Chapter III

Project Description

A. Description

1. Background

This master environmental impact report (Master EIR) examines the City of Modesto Urban Area General Plan (UAGP), as amended, and updates the 2003 Master EIR accordingly. The Master EIR examines potential impacts at the UAGP’s level of detail. It will apply to individual development projects that are considered under the UAGP in the future, but it does not specifically analyze any given development project.

The “project” analyzed in this updated Master EIR consists of an amendment to the UAGP, together with a minor amendment to the Redevelopment Plan. The UAGP was last comprehensively updated in 1995, when the UAGP and a Master EIR were adopted as cohesive planning and environmental mitigation documents. Since 1995, more than 20 UAGP amendments have been adopted along with updates to the Master EIR. A new Master EIR was certified for the UAGP in 2003 to address the numerous updates to the UAGP. The current UAGP Amendment (proposed project) responds to changes in federal, state, and local policies that have occurred since the UAGP was adopted by the Modesto City Council in 1995 and amended in 2003. The horizon of the UAGP is 2025.

The housing element of the UAGP was updated and certified in 2004. It will not be amended as part of the amendment of the UAGP. A new traffic model for the Modesto–Stanislaus County region has been prepared and applied to the proposed project. The proposed project incorporates current utility master plans and the new traffic model, as well as past changes to the UAGP. Other than changing the designations of selected roads, no changes are proposed to the UAGP’s existing circulation diagram. Additionally, no major changes to land use patterns are proposed. However, the UAGP amendment will revise some of the land use designations.

The UAGP amendment is intended to extend the useful life of the UAGP until a comprehensive update is completed. According to state law, the Master EIR must be updated in conjunction with the UAGP being updated. The Master EIR update is also consistent with provisions of the California Environmental Quality Act (CEQA) that require periodic review and update of Master EIRs.

As mentioned elsewhere, a minor amendment to the Redevelopment Plan has also been proposed to ensure continued consistency between the Redevelopment Plan and the Urban Area General Plan. The Redevelopment Plan Amendment will be concurrently considered by Planning Commission and City Council with the amendment to the Urban Area General Plan.
2. **Project Location**

Modesto is located in Stanislaus County, in the northern San Joaquin Valley, approximately 95 miles east of San Francisco and 80 miles south of Sacramento (see Figure III-1, “Project Vicinity”). The City of Ceres is located immediately south of the Modesto city limits, the City of Riverbank is located immediately northeast, and the unincorporated town of Salida is located northwest.

The Modesto city limits include an area of 36.9 square miles. The City of Modesto’s (City’s) sphere of influence comprises an additional 19 square miles and land within the Modesto planning area’s boundary but outside of the sphere of influence includes another 19.8 square miles.

The City of Modesto planning area encompasses approximately 67 square miles or 42,900 acres. The planning area is generally bounded by the Stanislaus River on the north; Whitmore Avenue on the south; Morse Road, Toomes Road, and Hammett Road on the west; and North Santa Fe Avenue and the Burlington Northern Santa Fe Railroad on the east. The City’s planning area encompasses Salida (see Figure III-2, “City of Modesto Planning Area”). The planning area generally describes the lands that are anticipated to be urbanized by 2025.

3. **Project Elements**

The proposed project is an amendment of the UAGP intended to modernize it, not to develop a new vision for Modesto. The proposed project would not revise the land use diagram, UAGP boundary, or sphere of influence, and the horizon would continue to be 2025.

Updates to the UAGP included in this amendment fall into three major categories: (1) incorporating as policy those City practices that are regularly approved and which effectively have become policy, (2) proposing policies (amendments to the UAGP) to provide direction for anticipated issues, and (3) incorporating adopted policies that are not currently reflected in the UAGP. The following lists identify the proposed updates to the UAGP within these three major categories.

a. **Practices as Policies**

The UAGP amendment incorporates as policies the following practices that are regularly approved. These policies have not been the subject of prior environmental review.

- **Land use classifications**—The descriptions of land use classifications are updated where necessary and refined to provide better correlation to zoning.
- **Sphere-of-influence development**—Development that occurs within the sphere of influence, as well as the relationship between City and County, are addressed.
- **Construction of rock wells**—New policies restrict the construction of new rock wells.
- **“Potable well water” definition**—A definition of “potable well water” is added to the proposed project.
b. Proposed Policies

The UAGP 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 are revised to provide for timely and effective financing of infrastructure for new growth. Pay-as-you-go financing is changed to “up front” infrastructure construction.

- **Comprehensive Planning District policies**—Policies for the implementation of Comprehensive Planning Districts (CPDs) are expanded to better guide future specific plans and development with respect to land use policies, public facilities, and infrastructure planning.

- **Air quality element**—Data, analysis, goals, policies, and implementation strategies of the air quality section will be revised pursuant to Assembly Bill 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.

- **Annexation policies**—Current annexation policies are examined to determine the need for any policy revision in light of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Stanislaus County Local Agency Formation Commission procedures.

- **Minimum specific plan size**—The proposed project recommends a minimum specific plan size.

- **Dry Creek and Tuolumne River CPDs**—Development in the Dry Creek and Tuolumne River CPDs is addressed in the proposed UAGP.

- **Biological and archaeological resource study areas**—The proposed project revises the boundaries to better reflect biologically and archaeologically sensitive areas, and provide general biological mitigation measures.

- **Provision of sewer and water service within the sphere of influence**—The proposed project addresses the provision of sewer and water service within the City’s sphere of influence.

- **Development in the 100-year floodplain**—The proposed project addresses restrictions on development within the 100-year floodplain and incorporates the most recent Flood Insurance Rate Map information.

- **Archaeological and cultural resources**—Policy updates related to archaeological, cultural, and historic resources are based on state law, including State CEQA Guidelines Section 15064.5. This includes adding historic resources to the City’s list. General policies regarding paleontological resources are included to reflect the potential for encountering resources. Separately, the plan amendment process has included required consultations with Native American tribes pursuant to Senate Bill 18.

- **Separate sewer and water connections**—Separate sewer and water connections for each dwelling unit are addressed in the proposed project.
Chapter III. Project Description

- **Public infrastructure in private developments**—The proposed project defines public infrastructure in private developments.

- **Police staffing goal**—The proposed project establishes a police staffing goal of 1.85 sworn officers per 1,000 citizens.

- **Fire department response times**—The proposed project establishes Modesto Fire Department response time standards.

- **Timing of street frontage improvements for minor annexations**—The proposed project addresses the timing of frontage improvements for minor annexations of County islands.

- **San Joaquin Regional Rail Commission report**—The proposed project responds to the San Joaquin Regional Rail Commission report, if it is available.

- **Redevelopment Master Plan**—UAGP policies are reviewed and revised to be consistent with the Redevelopment Master Plan, adopted on October 9, 2007.

- **Utilities/infrastructure**—Utility policies are updated to reflect utility constraints and coordinate with the imminent updates of the Storm Water Master Plan, as well as the Water Master Plan anticipated to be completed in 2008. For the purposes of infrastructure planning, the eventual population in the City’s sphere of influence is estimated to be between 334,000 and 357,000 people by 2030.

- **Road system changes**—In addition to traffic policy revisions, the following are known needed changes to the road network.
  - **Dale Road**—A change from a minor arterial to a principal arterial in the entire Modesto planning 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 MEIR**—Mitigation arising in the Master EIR would be included in the proposed project as policies.
c. Include Adopted Policies

The UAGP Amendment incorporates the following adopted policies. These policies have been the subject of prior environmental review, as part of adoption.

- **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 project.

- **Urban design**—The UAGP Amendment includes adopted policies that would 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* is incorporated into the proposed project by reference.

- **Utilities/infrastructure**—Utility policies are updated to reflect utility constraints and coordinate with the recently updated *Wastewater Master Plan* and the adopted *Joint Urban Water Management Plan* (May 2007). For the purposes of infrastructure planning, the eventual population in the City’s sphere of influence is estimated to be between 334,000 and 357,000 people.

- **Roundabout Policy**—The proposed project incorporates the adopted City Roundabout Policy (dated September 2004) by reference.

- **1991 and 1998 traffic study criteria**—The proposed project incorporates the adopted 1991 and 1998 traffic study criteria.

- **Expressway access policy**—The proposed project incorporates the adopted expressway access policy that regulates and limits the number and design of expressway access locations in order to ensure the overall operational viability of expressways in the community.

- **Storm water**—The proposed project includes water quality and watershed protection principles that have been incorporated into the storm drainage section of the UAGP, consistent with the City’s National Pollutant Discharge Elimination System permit, stormwater pollution prevention plan, and new guidelines.

- **Dual-use park-basin policy**—The (December 12, 2000) adopted dual-use park-basin policy incorporates by reference into the proposed project.

- **“Nonconforming” parks**—The definition of the policy (adopted in June 2005) to sell “nonconforming” parks is included in the proposed project.

- **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 project.

- **Hazard Mitigation Plan**—The proposed project is by reference the *Hazard Mitigation Plan*, adopted September 2005.

- **City of Modesto 2001–2004 Strategic Plan**—Appropriate objectives and policies from the adopted *City of Modesto 2001–2004 Strategic Plan* are incorporated into the proposed project.

- **Measure M (Citizens’ Advisory Growth Management Act of 1995)**—The adopted Measure M policy is incorporated into the proposed project by reference.
Reasonable certainty policy—The proposed project incorporates the reasonable-certainty policy adopted in May 2006, which requires that adequate wastewater treatment and disposal capacity can be provided for the annexed area; it also incorporates 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.

Crime Prevention Through Environmental Design policies—Crime Prevention Through Environmental Design (CPTED) policies are incorporated into the proposed project by reference.

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

UAGP Amendments—General Plan Amendments (GPAs) adopted since the 2003 UAGP, as well as those currently in progress, are incorporated into the proposed project. Adopted UAGP amendments have previously undergone environmental review.

- GPA 06-02: Add “Principal Arterial with Bike Lanes” as a Classification to the UAGP and adopt the Non-Motorized Transportation Master Plan—adopted by Modesto City Council Resolution No. 2007-065 (January 9, 2007).

d. Potential Project Alternatives

The following alternatives are described in more detail in Chapter VIII, Alternatives Analysis, of this Master EIR.

Alternative 1. No-Project Alternative

This assumes that the 1995 UAGP would continue to be the City’s general plan. No amendments would be made.

Alternative 2. No Changes to Street Designations

Under this alternative, the street designations contained in the current UAGP would be retained. None of the changes to street designations that are described above would be made.

B. The Purpose of the Master Environmental Impact Report

A Master EIR provides a comprehensive overview of the potential environmental impacts that would result from adopting or amending a general plan, mitigation measures to avoid or minimize those impacts,
and alternatives to the general plan that would lessen or avoid those impacts. The Master EIR provides the basis for streamlining the review of later projects that are “within its scope.”

Projects that are consistent with the analysis contained in the Master EIR will not, in most cases, require extensive additional environmental review before they can be approved. An Initial Study (IS) will be prepared for such projects to document their consistency with the Master EIR, after which a finding of conformance can be made. Other projects that are within the scope of the Master EIR, but that have project-specific impacts that were not analyzed there, will be addressed in either Mitigated Negative Declarations (MNDs) or Focused EIRs.

1. **California Environmental Quality Act Requirements**

   The contents and use of Master EIRs are prescribed by the CEQA and the State CEQA Guidelines (Section 21000 et seq., Title, 14, Chapter 3, California Code of Regulations). Public Resources Code (PRC) Section 21156 states, with regard to Master EIRs:

   > It is the intent of the Legislature in enacting this chapter that a master environmental impact report shall evaluate the cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment of subsequent projects to the greatest extent feasible. The Legislature further intends that the environmental review of subsequent projects be substantially reduced to the extent that the projects impacts have been reviewed and appropriate mitigation measures are set forth in a certified master environmental impact report.

2. **Modesto’s Master Environmental Impact Report**

   Modesto originally certified its Master EIR in 1995 with the adoption of the UAGP. PRC Section 21157.6 provides that in order to continue using the Master EIR as a basis for project approvals, the City must periodically, but not less than every 5 years, review the adequacy of the Master EIR and either: (1) find that no substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, or no new information, which was not known and could not have been known at the time the Master EIR was certified, has since become available; or (2) certify a subsequent or supplemental EIR which is then incorporated into the previously certified Master EIR.

   The City has incorporated new analyses into the original Master EIR five times, most recently in 2003. This process of continual updates ensures that the City’s Master EIR complies with PRC Section 21157.6.

C. **PROJECT OBJECTIVES**

   The State CEQA Guidelines require that the project description include a statement of the objectives sought by the project (CEQA Guidelines Section 15124[b]). In addition to disclosing the project’s intent, the objectives help the lead agency select a reasonable range of project alternatives to be evaluated in the EIR. The objectives may also aid the City in preparing findings or a statement of overriding considerations, if necessary (CEQA Guidelines Section 15124[b]).
The primary purposes of the proposed project are to incorporate adopted policies into the UAGP, codify regular practices as policies, update policies to reflect current regional, state, and federal laws and regulations, and provide an updated Master EIR to allow subsequent projects to rely on its environmental analysis.

The objectives of the proposed project include:

- incorporating pertinent guidance from the City’s adopted 2001–2004 Strategic Plan;
- amending the UAGP to reflect pertinent new information and statutory changes that have occurred since 1995;
- amending the UAGP to reflect Modesto policy changes that have occurred since 2003;
- amending the UAGP without resulting in any substantial changes to the City’s land use diagram or increases in development potential;
- incorporating information from the new traffic model currently under preparation into the UAGP, as appropriate;
- incorporating information from the most recent sewer, water, and storm drainage master plans into the UAGP;
- evaluating infrastructure master plans against current policies to determine how existing policies may need to be revised; and
- providing a “maintenance update” of the UAGP that will provide an adequate document pending a comprehensive UAGP overhaul in the future.

1. Objectives of the Master Environmental Impact Report Update

   The City has the following basic objectives in updating its Master EIR.

   a. Maintain the adequacy of the Master EIR so that it may continue to be used as the basis for considering projects that are within its scope (PRC Section 21157 et seq.). Projects that are found to be within the scope will not require further environmental analysis upon issuance of a finding of conformance by the City. Findings of conformance will follow the preparation of an IS, pursuant to the Master EIR statute. The IS may include supplemental environmental considerations such as traffic impact studies.

   b. Maintain the adequacy of the Master EIR so that it may be used as the foundation for later Focused EIRs and MNDs on individual projects. The Master EIR helps to focus these analyses on the additional significant effects at hand.

   c. Include a new generation of mitigation measures addressing changes that have occurred since 2003. As described above, the mitigation measures from the 2003 Master EIR are now policies of the UAGP. These policies, which act to avoid potential impacts, are not listed as new mitigation measures.

   d. Rely on the “Initial Study/Finding of Conformance” that provides appropriate analysis of the environmental issues specific to the Modesto UAGP area. The IS will be used to extensively document conformance of all “anticipated subsequent projects” with the analysis and mitigation measures contained in the Master EIR.
e. Adopt certain “thresholds of significance,” as authorized by Section 15064.7 of the CEQA Guidelines, that will form the analytical basis of the IS process under the Master EIR.

D. MODESTO URBAN AREA GENERAL PLAN

The UAGP is Modesto’s long-term, comprehensive guide for development. Its 42,700-acre planning area reaches beyond the current city limits and sphere of influence. For the purposes of infrastructure planning, the eventual population in the City’s sphere of influence is estimated to be between 334,000 and 357,000 people. Modesto’s Growth Strategy establishes three geographic areas within the plan: (1) the Redevelopment Area, consisting of the downtown area and an extended area along the railroad, within the 1991 Redevelopment Plan Area; (2) the Baseline Developed Area, consisting of lands served by the 1995 sanitary sewer system, plus areas that can be served by sanitary sewer from the City’s trunk system; and (3) the Planned Urbanizing Area, consisting of areas outside of the 1995 city limits but within the planning area and anticipated for development by 2025. The rate of change and general development approach for each of these areas is discussed in Chapter II.

The Master EIR analyzes the plan-level impacts and identifies mitigation measures within each of these three areas. The impact analysis takes into account the different expectations for development within the areas, in the context of existing and proposed UAGP policies. For each impact identified as not being mitigated below a level of significance by UAGP or other policies, there is a corresponding mitigation measure, when feasible.

The policies of the UAGP help to mitigate many of its environmental impacts and incorporate the mitigation measures identified in the original Master EIR prepared in 1995. All of these policies remain in effect, except as noted, forming the baseline for environmental analysis in 2007.

E. DESCRIPTION OF THE MASTER ENVIRONMENTAL IMPACT REPORT

This Master EIR updates the City’s 2003 Master EIR and analyzes several specific, City-initiated amendments to the UAGP. The Master EIR will provide the basis for environmental assessments of future projects that are within its scope.

Changes to the Master EIR include:

1. New mitigation measures addressing impacts that are new or changed from 1995. The mitigation measures identified in the 2003 Master EIR have been incorporated into the UAGP and are identified as policies in place in the Master EIR. These UAGP policies are written out in the policy sections of the Master EIR and given an identification number for ease of reference. They are referenced by that number in the impact sections. In addition, each policy contains a citation to its location in the UAGP so that it may be readily applied to the consideration of later projects.

2. Because the Master EIR addresses an adopted UAGP, its alternatives do not include alternatives to the UAGP itself. The alternatives included in the Master EIR would reduce some of the significant impacts of the proposed UAGP roadway amendments.

3. The Master EIR is optimized for use in conjunction with initial studies for future activities that are within its scope. This will help meet the goal of streamlining later environmental analysis.