood Commercial (C-1), and Planned Development Zone P-D (300) to General Commercial (C-2) for a 4.7 acre former plant nursery to allow the relocation of an automobile glass installer from downtown. Approved September 2014. (Private applicant)

**Figure 1** shows the locations of general plan amendments adopted from 2011 to 2014.

## Specific Plans

The General Plan requires approval of specific plans as a precursor to development of the City's planned urbanizing area. Specific plans contain more detailed land use and design standards than the General Plan, and address the timing and financing of public facilities. The process for adopting a specific plan is similar to the process for adopting or amending a section of the General Plan. **Figure 2** shows the location of the Woodglen Specific Plan, as well as specific plan amendments approved during the reporting period.

***Woodglen Specific Plan:*** The Woodglen Specific Plan was approved in July 2013. The Specific Plan encompasses approximately 80 acres and accommodates up to 353 units of low-density residential and 180 units of medium-high-density residential units, as well as a central open space feature serving dual purposes as a water drainage basin and recreation area. (See location on **Figure 3**.) The Woodglen Specific Plan serves to implement goals and policies of the Modesto General Plan. The project included approval of a Facilities Master Plan and Infrastructure Financing Plan providing for the design and funding of infrastructure to serve the Woodglen project area. An Environmental Impact Report providing an analysis of the environmental impacts of the Specific Plan and associated FMP/IFP was certified in July 2013. The 80-acre Woodglen project annexation was recorded in January 2014. (Private applicant).

## Annexations

Four annexations of property to the corporate limits of Modesto occurred during the five-year period, totaling approximately 4,925 acres. Today Modesto comprises a total of 44.8 square miles.

***Shackelford:*** Approximately 150 acres of developed land within the City's Sphere of Influence, including almost 500 residences and about two dozen businesses. Included redesignation of property along Crows Landing Road from Residential to Commercial. Annexed to Modesto in June 2012. (City of Modesto)

***Woodglen Specific Plan:*** An 80-acre residentially-planned project. Annexation denied by the Local Agency Formation Commission in September 2013 due to issues with LAFCo's 2012 agricultural preservation policy. This item was reheard and approved by LAFCo in December 2013. (Private applicant)

***Gallo Office:*** The annexation of 4.68 acres to Modesto and consolidation of parcels in order to orderly develop a new office building on the Gallo complex. Annexed to Modesto in April 2014. (Private applicant)

***Jennings Road Wastewater Treatment Annexation:*** The annexation of 15 parcels totaling 4,690 acres of land along the San Joaquin River seven miles southwest of the corporate limits of Modesto for the sole purpose of sewerage treatment and disposal. LAFCo certified the action as complete in January 2011.

**Figure 3** shows the locations of annexations to the corporate limits of Modesto considered or completed from 2010 to 2014.

**Sewer Advisory Measures**

Measure M, the "Citizens' Advisory Growth Management Act of 1995," requires the City Council to hold an advisory vote of the citizens of Modesto prior to extending sewer trunk lines to areas outside of the current sewer service area. As a standard procedure, the City's adopted Measure M implementation policy requires a public improvement agreement with the County and a comprehensive strategy for extending and upgrading all infrastructure to be in place prior to setting a "Measure M" advisory vote on the ballot. Sewer advisory measures were scheduled for the following unincorporated island areas during the reporting period:

***Parklawn:*** In August, 2010, City Council approved placing on the November 2010 Election a "Measure M" sewer advisory measure to enable the extension of city sewer service to an unincorporated 86-acre developed area referred to as the Parklawn neighborhood, designated General Plan as Residential (R). Approved by voters on the November 2010 ballot. (City of Modesto)

***Rouse-Colorado:*** In July 2011, City Council approved placing on the November 2011 Election a "Measure M" sewer advisory measure to enable the extension of city sewer service to a 154-acre unincorporated area referred to as Rouse-Colorado, designated as Residential (R) and Mixed Use (MU). Approved by voters on the November 2011 ballot. (City of Modesto)

***Airport Neighborhood:*** In April 2013, City Council approved placing on the November 2013 Election a "Measure M" sewer advisory measure to enable the extension of city sewer service to a 165-acre unincorporated area referred to as the Airport Neighborhood, designated as Residential (R) and Industrial (I). Approved by voters on the November 2013 ballot. (City of Modesto)

## Zoning Code Amendments

***Zoning Code Update:*** In May 2010, City Council approved an Omnibus Zoning Code amendment addressing provisions for non-conforming uses, structures, sites and lots, height of wall signs, manufactured homes, lot area provisions for Planned Development Zone, and other miscellaneous code amendments. (City of Modesto)

***Downtown Core Zone:*** In July 2010, City Council adopted a Form Based Code for a 43-block area encompassing the "downtown core" area of Modesto. The Downtown Core organizes the downtown core into three districts: the Central District (maximum 15 stories), the Transition District (maximum 8 stories) and the Buffer District (maximum 3 stories). The zoning districts include areas of special consideration for high-speed rail, historic preservation and historic resources. Development occurring within or adjacent to these areas will be guided by principals that recognize the unique nature of the sites. The development standards regulate elements

such as parcel size, building placement and configuration, uses, parking provisions and encroachments. The Downtown Core Zone promotes mixed use in downtown without being subject to a costly and time consuming rezone effort which was previously required under the conventional zoning. (City of Modesto)

***Zoning Code Update:*** In April 2012, City Council approved a comprehensive maintenance amendment to the Zoning Code, including update of permitted / conditional uses, conversion of land use and site development standards from text to table format, and update to administrative and procedural provisions. (City of Modesto)

***Sign Code Amendment:*** Amendment to the Sign Code to allow a broader array of uses to have electronic message board signs, while including provisions addressing neighborhood compatibility and traffic safety issues. In addition, the amendment included provisions for Video Signs. Adopted March 2012. (City of Modesto)

***Downtown Core Zone Amendment:*** Amendment to the provisions of the Downtown Core (DC) Zone pertaining to building siting, providing greater flexibility for building placement based on building type and use, while maintaining a strong connection between the public and private realm. Adopted July 2010. (City of Modesto)

***Outdoor Dining Provisions:*** Update to the City's outdoor dining ordinance in the downtown area to complement the downtown form-based code. Adopted January 2013. (City of Modesto)

***Substance Abuse Clinics:*** Amendment to the Zoning Code to allow substance abuse clinics as a permitted use in commercial zones. Adopted January 2014. (City of Modesto)

***Downtown Form Based Code Amendment:*** The City is in the process of amending the Zoning Code to expand the Downtown Core zone approved in 2010 to encompass most of the original square-mile downtown area. The Downtown Form Based Code is Modesto's portion of a Countywide Proposition 84 Strategic Growth Council planning grant to fund a "toolbox" that can be used by other municipalities in Stanislaus County. The project is a revitalization strategy which is expected to reduce vehicle miles traveled, improve non-automobile mode share and reduce air pollution, while increasing property and sales tax revenue. Furthermore, accommodating additional or intensified development downtown will result in improved efficiencies for service provision – including public safety and utilities among others. Adoption scheduled for spring 2015. (City of Modesto)

**Figure 1**, GPAs (11 x 17)

**Figure 2**, annexations

| Table III-1: Planning Applications Received Between 2010 and 2014 | | | | | |
|---|---|---|---|---|---|
| | **2010** | **2011** | **2012** | **2013** | **2014** |
| General Plan Amendments | 1 | 3 | 1 | 1 | 3 |
| Specific Plans | 0 | 0 | 0 | 1 | 0 |
| Specific Plan Amendments | 1 | 0 | 0 | 2 | 2 |
| Annexations | 2 | 2 | 1 | 1 | 0 |
| Code Amendments | 7 | 9 | 9 | 5 | 9 |
| General Plan Conformity | 2 | 2 | 0 | 1 | 0 |
| Variances | 1 | 3 | 0 | 3 | 0 |
| Conditional Use Permits | 6 | 8 | 6 | 6 | 6 |
| Parcel and Subdivision Maps | 4 | 2 | 3 | 5 | 8 |
| Right of Way Abandonments | 1 | 0 | 0 | 3 | 2 |
| Administrative Plan Reviews | 4 | 8 | 3 | 4 | 3 |
| Concept Plan Reviews | 3 | 0 | 1 | 5 | 0 |
| Development Agreements | 1 | 0 | 1 | 0 | 1 |
| Development Plan Reviews | 12 | 21 | 13 | 17 | 11 |
| Final Development Plans | 0 | 1 | 0 | 0 | 0 |
| Lot Line Adjustments | 6 | 6 | 3 | 8 | 6 |
| Second Story Reviews | 3 | 6 | 4 | 6 | 6 |
| **Total Applications** | **54** | **71** | **33** | **68** | **57** |

In addition to the applications summarized above, planning staff reviewed business licenses; conducted plan check reviews to ensure the proposed business, improvements, or new construction are in compliance with the Zoning Code; prepared zoning verification letters; and responded to customer inquiries on the phone and public counter. There were 265 lot line adjustments, second-story reviews, and zoning verification letters during the reporting period.

During the reporting period, staff worked on a variety of tasks related to General Plan implementation. By way of example, these tasks included, but were not limited to:

- Regional Sustainable Communities Strategy / 2014 Regional Transportation Plan (2014)
- "Graffiti Cruise" route downtown (2012)
- City's Standard Specifications (2014)
- Development Agreement Procedures Update (2011).
- Railroad Quiet Zone study (2014)
- Downtown Passenger Rail Planning - funding for design & construction (2013)
- Finch Road Phase 2 hazardous materials study (2013)
- CEQA services to other City departments / divisions (on-going)
- ADA Transition Plan (completion scheduled for 2015)

During 2010, 2011, 2012, 2013, and 2014 the Planning Division engaged in a total of 100 similar projects or work programs.

# IV. HOUSING ELEMENT REPORT

This section of the Annual Report describes the actions taken by the City toward completion of the programs in the Housing Element, including requirements of the California Housing and Community Development Department (HCD) regarding the development of housing at various income levels. As defined in law and expressed in Chapter IV of the General Plan, these income levels are shown on Table IV-1 below, reproduced from Table 2.7 of Modesto's Housing Element.

**Table IV-1: Stanislaus County Income Categories, 2007**

| Category | Definition | Income Range |
|---|---|---|
| Family Median Income | | $40,101 |
| Extremely Low Income | Up to 30% of median | Up to $12,030 |
| Very Low Income | Up to 50% of median | $12,031 to $20,050 |
| Low Income | 51% to 80% of median | $20,050 to $32,081 |
| Moderate | 81% to 120% of median | $32,081 to $48,121 |
| Above Moderate | More than 120% of median | Greater than $48,121 |

Source: 2007 – 2014 Regional Housing Needs Allocation Plan for Stanislaus County, Stanislaus Council of Governments, September 2008

In 2012, Modesto completed a large inhabited annexation of a County "island" within Modesto's Sphere of Influence (Shackelford), which included 417 single family and 80 multi-family dwellings (497 total). In 2013, Modesto completed a large uninhabited annexation which included one single family dwelling (Woodglen). These units are not accounted for in the table above because building permits were not issued for these dwellings. However, the annexations in question were required as part of Modesto's 2009 – 2014 Housing Element and the dwellings within those areas are included in other areas of this report. Table IV-2 indicated the number of dwelling units built and demolished by year.

**Table IV-2: Residential Building Permit Activity**

| | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | Totals |
|---|---|---|---|---|---|---|---|
| **Single Family Units** | 64/38[1] | 24 | 42 | 25 | 13 | 2 | 208 |
| **Multifamily Units** | 20/10[1] | 0 | 0 | 0 | 112 | 18 | 160 |
| **Units Lost** | 17 | 12 | 6 | 13 | 16 | 30 | 94 |
| **Totals** | 115 | 12 | 36 | 12 | 109 | - 10 | 274 |

[1] 2009 building permit activity for single family and multifamily units are divided to show permits finaled between January 1 and June 30, and those having final inspection between July 1 and December 31 to be consistent with Housing Element reporting requirements established by the California Department of Housing and Community Development.

The following tables are reporting requirements of HCD. They are intended to assist HCD in evaluating the degree to which Modesto implemented housing programs in the 2009 – 2014 Housing Element.

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction** Modesto

**Reporting Period** 2010 - 2014

### Table IV-3

### Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

| Housing Development Information | | | | | | | | | Housing with Financial Assistance and/or Deed Restrictions | | Housing without Financial Assistance or Deed Restrictions |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | | | | 5 | 5a | 6 | 7 | 8 |
| Project Identifier (may be APN No., project name or address) | Unit Category | Tenure R=Renter O=Owner | Affordability by Household Incomes | | | | Total Units per Project | Est. # Infill Units* | Assistance Programs for Each Development | Deed Restricted Units | |
| | | | Very Low-Income | Low-Income | Moderate-Income | Above Moderate-Income | | | See Instructions | See Instructions | Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions. |
| Archway Commons 029009035, 105045003 | | R | 53 | 23 | -- | -- | 76 | 76 | RDA, HOME | 76 | |
| Hope Village 030056028-047 | | O | 4 | 16 | -- | -- | 20 | 20 | HOME, CHDO | 20 | |
| 605 Coolidge 031002050 | | R | 32 | -- | -- | -- | 32 | 32 | HOME, NSP2 | 32 | |
| Bennett Place 033068030 | | R | 18 | -- | -- | -- | 18 | 18 | HOME, NSP2, NSP3 | 18 | |
| Downey Place 107001003 | | R | 11 | | | | | | HOME, NSP2, NSP3, RDA | 11 | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| (9) Total **of Moderate and Above Moderate** from Table 5 ► ► ► ► ► ► | | | | | 24 | 195 | -- | 327 | | | |
| (10) Total by income Tables 3 and 5 ► ► | | | 118 | 39 | 24 | 193 | -- | -- | | | |
| (11) Total **Extremely Low-Income** Units* | | | Typically calculated at 50% of VLI units. | | | | | | | | |

* Note: These fields are voluntary

**Table IV-4**

**Annual Building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table 3)**

| | 1. Single Family | 2. 2 - 4 Units | 3. 5+ Units | 4. Second Unit | 5. Mobile Homes | 6. Total | 7. Number of infill units* |
|---|---|---|---|---|---|---|---|
| Number of **Moderate-Income** Units Permitted | | **13** | -- | **2** | **9** | 24 | **24** |
| Number of **Above Moderate-Income** Units Permitted | 179 | 10 | 8 | -- | -- | 195 | 179 |

* Note: This field is voluntary

| | | | |
|---|---|---|---|
| 3.4a Preservation of Units at Risk | ▪ Monitor and solicit participation in retention programs | 5 yr | ▪ There are no units currently at risk; monitoring continues |
| 4.1a Zoning Code Amendments | ▪ Revise zoning to clarify where transitional and supportive housing is permitted<br>▪ Identify at least one zone where an additional emergency shelter is permitted<br>▪ Create incentives for land assembly by allowing increasing density on increasingly large lots<br>▪ Establish a formal reasonable accommodation procedure (P 3.1d)<br>▪ Allow condominiums where multiple-family is allowed<br>▪ Expand existing form-based code in downtown | 5 yr | ▪ Complete<br>▪ Complete, 2010 (CM, M-1, M-2)<br>▪ Considered; not appropriate for Modesto<br>▪ Reasonable accommodation is being considered as part of the ADA plan, expected to be adopted in 2014<br>▪ No change needed; not prohibited<br>▪ Under way, expected 2013 |
| 4.1b Large Sites for Lower-Income Housing | ▪ Facilitate lot line adjustments, specific plans to allow larger sites | 5 yr | ▪ Woodglen SP annexed 2013 (176 mfd) |
| 4.1c Lot Consolidation | ▪ Facilitate lot consolidation | | ▪ No requests have been made during this planning period |
| 4.2 Residential Sites Inventory | ▪ Maintain residential sites inventory<br>▪ Consider increasing density bonus provisions in zoning code<br>▪ Amend KBPE to include housing, annex Woodglen and Pelandale/McHenry | | ▪ Site inventory is updated throughout the year.<br>▪ Considered as part of the code update; not appropriate for Modesto<br>▪ KBPE amended 2009; Woodglen annexed 2013; no interest in PMcH at this time; Modesto has more than 500 acres of developable residential land at this time and there is no significant building activity |
| 5.1a Reduction of Parking Standards | ▪ Continue to offer reduced parking for senior housing<br>▪ Review mixed-use parking standards for possible reductions | 5 yr | ▪ Yes<br>▪ Is being considered with form-based code |
| 5.2a Multi-Family Developer Incentive Program | ▪ Provide fee deferrals for mfd-density bonus projects over five years | 5 yr | ▪ There have been no density bonus projects |
| 5.3a Streamlined Application Review and Permit Processing | ▪ Continue periodic review of application processing procedure | 5 yr | ▪ Yes |
| 5.3b Administrative Coordination | ▪ Continue internal coordination to facilitate the construction of affordable housing | 5 yr | ▪ Yes |
| 5.3c Annual Report of General Plan | ▪ Conduct annual reviews of general plan implementation | 5 yr | ▪ This is part of a triennial review; as a charter city, Modesto is not required to prepare an annual report, but has agreed to prepare an annual report to assist HCD |
| 6.1a Urban Growth Policy Update | ▪ Conduct an Urban Area Growth Review every two years in odd years | 5 yr | ▪ Since 2008, development activity has dropped precipitously, while the city has increased its supply of developable farmland at the edge of the city and increased the potential for development in part of downtown. Modesto currently has more than 550 acres of developable farmland and substantial infill capacity, enough for at least 15 years of demand at historic rates. |
| 6.2a Encourage Infill Development | ▪ Continue encouragement<br>▪ Prepare mixed use overlay zone to implement Redevelopment Master Plan | 5 yr | ▪ Yes<br>▪ The Redevelopment Master Plan called for three different, overlapping development treatments for downtown. Modesto has chosen to implement a form-based code, as described in 4.1a. |
| 7.1a Coordination of Housing and Economic Development Efforts | ▪ Ongoing economic development efforts | 5 yr | ▪ Economic development was previously part of the Redevelopment Agency; activity continues as part of the Community & Economic Development Department |
| 7.1b Affordable Workforce Housing | ▪ Ongoing efforts to develop affordable housing consistent with this element of the Urban Area General Plan | 5 yr | ▪ This effort is ongoing and continuous, as described under all of the foregoing programs |

**General Comments:**

Due to the recession, development activity in Modesto has dropped significantly. Modesto has lost population, apparently due to rising gas prices, foreclosures, and substantial workforce reductions locally and in areas to which many Modestans commute. For these reasons, the supply of housing has exceeded demand for the last several years, as demonstrated by residential and commercial vacancy rates that are much higher than normal. Development activity in Modesto has lagged accordingly.

At the end of 2014, there is some interest in new development, although interest hasn't yet been translated into construction. Modesto continues to struggle with difficult economic conditions.

## Table IV-5

## Regional Housing Needs Allocation Progress

### Permitted Units Issued by Affordability

| Enter Calendar Year starting with the first year of the RHNA allocation period. See Example. | | | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | | | | Total Units to Date (all years) | Total Remaining RHNA by Income Level[3] |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Income Level** | | **RHNA Allocation by Income Level[1]** | **Year 1[2]** | **Year 2** | **Year 3** | **Year 4** | **Year 5** | **Year 6** | **Year 7** | **Year 8** | **Year 9** | | |
| **Very Low** | **Deed Restricted** | 2574 (2596) | 0/0 | -- | -- | 4 | 85 | 29 | | | | 107 | (-10 Shackelford) **2446** |
| | **Non-deed restricted** | | -- | -- | -- | -- | -- | -- | | | | 0 | |
| **Low** | **Deed Restricted** | 1783 (1818) | 0/10 | -- | 3 | 3 | 24 | -- | | | | 40 | (-10 Shackelford) **1733** |
| | **Non-deed restricted** | | -- | -- | -- | --- | -- | -- | | | | 0 | |
| **Moderate** | **Deed Restricted** | 2122 (2145) | -- | -- | -- | -- | -- | -- | | | | 0 | (-44 Shackelford) **2056** |
| | **Non-deed restricted** | | 4/8 | 6 | 3 | 1 | 4 | -- | | | | 22 | |
| **Above Moderate** | | 3796 (4571) | 185/61 | 19 | 38 | 17 | 10 | 2 | | | | 147 | (-432 Shackelford + 1 Woodglen) **3218** |
| **Total RHNA by COG. Enter allocation number:** | | 10275 (11130) | | | | | | | | | | 316 | **9453** |
| **Total Units ► ► ►** | | | **189/79** | **25** | **44** | **25** | **123** | **31** | | | | | |
| **Remaining Need for RHNA Period ► ► ► ► ►** | | | | | | | | | | | | | |

Note: units serving extremely low-income households are included in the very low-income permitted unit totals.

1 The adjusted RHNA is shown with the original RHNA in parentheses. Adjusted RHNA appears on page 4-1 in Modesto's Housing Element and on Table 4-11.
2 This figure is split, showing units built in the first six months/last six months of 2009. Units built in the first six months have already been accounted for in the adjusted RHNA and are not counted toward "Total Units to Date (all years)".
3 "Total Remaining RHNA by Income Level" has been adjusted downward to account for units counted toward RHNA (adjusted RHNA) that are not newly built, but which were annexed to Modesto in 2012 and 2013.

## Table IV-6

## Program Implementation Status

| **Program Description**<br>(By Housing Element Program Names) | **Housing Programs Progress Report - Government Code Section 65583.**<br>Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element. | | |
|---|---|---|---|
| **Name of Program** | **Objective** | **Timeframe in H.E.** | **Status of Program Implementation** |
| 1.1a Community Housing Coalition | ▪ Participate in monthly meetings | 5 yr | ▪ Yes |
| 1.1b Affordable Housing Resources | ▪ Consolidated Plan: 50% assistance for very/ext low income hh | 5 yr | ▪ Yes |
| 1.1c Consolidated Plan | ▪ Prepare Annual Action Plan<br>▪ Prepare new Consolidated Plan | 5 yr | ▪ Yes<br>▪ Yes |
| 1.1d Non-Profit Housing Development Corporations | ▪ Ongoing financial and logistical support | 5 yr | ▪ Yes |
| 1.1e Land Banking/Land Trust/Surplus Land | ▪ Ongoing land banking<br>▪ Explore other options | 5 yr | ▪ Work continues in this area |
| 1.1f Homebuyer Assistance | ▪ Assist 90 households | 5 yr | ▪ 38 families through NSP Homebuyer Asst. Program |
| 1.1g Rental Assistance | ▪ Petition for more Section 8 funding<br>▪ 50% assistance | 5 yr | ▪ Staff continues to work on this item |
| 1.1h Relocation Assistance | ▪ Assistance due to RDA activities | 5 yr | ▪ Program defunct; RDA abolished Feb 2012 |
| 1.1i Continuum of Care for the Homeless | ▪ Support and funding; add 5 units transitional housing | 5 yr | ▪ Staff continues to work on this item |
| 1.1j Neighborhood Stabilization Program | ▪ Rehabilitate up to 175 houses<br>▪ Housing for 20 adults, 70 aged-out foster children | 5 yr | ▪ 33 units for aged-out foster youth have been completed.<br>▪ Rehabilitated 175 houses for rental and ownership |
| 1.2a Transitional Housing Program | ▪ Ongoing support | 5 yr | ▪ Yes |
| 1.2b Land Assembly in Existing Neighborhoods | ▪ Ongoing support | 5 yr | ▪ Yes |
| 1.3a Foreclosure Assistance | ▪ Ongoing support | 5 yr | ▪ Modesto cohosted several public workshops during the foreclosure crisis |
| 2.1a Manufactured Housing | ▪ Provide information<br>▪ 10 du/yr = 50 du | 5 yr | ▪ Information is provided by Building and Planning staff as requested |
| 2.1b Handicapped Accessible Housing | ▪ Compliance with FHAA; promote awareness | 5 yr | ▪ 6 units assisted with handicap accessibility remodeling bathrooms, ramps, etc. |
| 2.1c Fair Housing Services | ▪ Provision of fair housing services<br>▪ Submit annual report | 5 yr | ▪ From 2010 to end CY2013, Project Sentinel provided fair housing services to 338 persons and served a total of 4042 persons |
| 2.2a Accessory/Second Units | ▪ Facilitate development; 5 du/yr = 25 du | 5 yr | ▪ One unit built in 2013 (033037044) |
| 2.3a Small-Lot Development | ▪ Facilitate sfd development on <5,000 ft2 lots | 5 yr | ▪ No significant development of market-rate units has occurred during the planning period |
| 3.1a Housing Rehabilitation and Improvement | ▪ Assist 25 hh/yr = 125 hh | 5 yr | ▪ Assistance provided for 28 houses and 3 mobile homes |
| 3.1b Energy Conservation and Efficiency | ▪ Promote program<br>▪ Assist 10 hh/yr = 50 hh | 5 yr | ▪ Assistance provided to 28 houses |
| 3.1c Distribution of Energy Saving Devices | ▪ Offer to rehabilitation clients | 5 yr | ▪ Provided 12 solar panel-operated roof vents |
| 3.1d Reasonable Accommodation | ▪ Ongoing enforcement of building codes<br>▪ Establish formal process | 5 yr | ▪ Modesto is currently preparing an ADA plan, which will include reasonable accommodation policies; adoption expected 9-12 mo. |
| 3.1e Ongoing Coordination with County re "Islands" | ▪ Address property tax and infrastructure upgrades w Cty<br>▪ Pursue annexation of Shackelford | 5 yr | ▪ Urban Growth Review prepared 2009<br>▪ Shackelford process begun 2003, completed 2012 |

## ATTACHMENT 1

## SUMMARY OF AMENDMENTS TO THE URBAN AREA GENERAL PLAN (2008)

## Summary of Amendments to the Urban Area General Plan (2008)

**The following information is a brief summary of changes to the Urban Area General Plan, and the location(s) where they can be found.**

a. Practices to Policies
The General Plan Amendment incorporates as policies the following practices that are regularly approved and have effectively become policy. These policies have not been the subject of prior environmental review.

- Land use classifications—The land use classifications have been updated where necessary and refined to better correlate with zoning (Chapter III.B).
- Sphere-of-influence development—Development that occurs within the sphere of influence, and the relationship between City and County, is addressed in the General Plan Amendment (Chapter VIII.C).
- Construction of rock wells—Policies restrict the construction of new rock wells (Chapter V.E).
- "Potable well water" definition—A definition of "potable well water" has been added to the Urban Area General Plan (Chapter V.C).

b. Proposed Policies
The General Plan Amendment includes new policies to provide direction for anticipated issues. These policies have not been the subject of prior environmental review.

- Infrastructure financing—Utilities policies have been revised in light of necessary authorities for growth financing. Pay-as-you-go financing has been changed to "up front" infrastructure construction (Chapters II.B, III.D, VIII.D, E, and T).
- Comprehensive Planning District policies—Policies for the implementation of Comprehensive Planning Districts (CPDs) have been expanded to better guide future specific plans and development with respect to land use policies, public facilities, and infrastructure planning (Chapter III.D).
- Air quality element—Data, analysis, goals, policies, and implementation strategies of the air quality section have been revised pursuant to AB 170, "Air Quality Element: San Joaquin Valley" (codified in Section 65302.1 of the Government Code), which requires each city and county in the San Joaquin Valley Air Pollution Control District to amend its general plan (either through existing elements or by adding an air quality element) to include analyses, goals, policies, and implementation strategies to improve air quality in the region (Chapter VII.H).
- Greenhouse gas/global climate change policies—New policies have been included for the purpose of supporting the State goal of reducing greenhouse gas production to 1990 levels by 2020 (Chapter VII.I).
- Annexation policies—Current annexation policies have been revised to reflect the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Stanislaus County Local Agency Formation Commission procedures (Chapter VIII.D).

- Minimum specific plan size—The proposed amendment addresses a minimum specific plan size (Chapter III.C).

- Dry Creek and Tuolumne River CPDs—Development in the Dry Creek and Tuolumne River CPDs has been addressed in the proposed amendment (Chapter III.D).

- Biological and archaeological resource study areas—The proposed amendment has revised the boundaries to better reflect biologically and archaeologically sensitive areas (Chapter VII.E and F).

- Provision of sewer and water service within the sphere of influence—The proposed amendment addresses the provision of sewer and water service within the City's sphere of influence (Chapter V.D and E and Chapter VIII.U).

- Development in the 100-year floodplain—The proposed amendment addresses development within the 100-year floodplain and incorporates the most recent Flood Insurance Rate Map information (Chapter VI.C).

- Archaeological and cultural resources—Policy updates related to archaeological, cultural, and historic resources have been made based on state law, including State CEQA Guidelines Section 15064.5. The planning process includes required consultations with Native American tribes pursuant to Senate Bill 18. General policies regarding paleontological resources have been included to reflect the potential for encountering resources (Chapter VII.F).

- Public infrastructure in private developments—The proposed amendment defines public infrastructure in private developments (Chapter V.F).

- Police staffing goal—The proposed amendment establishes a police staffing goal of 1.85 sworn officers per 1,000 citizens (Chapter V.J).

- Fire department response times—The proposed amendment establishes Modesto Fire Department response time standards (Chapter V.K).

- Timing of street frontage improvements for minor annexations—The proposed amendment addresses the timing of frontage improvements for annexations of County islands (Chapter VIII.D).

- Redevelopment Master Plan—General Plan policies have been revised to be consistent with the Redevelopment Master Plan, which was adopted in October, 2007 (Chapter III.B).

- Utilities/infrastructure—Utility policies have been updated to reflect utility constraints and coordinate with updates to the Water and Storm Drainage Master Plans (Chapter V.C and E).

- Road system changes—In addition to traffic policy revisions, the following are known needed changes to the road network (Chapter V.B):

    - Dale Road—A change from a minor arterial to a principal arterial in the entire General Plan area and a change from four lanes with the possibility of bike lanes to six lanes with no bike lanes.

- Bangs Avenue—A change from a minor collector to a major collector with bike path from Dale Road to Tully Road and a change from two travel lanes to four travel lanes with bike lanes.

- Claratina Expressway—Revision of the alignment, and a change from a four-lane expressway to a six-lane principal arterial east of Oakdale Road to Roselle Avenue, which allows for four travel lanes and Class I bicycle facilities.

- Carpenter Road—A change from a six-lane expressway to a principal arterial with bike lanes from State Route 132 to Whitmore Avenue and a change from six lanes without bike lanes to six lanes with bike lanes.

- Claus Road—Moving the alignment of Claus Road from Floyd Avenue to Claratina Avenue west of the Burlington Northern Santa Fe Railroad tracks.

- Sylvan Avenue—A change from principal arterial to minor arterial with Class II bicycle facilities from Oakdale Road to Roselle Avenue.

- Mitigation in the Master EIR—Mitigation arising in the Master EIR is included in the proposed amendment as policies.

c. Include Adopted Policies

The GPA incorporates the following previously-adopted policies in the UAGP. These policies have been the subject of prior environmental review as part of the policy adoption process.

- Specific plan implementation—Policy language that describes the elements of the comprehensive planning process and policies supporting and referencing the specific plan preparation guidelines adopted on October 5, 2004, is included in the proposed amendment (Chapters II.B, III.C, III.D, VIII.E).

- Urban design—The amendment includes adopted policies that support the preparation of design guidance documents, such as the Guidelines for Small Lot Single-Family Residential Development. The recently adopted Guidelines for Commercial and Industrial Development are incorporated into the proposed amendment by reference (Chapters III.C and VIII.E).

- Utilities/infrastructure—Utility policies are updated to reflect utility constraints and to coordinate with the recently updated Wastewater Master Plan and the adopted Joint Urban Water Management Plan (Chapter V.C and D).

- Roundabout Policy—The amendment incorporates by reference the adopted City Roundabout Policy (Chapter V.B).

- 1991 and 1998 traffic study criteria—The amendment incorporates the adopted 1991 and 1998 traffic study criteria (Chapter V.B).

- Expressway access policy—The proposed amendment incorporates the adopted expressway access policy that regulates and limits the number and design of access locations in order to ensure the overall operational viability of expressways in the community (Chapter V.B).

- Stormwater—The proposed amendment includes water quality and watershed protection principles that have been incorporated into the storm-drainage section of the General Plan consistent with the City's National Pollutant Discharge Elimination System permit, stormwater pollution prevention plan, and new guidelines (Chapter V.E).

- Dual-use park-basin policy—The dual-use park-basin policy (adopted December 12, 2000) is incorporated by reference into the proposed amendment (Chapter V.E and G).

- Long Range Transit Plan—The Long Range Transit Plan for the City of Modesto (adopted in August 2000) is incorporated by reference into the proposed amendment (Chapter V.I).

- Hazard Mitigation Plan—The proposed amendment incorporates by reference the Hazard Mitigation Plan, adopted September 2005 (Chapter V.K).

- City of Modesto 2001–2004 Strategic Plan—Appropriate objectives and policies from the adopted City of Modesto 2001–2004 Strategic Plan have been incorporated into the proposed amendment (throughout the Urban Area General Plan).

- Measure M (Citizens' Advisory Growth Management Act of 1995)—The adopted Measure M policy has been incorporated by reference into the proposed amendment (Chapter VIII.V).

- Reasonable certainty policy—The proposed amendment incorporates the adopted reasonable-certainty policy adopted in May 2006, which requires that adequate wastewater treatment and disposal capacity can be provided for the annexed area; and the adopted 10 percent risk policy, which addresses the risk of violating the City's permit to discharge wastewater effluent to the San Joaquin River (Chapter V.D).

- Crime Prevention Through Environmental Design policies—Crime Prevention Through Environmental Design (CPTED) policies have been incorporated into the proposed amendment by reference (Chapter V.J).

- Kaiser Medical Center—Policies adopted in association with the approval of Kaiser Medical Center, (August 10, 2004) have been incorporated into the proposed amendment by reference.

- General Plan Amendments—GPAs adopted since the 2003 General Plan, as well as those currently in progress, have been incorporated into the proposed amendment. Adopted GPAs have previously undergone environmental review.

    - GPA 03-002: Housing Element Update—adopted by Modesto City Council Resolution No. 2004-233 (Chapter IV).
    - GPA 04-002: Regional Commercial to Residential, Coffee/Claratina—adopted by Modesto City Council Resolution No. 2005-70 (Chapter III.D).
    - GPA 06-001: Added "Principal Arterial with Bike Lanes" as a Classification to the General Plan and Adopted the Non-Motorized Transportation Master Plan—adopted by Modesto City Council Resolution No. 2007-065 (Chapter V.B).

## ATTACHMENT 2

## GPA-09-004 Text and Exhibit Amendments (Summary)

## GPA-09-004 Text and Exhibit Amendments (Summary)

The following text and exhibits represent the proposed amendments to the 2008 Urban Area General Plan. Revisions appear in italics and strikethrough. Page numbers and policies reference the Urban Area General Plan.

### Chapter III, Community Development Policies

- **Clarify language regarding design guidelines**

  Policy III.C.1.h (page III-12):
  Establish and maintain an orderly and compatible land use pattern. Evaluate land use compatibility, *design compatibility, and the compatibility of lot size and configuration where new development is proposed within or adjacent to established neighborhoods, as well as* noise, traffic, and ~~other~~ environmental hazards, when making land use decisions.

### Chapter V, Community Services and Facilities

- **Section B, add complete streets text and policy**

  Section 1, page V-2, insert sixth paragraph:
  *The California Complete Streets Act (AB 1358) was signed into law in 2008. This law requires that cities and counties modify the general plan's circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in a manner that is suitable to the context of the general plan and consider how appropriate accommodation varies depending upon its transportation and land use context.*

  Section 1, page V-2, seventh paragraph:
  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~~ *evaluated in light of AB 1358.*

  Section 2, page V-2, add goal:
  *b. The circulation element should be updated to allow the citizens of Modesto to effectively travel by foot, bicycle, and transit to reach important destinations in Modesto and the region. The City should view all transportation improvements, whether new or retrofit, as opportunities to improve safety, access, and mobility for all travelers and recognize bicycle, pedestrian, and transit modes as integral elements of the transportation system, the promotion of which will help the City achieve important financial and air quality objectives. The standard practice should be to construct complete streets while prioritizing project selection and project funding to accelerate development of a balanced, multimodal transportation network that allows residents to choose a variety of modes.*

- **Section B, add corridor planning policy**

  Policy V.B.2.a, page V-2:
  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.

  *In order to implement this goal, the City shall consider preparing corridor (e.g. SR 108/McHenry Avenue, SR 132/Yosemite Boulevard, Crows Landing Road, Paradise Road, SR 132/9th Street) planning studies. Corridor studies focus on the interaction between land use and transportation and identify the mix of investments in transportation improvements (pedestrian, bicycle, bus, rail, automobile) and land uses that would most effectively move people and goods in the context of existing and planned development. The guiding principle of transportation planning is that new transportation investments should reinforce existing travel patterns. Corridor studies should follow this principle and consider the "4 D's" of transportation: density, diversity (of land use), design, and destination accessibility. Studies may include the following elements: number of motor vehicle travel and turn lanes, transit accommodation, safe bicycle and pedestrian accommodation, median refuges and raised medians, land use designations, standards for developing land fronting on and adjacent to corridors, and others as determined appropriate.*

- **Section B, amend existing policies to facilitate a downtown passenger rail station**

  Policy V.B.6.k, page V-9
  *Transportation is a local, regional, and interregional issue. Effective improvements to the transportation system depend on the multijurisdictional cooperative efforts of multiple agencies beyond the City of Modesto, such as the State of California, the California High Speed Rail Commission, the San Joaquin Regional Rail Commission, the Stanislaus Council of Governments, Stanislaus County, various transit agencies, and adjacent cities and counties. The City of Modesto has entered into a Memorandum of Understanding (City Council Resolution 2010-056) to engage in a planning process with the California High Speed Rail Authority, recognizing local, regional, and statewide needs for regional and high speed rail service in a shared service corridor and has received grant funding to plan for a passenger rail station in downtown.*

  *Land use and transportation are inextricably connected. They must be coordinated so that future development and transportation services will be balanced with each other. The land use and transportation policies in this Plan reflect this relationship.*

  *Modesto is the multi-modal hub of Stanislaus County, providing access to all major travel modes, including highways, transit, rail, and air transport systems. As such, Downtown Modesto should be the site of the passenger rail station, which is consistent with the California High Speed Rail Authority's service goals. The eventual design of the station should incorporate Landmark 19, the Southern Pacific Transportation Center and be compatible with its architecture.*

  ~~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 and non-motorized traffic.~~ The following ~~forms of~~ rail services are particularly encouraged:
  Revise paragraph 2 to read,
  Inter-regional Rail Service. *The City supports the extension of the Altamont Commuter Express (ACE) through the northern San Joaquin Valley and advocates its routing through and a station in downtown Modesto.* The City *also* supports the rerouting of San

Joaquin rail service to provide service to the downtown area and the intermodal facilities and creation of passenger commuter rail service from Modesto to San Joaquin County and over the Altamont Pass to the Bay Area.

Revise paragraph 4 to read,

High Speed Rail. The City ~~encourages and~~ supports *and advocates* the development of high speed rail ~~corridor~~ through the San Joaquin Valley and the development of a high speed rail station *in downtown* ~~within the City~~.

- **Revisions to satisfy the requirements of Assembly Bill 162 and Senate Bill 5**

Section C, Water

Add a new figure (Figure V-3-1a and V-3-1b) showing groundwater recharge areas in the sphere of influence.

Insert new text following first paragraph on page V-16 to read,

Figures V-3-1a and V-3-1b illustrate areas within and near the City's Sphere of Influence suitable for groundwater recharge. These figures also show areas that may be suitable for stormwater management.

**Chapter VI, Public Safety Issues**

- **Revisions to satisfy the requirements of Assembly Bill 162 and Senate Bill 5**

Add Figures VI-2-1a and VI-2-1b with new state preliminary flood maps.

Amend text in Section VI.C.2 on page VI-4 to read,

*The Department of Water Resources has prepared the Preliminary 200-Year Floodplain Maps, displayed for informational purposes in the Urban Area General Plan as Figures VI-2-1a and VI-2-1b. The Federal Emergency Management Agency's (FEMA) 100-year floodplain map, shown as Figure VI-2, is used by Modesto as the official floodplain map. When the Department of Water Resources finalizes its 200-Year Floodplain Maps and related policies, Figures VI-2-1a and VI-2-1b may become the official floodplain map.*

*The newly-formed Central Valley Flood Protection Board (Board) is responsible for flood protection in the Sacramento and San Joaquin Rivers, their tributaries, and related areas. The flood hazard zone policies below and included here for information, which are intended to protect life and property, may be implemented following the adoption of a flood protection plan in accordance with State law. Current State laws will be implemented with respect to development in floodplains.*

~~When development is proposed on parcels located within any "Flood Potential Study Area" shown on Figure VI-2, the following policies apply:~~

## ATTACHMENT 3

## GPA-10-001, Circulation and Land Use Elements Update

**GPA-10-001**
CIRCULATION AND LAND USE ELEMENTS UPDATE

The scope of work includes the following general tasks:

- **Update Land Use Designations** Consider changes to GP land use designations for certain Comprehensive Planning Districts (CPDs): Kiernan/Carver and Kiernan/Carver North CPDs, along the Kiernan Avenue corridor between Dale Road and McHenry Avenue; Hetch Hetchy and Roselle/Claribel CPDs; Roselle/Claribel and Village One CPDs ("business park triangles"); Highway 132 and Paradise/Carpenter CPDs; Beckwith/Dakota CPD. The City's Sphere of Influence (SOI) will be expanded to include all of the Kiernan/Carver CPD.

- **Complete Streets** Plan for complete streets throughout Modesto to establish a balanced, multi-modal transportation system, in accordance with AB1358 ("Complete Streets") and the State's Circulation Element Guidelines. Consider establishing "Transportation Exception Areas," where alternatives to roadway widening and other traditional capacity-enhancing improvements would be encouraged. Evaluate utilities and infrastructure-related policies to identify needed changes and/or new policies. Identify facilities to be upgraded to facilitate more transportation modes and increased safety features for non-motorized users such as separated sidewalks, safe crossings and convenient transit access. Plan and prioritize necessary infrastructure improvements and develop funding strategies.

- **Transportation Corridors** Identify transportation corridors to be studied, including the extent of the study areas. Identify desired outcomes for each study corridor and consider land use designations, development standards and street / right-of-way design that will facilitate the desired outcomes. Applicable General Plan policy language will be written, including that related to funding sources and project priorities, along with a variety of preliminary corridor study planning documentation.

  Corridor studies will promote and facilitate economic development, transportation options and "Complete Streets." The initial study corridor priority list focuses on major roadways that radiate from downtown to serve large areas of Modesto. A substantial amount of aging commercial development exists along these transportation corridors. The corridors identified for new policy applicability and future study are:
  - McHenry Avenue/SR108
  - 9th Street/SR132
  - Paradise Road
  - Yosemite Avenue/SR132
  - Crows Landing Road
  - Maze Boulevard

- **Planned Infrastructure Investments** Evaluate planned infrastructure and remove or modify unneeded or financially unrealistic infrastructure. Identify realistic funding sources to ensure that funding is reasonably available for priority projects. Link development priorities to funding priorities in the Capital Improvement Program and Regional Transportation Plan. Prioritize project selection and funding. Consider establishing areas of benefit and impact fee thresholds. Establish a strategy for transportation funding and links to the Regional Transportation Plan. Fully develop appropriate policies to facilitate these goals and outcomes.

Project work will include updating maps, graphics, exhibits, data and analyses. New policies resulting from project work will be established in the General Plan. The project will result in an internally consistent General Plan, and will update assumptions and conclusions related to

population projections and the ultimate "buildout" scenario(s). The project will maintain the General Plan and MEIR updates that were approved in 2008.