CITY OF MODESTO
PLANNING COMMISSION AGENDA
MONDAY, JUNE 15, 2026 6:00 PM
BASEMENT CHAMBERS
1010 TENTH STREET – MODESTO, CA

I. ROLL CALL

Public Comment will only be in-person. Members of the public who wish to address the Commission, by providing public comment, during the meeting must do so in-person in the Council Chambers. As an alternative, members of the public may also provide written public comment submitted via email as indicated in the Submitting Comments by Email instructions on this agenda. Zoom will still be available for viewing.

Members of the public will be allowed to provide public comment through Zoom if a Commissioner is participating remotely pursuant to the provisions of California Government Code section 54953.8.3.

If a technical issue arises with Zoom or the phone dial-in option, the Planning Commission meeting will continue unless the meeting is being held pursuant to the provisions of Senate Bill 707, California Government Code section 54953.8.3. Alternative viewing options are listed below, and the meeting is physically open to the public.

Joining the Planning Commission meeting via Zoom

The City of Modesto is offering the ability to view Planning Commission meetings via telephonic conferencing via "Zoom" video conferencing computer technology. The meeting may be accessed through the use of Zoom using the following options:

- Enter the following link into an Internet Browser https://modestogov.zoom.us/j/86128333602?pwd=f6VK7ZrbNT3sQ1SNJ5nbbzboryYtPZ.1
- Enter the following link into an Internet Browser https://zoom.us/ and using the Webinar ID 861 2833 3602 Password 444640
- To use Zoom, please visit: https://zoom.us/ and either sign-up for a free Zoom account or continue as a guest. Once you have downloaded the app onto your mobile device, joined from your web browser, or downloaded the Zoom software on your computer you will be ready for the upcoming Commission meeting.

Submitting Comments by Email

Written comments may be submitted via email to planning@modestogov.com (include Agenda Item Number in the subject line). All comments will be shared with the Commission and placed in the record but will not be read aloud during the meeting. Written comments must be received two hours before the meeting.

This Agenda is on file in the Planning Division, 3rd Floor, 10th Street Place, on the Posting Board at entry of 10th Street Place, and is available on the City's Web site at www.modestogov.com.

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Planning Division during normal business hours. Such documents are also available online, subject to staff's ability to post the documents before the meeting, at the following website https://modestogov.com/AgendaCenter.

In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website at https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA.

II. PUBLIC COMMENT PERIOD

Three-minute time limit per speaker.
Only interested persons in the audience may present these matters. Under State law, Commissioners may respond to matters being presented under this item only as follows:

a. Briefly respond to statements made or questions raised.
b. Ask a question for clarification.
c. Provide a reference to staff or other resources for factual information.
d. Request staff to report back at a subsequent meeting.
e. Finally, a Commissioner or the Planning Commission itself may take action to direct staff to place a matter of business on a future agenda.

III. APPROVAL OF MINUTES

Minutes of the regular meeting of April 20, 2026 and the Special Meeting Minutes of May 18, 2026..

IV. CONFLICT OF INTEREST DECLARATION

Committee Members and staff may now declare conflicts of interest related to any item on the agenda.

V. CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Committee Member. Unless withdrawn from consent, items are approved at one time.

Item A Two-Year Extension for the Filing of a Final Map of the Miller-Aderholt Subdivision
Contact Info: Katharine Martin, 577-5267, kamartin@modestogov.com

VI. PUBLIC HEARING

Published in the Modesto Bee May 24, 2026.

Item B Vesting Tentative Subdivision Map and Final Development Plan: Boulevard 2224 Claus Road (NRB Investments)
Contact Info: Katharine Martin, 577-5267, kamartin@modestogov.com

Published in the Modesto Bee May 24, 2026.

Item C General Plan Amendment and Pinpoint Plan with Annexation, 1609-1617 Maze Blvd (Abdo Mohamad)
Contact Info: Katharine Martin, 577-5267, kamartin@modestogov.com

VII. OTHER BUSINESS

Item D Brown Act Training

VIII. MATTERS TOO LATE FOR THE AGENDA

These may be presented by members of the Planning Commission and staff, upon determination by a majority vote that an emergency exists, as defined by State law, or by a 2/3 vote that: 1) there is a need to take immediate action, and 2) that the need for action came to the City's attention after the agenda was posted.

IX. ADJOURNMENT

Copies of the agenda are on file at the in the office of the Planning Division, Third Floor, 1010 Tenth Street, Modesto, CA., and online at https://www.modestogov.com/AgendaCenter/Planning-Commission-11.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Secretary at 209.577.5267. Assistive listening devices are available upon request to the Planning Commission Secretary. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website at https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA

Notice: Persons who wish to speak to the Planning Commission regarding any item on the printed agenda, including oral communications, are encouraged to please submit your comment, to the Recording Secretary at planning@modestogov.com. All comments will be shared with the Commission and placed in the record. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.

Posted pursuant to Government Code Section 54954.2 on _____at ___
by_____ on the bulletin board at Tenth Street Place.

LIST OF INVOLVED PARTIES FOR THE PLANNING COMMISSION
AGENDA OF JUNE 15, 2026

At the Commission's request, staff has compiled a list of persons having a personal/financial interest in the matters contained in the accompanying agenda report to help identify potential conflicts of interest.

ITEM A	Two-Year Extension for the Filing of a Final Map of the Miller-Aderholt Subdivision
Relationship	Name/Address
Applicant/ Owner	Fred Miller, 3431 Millerbrook Avenue, Modesto, CA 95355
ITEM B	Vesting Tentative Subdivision Map and Final Development Plan: Boulevard 2224 Claus Road (APN 014-025-002)
Relationship	Name/Address
Applicant	NRD Investments, LLC. 1701 March Lane, Suite D, Stockton CA 95207
Owner	CMWS Clause Road Owners, LLC 19301 Von Karman Ave., Irvine CA 92612
Applicant Representative	Newman Romano, LLC, Atten: Dave Romano 1034 12th Street, Modesto, CA 95354
ITEM C	General Plan Amendment and Pinpoint Plan with Annexation, 1609-1617 Maze Blvd
Relationship	Name/Address
Applicant / Owner	Abdo Mohamad; 2707 Patterson Road, Riverbank CA 95367
Applicant Representative	Edmond Jacobs, 1222 K Street, Modesto CA 95354

City of Modesto Planning Commission
Minutes
April 20, 2026

Being the hour of 6:02 pm, the meeting was called to order by Chairperson Shanks.

I. ROLL CALL

Commissioners Arroyo, Goriel, Grewal, Hauselmann, Russell, and Shanks, present

Commissioners Black absent

It was moved by Commissioner Russell, seconded by Commissioner Goriel, and carried unanimously that Commissioner Black be excused from this meeting.

II. APPROVAL OF MINUTES

It was moved by Commissioner Grewal, seconded by Commissioner Goriel, and carried unanimously that the minutes of the regular meeting of April 6, 2026, be approved.

III. PUBLIC COMMENT PERIOD

None.

IV. CONFLICT OF INTEREST DECLARATION

None.

V. CONSENT

None.

VI. PUBLIC HEARINGS

Item A Hearing to consider an annexation of approximately 4.9 acres located at the northwest corner of Maze Blvd and Carpenter Road, an amendment to the Land Use Element of the General Plan, and a Pinpoint Plan for the development of approximately 1.7 acres located at 1609-1617 Maze Blvd. (Abdo Mohamad)
Contact Info: Katharine Martin, 577-5267 kamartin@modestogov.com

Motion/Action (Failed)

It was moved by Commissioner Arroyo, seconded by Commissioner Goriel, and carried (3-2-1) (Arroyo, Goriel, Grewal, ayes; Hauselmann, Shanks, noes; Black, absent; Russell, abstained) that the Planning Commission adopt a Resolution RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN TO change the land use of APPROXIMATELY 1.71 ACRES FROM RESIDENTIAL (R) USES TO MIXED USES (MU)

Motion/Action (Failed)

It was moved by Commissioner Arroyo, seconded by Commissioner Goriel, and carried (3-2-1) (Arroyo, Goriel, Grewal, ayes; Hauselmann, Shanks, noes;

Black, absent; Russell, abstained) that the Planning Commission adopt a Resolution RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE PINPOINT PLAN FOR 1609 AND 1617 MAZE BOULEVARD FOR THE DEVELOPMENT OF AN EVENT CENTER OF 8,106 SQ FT WITH 112 PARKING SPACES AND TWO NEW DWELLING UNITS, TOGETHER WITH AN AMENDMENT TO SECTION 25-3-8 OF THE ZONING MAP TO PRE-ZONE 4.9 ACRES TO SPECIFIC PLAN (P-SP) ZONE FOR PROPERTIES LOCATED AT THE NORTHWEST CORNER OF MAZE BOULEVARD AND N. CARPENTER ROAD, WITHIN THE HIGHWAY 132 COMPREHENSIVE PLANNING DISTRICT

Motion/Action (Failed)

It was moved by Commissioner Arroyo, seconded by Commissioner Goriel, and carried (3-2-1) (Arroyo, Goriel, Grewal, ayes; Hauselmann, Shanks, noes; Black, absent; Russell, abstained) that the Planning Commission adopt a Resolution RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A RESOLUTION APPROVING THE FILING OF AN APPLICATION TO THE STANISLAUS LOCAL AGENCY FORMATION COMMISSION FOR THE CARPENTER-MAZE REORGANIZATION TO THE CITY OF MODESTO OF APPROXIMATELY 4.9 ACRES LOCATED WEST OF CARPENTER ROAD AND NORTH OF MAZE BOULEVARD FOR ANNEXATION TO THE CITY OF MODESTO AND SIMULTANEOUS DETACHMENT FROM THE WOODLAND FIRE PROTECTION DISTRICT (ABDO MOHAMAD)

Motion/Action (Approved)

It was moved by Commissioner Shanks, seconded by Commissioner Hauselmann, and carried (4-2) by majority (Grewal, Hauselmann, Russell, Shanks, ayes; Arroyo, Goriel, noes; Black, absent; None, recused) that the Planning Commission continue item to a date uncertain.

VII. OTHER BUSINESS

None.

VIII. MATTERS TOO LATE FOR THE AGENDA

Commissioner Russell mentioned a letter mailed to majority of the Commission regarding the General Plan 2050.

XI. ADJOURNMENT

The meeting was adjourned at 7:00 pm.

Original, signed copy on file in CEDD

Michael Hren, AICP, Secretary

City of Modesto Special Planning Commission

Minutes

May 18, 2026

Being the hour of 6:00 pm, the meeting was called to order by Committee Chairperson Wright.

I. ROLL CALL

Committee Members Alverez, Escutia-Braaton, and Wright

Commissioners Arroyo, Black, Goriel, Grewal, , Russell, and Shanks, present

Commissioner Hauselmann absent

It was moved by Commissioner Goriel, seconded by Commissioner Black, and carried unanimously (6-0) that Commissioner Hauselmann be excused from this meeting.

II. PUBLIC COMMENT PERIOD

None.

III. CONFLICT OF INTEREST DECLARATION

None.

V. CONSENT

None.

VI. PUBLIC HEARINGS

Item A Hearing to consider adopting a Resolution of the Planning Commission of the City of Modesto finding that all new and active projects within the Capital Improvement Program (CIP) budget for Fiscal Year (FY) 2026-27 are in conformance with the Modesto Urban Area General Plan and that the Finance Committee recommend to City Council approval of the FY 2026-27 CIP Budget. (Funding Source: Various Funds)
Contact Info:Steve Christensen, 209-577-5390
schristensen@modestogov.com

Motion/Action (Approved)

It was moved by Commissioner Grewal, seconded by Commissioner Russell, and carried unanimously (6-0) (Arroyo, Black, Goriel, Grewal, Russell, Shanks, ayes; None, noes; Hauselmann, absent; None, recused) that the Planning Commission adopt **Resolution No. 2026-20** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MODESTO FINDING THE FISCAL YEAR 2026-27 CAPITAL IMPROVEMENT PROGRAM IN CONFORMANCE WITH THE MODESTO URBAN AREA GENERAL PLAN PURSUANT TO SECTION 65401 OF THE GOVERNMENT CODE (CITY OF MODESTO)

It was moved by Committee Member Alverez, seconded by Committee Member Escutia-Braaton , and carried unanimously (3-0) (Alveraz, Escutia-Braaton, Wright, ayes; None, none; None, absent; None, recused) that the Finance Committee make a motion accepting the Fiscal Year 2026-27 Capital Improvement Budget and forwarding to the City Council for approval

VII. OTHER BUSINESS

None.

VIII. MATTERS TOO LATE FOR THE AGENDA

None.

XI. ADJOURNMENT

The meeting was adjourned at 7:12 pm.

Signed copy on file in CEDD

Jessica Hill, Secretary

CITY OF MODESTO CALIFORNIA	**CITY OF MODESTO** **COMMITTEE AGENDA REPORT**	**DATE OF MEETING:** **June 15, 2026**

Date: May 20, 2026

TO: Chairperson Shanks and members of the Planning Commission

THROUGH: Jessica Hill, Director of Community and Economic Development Department

FROM: Micheal Hren, AICP, Principal Planner

SUBJECT: Two-Year Extension for the Filing of a Final Map of the Miller-Aderholt Subdivision

CONTACT: Katharine Martin, Senior Planner, kamartin@modestogov.com 209-577-5267

DESCRIPTION:
Hearing to consider a two-year extension of time for the filing of a Final Map of the Miller-Aderholt Subdivision (Funding Source: Application Fees)

STRATEGIC PLAN ELEMENT:
The project is consistent with the 2025-2026 Strategic Plan Area of Focus regarding Economic Vitality, towards retaining and attracting residential, commercial and industrial development to meet the community's needs today and for the next generation. The proposed nine new residential lots would provide for new dwelling units which in turn would drive economic vitality.

BACKGROUND:
The Vesting Tentative Subdivision Map (VTSM) of Miller-Aderholt, to divide two properties totaling 4.98 acres within Precise Plan Area No. 6 (Subarea A) of the Village One Specific Plan into nine (9) single-family residential lots of each being not less than one-half-acre (0.50 acres) was approved by the Planning Commission by Resolution No. 2023-17 on June 5, 2023. Per the Subdivision Map Act of the State of California, tentative maps are effective for two years from the date of approval.

However, due to a requirement of the tentative map for the approval of an associated rezoning of the property by the City Council before the tentative map could be considered for filing of a Final Map, the tentative map could not be considered in effect

until the approval of the rezone. By City Council Ordinance No. 3769-C.S., effective on September 21, 2023, the rezoning was adopted, thereby allowing the effective date of the tentative map to be September 21, 2023.

DISCUSSION:
On September 8, 2025, prior to the expiration date of the Vesting Tentative Subdivision Map, Fred Miller submitted a letter of request for a two-year extension of time for the filing of a Final Map.

Per Government Code 66542.6(e), state law allows local jurisdictions to extend the life of tentative maps for up to six (6) years beyond the original expiration date. However, the Municipal Code limits subdivision map time extensions that can be granted by the Commission to three (3) years at a time. Section 4-4.601(a) of the Modesto Municipal Code allows that the Commission "may extend the time for filing a final map for a period or periods not exceeding three (3) years if it determines that conditions affecting the subdivision have not substantially changed. Staff therefore recommends that the Commission approve the two-year time extension for the tentative subdivision map, which would result in the new expiration date of September 21, 2027.

FISCAL IMPACT:
City expenditures related to the review of the project are funded by application fees provided by the applicant.

CEQA REQUIREMENTS:
The Initial Study, Environmental Checklist No. EA/C&ED 2022-22, concluded that the proposed project is within the scope of the General Plan Master EIR (SCH No. 2014042081), and that pursuant to Section 21157.1(b) of the Public Resources Code, no new environmental review is required. Since there are no changes to the vesting tentative subdivision map, and conditions surrounding the tentative map have remained, the previous environmental document is still valid.

RECOMMENDED COMMITTEE ACTION:
Staff Recommendations:
A resolution granting a two-year extension of time for the filing of a Final Map of the Miller-Aderholt Subdivision (Fred Miller)

Attachments:

1. Draft Planning Commission Resolution 2026-xx
2. Initial Study, Finding of Conformance EA No. C&ED 2022-22
3. Financial Interest Disclosure Form
4. Levine Act Form
5. Hold harmless agreement

PLANNING COMMISSION
RESOLUTION NO. 2026-XX

A RESOLUTION GRANTING A TWO-YEAR EXTENSION OF TIME FOR THE FILING OF A FINAL MAP OF THE MILLER-ADERHOLT SUBDIVISION (FRED MILLER)

WHEREAS, by Resolution No. 2023-17 adopted on June 5, 2023, the Planning Commission approved the Vesting Tentative Map of the Miller-Aderholt Subdivision (Mid-Valley Engineering); and

WHEREAS, as a condition of approval the ability to file a Final Map for said Vesting Tentative Subdivision Map was contingent on the approval of a rezone of the property from Specific Plan Holding (SP-H) to Specific Plan (SP) by the City Council; and

WHEREAS, the City Council by Ordinance 3769-C.S. effective on September 21, 2023 adopted the rezone of the property from Specific Plan Holding (SP-H) to Specific Plan (SP), thereby providing for the effective date of the abovementioned Vesting Tentative Subdivision Map for the Miller-Aderholt Subdivision to be September 21, 2023; and

WHEREAS, the abovementioned Vesting Tentative Subdivision Map would then expire on September 21, 2025; and

WHEREAS, on September 8, 2025, prior to the expiration of said tentative map, the property owner, Fred Miller, requested a two (2) year extension of time to file the Final Map for the Vesting Tentative Subdivision of the Miller-Aderholt Subdivision; and

WHEREAS, Section 4-4.601(a) of the Modesto Municipal Code allows that the Commission "may extend the time for filing a final map for a period or periods not exceeding three (3) years if it determines that conditions affecting the subdivision have not substantially changed."; and

WHEREAS, State law allows local jurisdictions to extend the life of tentative maps for up to six (6) years beyond the original expiration date. However, the Municipal Code limits subdivision map time extensions that can be granted by the Commission to three (3) years at a time; and

WHEREAS, staff therefore recommends that the Commission approve the two-year time extension for the tentative subdivision map, which would result in the new expiration date of September 21, 2027; and

WHEREAS, City expenditures related to the review of the project are funded by application fees provided by the applicant; and

WHEREAS, the Planning Commission certified that it received and reviewed the Initial Study, Environmental Assessment No. EA/C&ED 2022-22, which

concluded that the project is within the scope of the General Plan Master EIR (SCH No. 2014042081) and that pursuant to Section 21157.1 of the Public Resources Code, no new environmental review is required.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it finds and determines as follows:

1. Conditions affecting the tentative subdivision map have not substantially changed since the vesting tentative map was approved.

2. An Initial Study was prepared by the City of Modesto that analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Master EIR and whether the subsequent project was described in the Master EIR as being within the scope of the report.

3. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master EIR.

4. No new or additional mitigation measures or alternatives are required.

5. The subsequent project is within the scope of the project covered by the Master EIR.

6. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.

7. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby grants to Fred Miller a two-year extension of time to September 21, 2027, for filing the Final Map of the Miller-Aderholt Subdivision, subject to the conditions contained in Planning Commission Resolution No. 2023-17.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 15, 2026, by Commissioner ____, who moved its adoption, which motion was seconded by Commissioner_____, and carried by the following vote:

Ayes:
Noes:
Absent:
Recused:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD

Michael Hren, AICP, Secretary

City of Modesto

Finding of Conformance with the Urban Area General Plan Master EIR (SCH No. 2014042081)

Initial Study Environmental Checklist
C&ED No. 2022-22

For the proposed:

RZN-23-002/TSM-22-003

Village One Specific Plan
Zone Change from Specific Plan-Holding (SP-H) to Specific Plan (SP); and
Vesting Tentative Subdivision Map
"Miller-Aderholt Subdivision"

Prepared by:
City of Modesto
Community & Economic Development Department
Planning Division

January 23, 2023
Revised April 18, 2023

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City of Modesto
Master EIR Initial Study Environmental Checklist

I. PURPOSE

CEQA allows for the limited environmental review of subsequent projects under the City's Master Environmental Impact Report ("Master EIR"). This Initial Study Environmental Checklist ("Initial Study") is used in determining whether the rezone from Specific Plan-Holding Zone (SP-H) to Specific Plan (SP) of a 4.98-acre site located within Precise Plan Area No. 6 (Subarea A) of the Village One Specific Plan; and associated Vesting Tentative Subdivision Map to subdivide two (2) parcels, totaling 4.98-acres, into nine (9) residential lots, with each lot being a minimum of 0.50 acres ("Project") is "within the scope" of the project analyzed in the Modesto Urban Area General Plan Master EIR (SCH# 2014042081) (Public Resources Code section 21157.1). When the Initial Study supports this conclusion, the City will issue a Finding of Conformance.

A subsequent project is "within the scope" of the Master EIR when:

1. it will have no additional significant effects on the environment that were not addressed as significant effects in the Master EIR; and,

2. no new or additional mitigation measures or alternatives are required.

"Additional significant effects on the environment" are those project specific effects on the environment which were not addressed as significant effects on the environment in the Master EIR. [Public Resources Code Section 21158(d)]

The determination must be based on substantial evidence in the record. "Substantial evidence" means facts, reasonable assumptions predicated upon facts, or expert opinion based on facts. It does not include speculation or unsubstantiated opinion. (CEQA Guidelines Section 15384)

II. PROJECT DESCRIPTION

A. Title: RZN-23-002/TSM-22-003.
The project is a proposed rezone, from Specific Plan-Holding Zone (SP-H) to Specific Plan (SP) on a 4.98-acre portion of Precise Plan Area No. 6 (Subarea A) of the Village One Specific Plan (Specific Plan) and a subsequent Vesting Tentative Subdivision Map ("Miller-Aderholt Subdivision") which proposes subdividing two (2) parcels, totaling 4.98 acres, into nine (9) single-family residential parcels, each a minimum of 0.50 acres.

The proposed rezone, from Specific Plan-Holding Zone (SP-H) to Specific Plan (SP) on a 4.98-acre portion of Precise Plan Area No. 6 (Subarea A) of the Village One Specific Plan, will allow for the project site to develop to the min. 0.50 acre parcel size consistent with the requirements of the Zoning Code and the Specific Plan. Additionally, the Vesting Tentative Subdivision Map which proposes subdividing two (2) parcels, within Precise Plan 6, Subarea A, totaling 4.98 acres, into nine (9) single family residential parcels each a minimum of 0.50 acres.

B. Address or Location: 4.98 acres located on Millbrook Avenue northwest of the intersection of Esta Avenue and Millbrook Avenue within Precise Plan Area No. 6 (Subarea A) of the

Village One Specific Plan area within the city of Modesto. Also known as Assessor's Parcel Numbers (APN) 085-064-016 and 085-064-017

C. Applicants: Frederick and Leanne Miller
220 Standiford Avenue, Suite C; Modesto, CA 95350

Ronald and L. Aderholt 2004 Trust
3419 Millbrook Avenue; Modesto, CA 95355

D. City Contact Person: Diana Lowrance, Senior Planner

Project Manager: Diana Lowrance, Senior Planner
Department: Community and Economic Development Department, Planning Division
Phone Number: 209-577-5267
E-mail address: dlowrance@modestogov.com

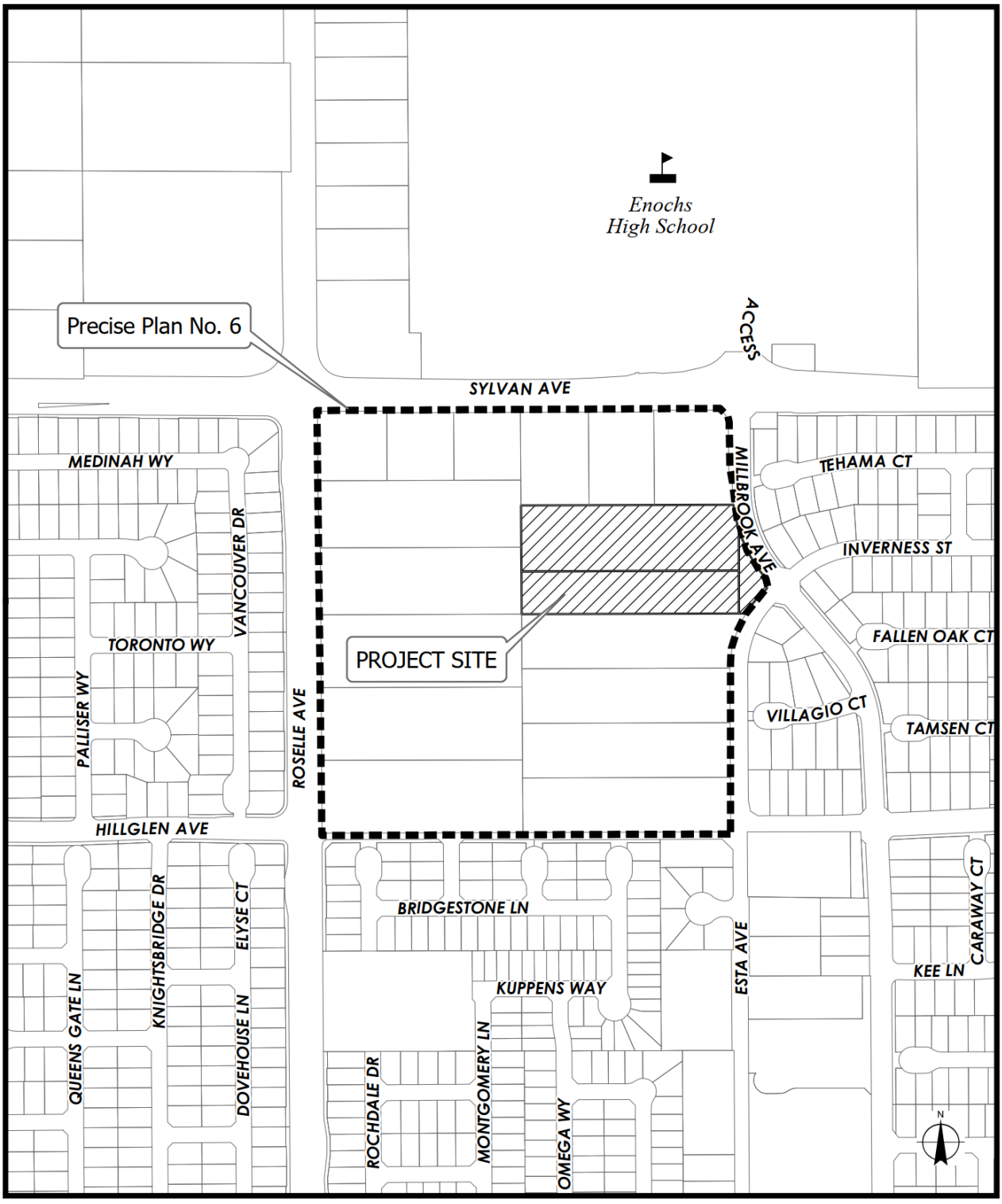
E. Current General Plan Designation(s): Residential (R)

F. Current Zoning Classification(s): Specific Plan-Holding (SP-H) zone, Village One Specific Plan (R-1 uses)

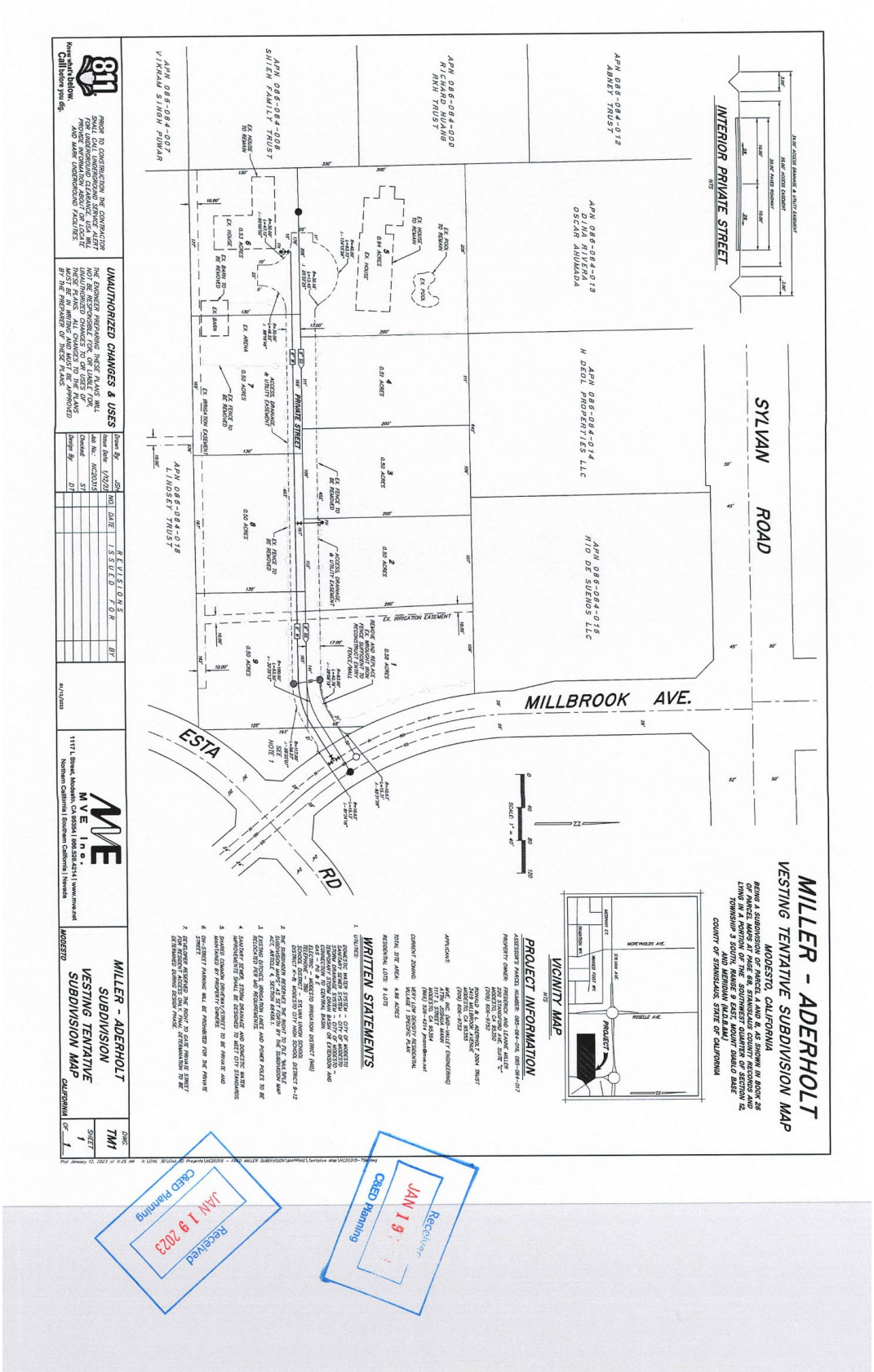
G. Surrounding Land Uses:
North: SP-H Zone, Low Density Residential (R-1) Zone uses, Enochs High School
South: SP-H Zone, Low Density Residential (R-1) Zone uses, single-family residential uses
East: SP-H Zone, Low Density Residential (R-1) Zone uses, single-family residential uses
West: SP-H Zone, Low Density Residential (R-1) Zone uses, single-family residential uses

H. Project Description, including the project type listed in Section II.C (Anticipated Future Projects) of the Master EIR (Attach additional maps/support materials as needed for complete record):

A proposed rezone, from Specific Plan-Holding Zone (SP-H) to Specific Plan (SP) on a 4.98-acre portion of Precise Plan Area No. 6 (Subarea A) of the Village One Specific Plan (Specific Plan) and a subsequent Vesting Tentative Subdivision Map ("Miller-Aderholt Subdivision") which proposes subdividing two (2) parcels, totaling 4.98 acres, into nine (9) single-family residential parcels, each a minimum of 0.50 acres.



REZONE NO. RZN-23-002 AND TENTATIVE SUBDIVISION MAP NO. TSM-22-003



VESTING TENTATIVE SUBDIVISION MAP
TSM-22-003

I. Other Public Agencies Whose Approval is Required: None

III. FINDINGS / DETERMINATION (SELECT ONE ON THE BASIS OF THE ANALYSIS IN SECTION IV)

1. X **Within the Scope** – The project is within the scope of the Master EIR and no new environmental document or Public Resources Code Section 21081 findings are required. All of the following statements are found to be true:

A. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master EIR;

B. No new or additional mitigation measures or alternatives are required;

C. The subsequent project is within the scope of the project covered by the Master EIR; and,

D. All applicable policies, regulations, and/or mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.

2. ___ **Mitigated Negative Declaration Required** – On the basis of the above determinations, the project is not within the scope of the Master EIR. A mitigated negative declaration will be prepared for the project. The following statements are all found to be true:

A. The subsequent project is within the scope of the project covered by the Master EIR;

B. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project; and,

C. The project will have one or more potential new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures are being required of the project that will reduce the effects to a less than significant level.

3.____ Focused EIR Required – On the basis of the above determinations, the project is not within the scope of the Master EIR. A Focused EIR will be prepared for the project. All of the following statements are found to be true:

A. The subsequent project is within the scope of the project covered by the Master EIR;

B. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project; and,

C. The project will have one or more new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures or alternatives are required as a result.

	Senior Planner	May 12, 2023
Project Manager	Title	Date

4. Within the Scope Analysis of this Document:

The Master EIR allows projects to be found within the scope of the MASTER EIR if certain criteria are met. If the following statements are found to be true for all 20 impact categories included in this Initial Study, then the proposed project is addressed by the Master EIR analysis and is within the scope of the Master EIR. Any "No" response must be discussed.

		YES	NO
(1)	The lead agency for subsequent projects shall be the City of Modesto or a responsible agency identified in the Master EIR.	☒	☐
(2)	City policies that reduce, avoid, or mitigate environmental effects will continue to be in effect and, therefore, would be applied to subsequent projects where appropriate. The policies are described in the list of policies in place as "mitigating policies" attached to the Initial Study template. Project impacts would be mitigated to a less-than-significant level using the Master EIR's mitigating policies only.	☒	☐
(3)	Federal, State, regional, and Stanislaus County regulations do not change in a manner that is less restrictive on development than current law (i.e., would not offer the same level of protection assumed under the Master EIR).	☒	☐
(4)	No specific information concerning the known or potential presence of significant resources is identified in future reports, or through formal or informal input received from responsible or trustee agencies or other qualified sources.	☒	☐
(5)	The project will occur within the boundaries of the City's planning area as established in the Urban Area General Plan.	☒	☐
(6)	Implementation of the project will comply with all appropriate mitigating policies contained and enumerated in the 2019 Urban Area General Plan Master EIR.	☒	☐

5. Currency of the Master EIR Document

The Master EIR should be reviewed on a regular basis to determine its currency, and whether additional analysis / mitigation should be incorporated into the Master EIR via a Supplemental or Subsequent EIR (CEQA Section 21157.6). Staff has reviewed Sections 1 through 20 of this document in light of the criteria listed below to determine whether the Master EIR is current. The analyses contained within the Master EIR are current as long as the following circumstances have not changed. Any "no" response must be explained.

		YES	**NO**
(1)	Certification of the Urban Area General Plan Master EIR occurred less than five (5) years prior to the filing of the application for this subsequent project.	☒	☐
(2)	The proposed project is described in the Master EIR and its approval will not affect the adequacy of the Master EIR for any subsequent project because the City can make the following findings:	☒	☐
(a)	No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified;	☒	☐

(b)	No new information, which was not known and could not have been known at the time the Master EIR was certified as complete, has become available; and,	☒	☐
(c)	Policies that require site-specific mitigation, and avoidance or other mitigation of impacts as a prerequisite to future development, remain in full force and effect.	☒	☐

Discussion:

(1) The General Plan Master EIR was last certified on March 5, 2019. The analysis contained in the Master EIR is adequate for subsequent projects, as documented in the discussion below.

(2) The project is consistent with the analysis contained in the Master EIR. This is documented in the discussion of the 20 individual evaluation topics within this initial study.

(2)(a) There have been no substantive changes to the Urban Area General Plan since the Master EIR was certified that would create additional significant environmental effects that were not analyzed by the Master EIR.

(2)(b) There has been no new information that would affect the adequacy of the analysis contained in the Master EIR.

(2)(c) All policies contained in the Master EIR that require site-specific mitigation or avoidance of impacts remain in effect and will be applied to the project as appropriate.

IV. ENVIRONMENTAL ANALYSIS

This Initial Study, in accordance with Section 21157.1(b) of the Public Resources Code, discloses whether the proposed project may cause any project-specific significant effect(s) to the environment that was not examined in the Final Master EIR for the Urban Area General Plan, and whether new or additional mitigation measures or alternatives may be required as a result. The Initial Study thereby documents whether or not the project is "within the scope" of the Master EIR.

Pursuant to Public Resources Code Section 21157.1, no new environmental document or findings are necessary for projects that are determined to be within the scope of the Master EIR. Adoption of the findings specified in Section III.1, above, after completion of the Initial Study fulfills the City's obligation in that situation. All environmental effects cited reflect 2040 conditions resulting from the Urban Area General Plan, as identified in the Master EIR.

The environmental impact analysis in the Master EIR for the Urban Area General Plan is organized in twenty subject / topical areas. The following analysis is based on the impact analyses contained in Chapter V of the Master EIR. For ease of reference, the sections are numbered in the same order as the analyses in Chapter V.

1. TRAFFIC AND CIRCULATION

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable traffic and circulation impacts expected after application of mitigating policies.

Direct Impacts

Effect: Increased automobile traffic will result in roadway segments (see Master EIR Table V-1-6, pages V-1-36 to V-1-39) operating at LOS D, Modesto's significance threshold for automobile traffic, or lower (LOS E or F).

Effect: The substantial increase in traffic relative to the existing load and capacity of the street system will cause, either individually or cumulatively, the violation of automobile service standards established by StanCOG's Congestion Management Plan for designated roads and highways.

Effect: A substantial increase in automobile vehicle miles traveled (see Master EIR Tables V-1-7 through V-1-10, pages V-1-44 through V-1-45).

Cumulative Impacts

Effect: Potential for growth inducement or acceleration of development resulting from highway and local road projects.

Effect: Substantial increase in traffic in relation to the existing traffic load and capacity of the street system, including a violation, either individually or cumulatively, of an automobile LOS standard established by the Congestion Management Plan for designated roads and highways.

Effect: Increased demand for capacity-enhancing alterations to existing roads or automobile traffic reduction.

Other impact categories affected by Traffic and Circulation are addressed throughout this Initial Study (see also: Section 2, Air Quality and Greenhouse Gas Emissions; Section 3, Generation of Noise; Section 18, Energy; Section 19, Visual Resources; and, Section 20, Land Use and Planning).

b. Urban Area General Plan Mitigating Policies Applied to the Project

Traffic and Circulation-related mitigating policies pertinent to this project are found on Master EIR pages V-1-7 through V-1-30. All mitigating policies appropriate to the project, including any new measures, will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding traffic from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-1.B of the Master EIR provides analysis of Traffic and Circulation impacts of development of the General Plan. The following is an analysis of whether the proposed project would result in any new, significant, project-specific effect(s) that were not disclosed in the Master EIR.

Significance Criteria: A subsequent development project will have a new significant effect on the environment if it would exceed the following thresholds / criteria:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
1. TRAFFIC AND CIRCULATION				
1) The proposed project would conflict with an applicable plan, ordinance or policy (including those within the Urban Area General Plan) establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including, but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	☐	☐	☐	☒
2) The proposed project would conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency, for designated facilities.	☐	☐	☐	☒
3) The proposed project would result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.	☐	☐	☐	☒
4) The proposed project would substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment), or result in inadequate emergency access.	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
5) The proposed project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	☐	☐	☐	☒
6) The proposed project would result in projected Level of Service "D" or worse for non-exempt City of Modesto roadways, Caltrans facilities, and/or County of Stanislaus roadways.	☐	☐	☐	☒

Discussion:

(1) The proposed nine (9) lot tentative subdivision map will utilize a private road with utility and storm drainage easements that extend west from Millbrook Avenue north of Esta Avenue. There is no impact and no mitigation is required.

(2) The project would not exceed a level of service standard established by the County congestion management agency (StanCOG). No impact.

(3) The proposed project would not have any impact on air traffic patterns. The project site is not located within a safety zone as established by the Airport Land Use Commission. The nearest airport is the City-County Airport approximately 3.5 miles away to the south.

(4) As mentioned previously, the proposed nine (9) lot tentative subdivision map will utilize a private road with utility and storm drainage easements that extend west from Millbrook Avenue north of Esta Avenue. The subdivision may be gated, however consistent with Fire Department standards, all vehicle entrance gates shall have a Knox vehicle gate switch that is sub-mastered for the Modesto Police Department to allow for emergency access. Therefore, any impacts from the project would be less than significant.

(5) The project would not conflict with adopted plans for alternative transportation. No impact.

(6) There are no significant changes in the level of service or the volume-capacity ratio as a result of the project, and therefore there are no significant cumulative (long-term) traffic impacts.

2. AIR QUALITY AND GREENHOUSE GAS EMISSIONS

5. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable air quality impacts expected after application of mitigating policies.

Direct Impacts

Effect: Expected automobile traffic will result in increased operational emissions of reactive organic gases (ROG) and oxides of nitrogen (NO_X), and increased carbon monoxide (CO) levels in the project area (see Master EIR Tables V-2-4 through V-2-6, pages V-2-40 through V-2-41).

Effect: Expected construction and development activities could result in increased emissions of particulate matter 10 microns or less (PM_{10}) and 2.5 microns or less in diameter ($PM_{2.5}$) (see Master EIR page V-2-31, "2. Significant Direct Impacts").

Cumulative Impacts

The Master EIR indicates the same impacts identified as direct impacts above will contribute to regional impacts on air quality for the criteria pollutants ROG, NO_x, PM_{10}, and $PM_{2.5}$.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Air quality-related mitigating policies that are relevant to the proposed project are found on pages V-2-8 through V-2-29 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
The appropriate policies to be applied to this project include AQ-100, AQ-103, AQ-105, AQ-107 through AQ-110, and AQ-113 through AQ-116 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-2.B of the Master EIR is the analysis of air quality impacts resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
2. AIR QUALITY AND GREENHOUSE GAS EMISSIONS				
1) The proposed project would be inconsistent with the air quality and greenhouse gas emissions policies in the Urban Area General Plan.	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
2) The proposed project would conflict with or obstruct implementation of the applicable air quality plan.	☐	☐	☐	☒
3) The proposed project would violate any air quality standard or contribute substantially to existing or projected violation.	☐	☐	☐	☒
4) The proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).	☐	☐	☐	☒
5) The proposed project would expose sensitive receptors to substantial pollutant concentrations.	☐	☐	☒	☐
6) The proposed project would create objectionable odors affecting a substantial number of people.	☐	☐	☒	☐
7) The proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	☐	☐	☐	☒
8) The proposed project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with the air quality and greenhouse gas emissions policies in the Urban Area General Plan. The proposed rezone is to allow for the development of a nine-lot single-family residential subdivision. Pursuant to the Village One Specific Plan, residential lots are to be 0.50-acre or larger. No impact.

(2) The project would not conflict with or obstruct implementation of the applicable air quality plan. No impact.

(3) The proposed project involves a residential subdivision of nine lots and would not violate any air quality standard or contribute substantially to existing or projected violation. No impact.

(4) The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. No impact.

(5-6) The site of the tentative subdivision map is in proximity to existing rural residential homes and the Enochs High School to the north; however, any impact related to substantial pollutant concentrations and objectionable odors by the project would be construction-related and temporary, and at a less than significant level with application of the above mitigation measures.

(7) The proposed project is residential in nature and would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. No impact.

(8) The project would not exceed emissions thresholds established by the SJVUAPCD, and is consistent with the development standards for a residential use as established by the General Plan. No impact.

3. GENERATION OF NOISE AND VIBRATION

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable noise and vibration impacts expected after application of mitigating policies.

Direct Impacts

Effect: Future automobile traffic noise levels and roadway construction and maintenance activities resulting from development consistent with the Urban Area General Plan will exceed the City's noise thresholds at various locations, but particularly in areas adjacent to heavily traveled roadways (see Master EIR Table V-3-9, pages V-3-28 through V-3-31.

Effect: New noise-generating land uses could produce noise levels that would exceed the City's noise thresholds of acceptability at sensitive receptors in the vicinity.

Effect: Construction noise would cause a temporary or periodic increase in noise exposure above ambient noise levels.

Effect: Demolition and construction activities may expose people to excessive vibration levels.

Cumulative Impacts

Effect: Traffic from development in the City of Modesto would, when combined with traffic from new development in the County and other cities, contribute to a cumulative increase in roadside noise levels on major roads and highways throughout Stanislaus County.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Noise policies that are pertinent to the project being analyzed in this Initial Study are found on pages V-3-18 through V-3-24 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
The appropriate policies to be applied to this project include Noise-4 and Noise 7 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-3.B of the Master EIR discloses noise impacts resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project -specific effect not analyzed in the Master EIR.

Significance Criteria: Determination of the proposed project's effects are based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
3. NOISE AND VIBRATION				
1) The proposed project is inconsistent with Urban Area General Plan noise and vibration policies and standards.	☐	☐	☐	☒
2) The proposed project would generate excessive ground-borne noise and/or vibration levels.	☐	☐	☐	☒
3) The proposed project would result in a permanent increase of 3 dBA where any other noise threshold or standard would be exceeded, and/or 5 dBA where noise levels would otherwise fall within acceptable limits, in ambient noise levels in the project vicinity above levels existing without the project.	☐	☐	☐	☒
4) The proposed project would result in a substantial temporary or periodic increase in ambient noise levels existing without the project.	☐	☐	☒	☐
5) For a project located within an airport land use plan, or where such a plan has not been adopted, within two (2) miles of a public	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
airport or public use airport, the proposed project would result in exposure of people residing or working in the project area to excessive noise levels.				
6) For a project within the vicinity of a private airstrip, the proposed project would expose people residing or working in the project area to excessive noise levels.	☐	☐	☐	☒
7) For new residential development within 200 feet of active rail lines, the proposed project would result in noise levels generated during train passbys that exceed 50 dBA Lmax inside bedrooms or 55 dBA Lmax inside other occupied areas.	☐	☐	☐	☒

Discussion:

(1) The proposed project would not be inconsistent with the General Plan's noise and vibration policies. No impact.

(2-3) The project, a proposed rezone, from Specific Plan-Holding Zone (SP-H) to Specific Plan (SP) on a 4.98-acre portion of Precise Plan Area No. 6 (Subarea A) of the Village One Specific Plan (Specific Plan) and a subsequent Vesting Tentative Subdivision Map ("Miller-Aderholt Subdivision") to subdivide two (2) parcels, totaling 4.98 acres, into nine (9) single-family residential parcels, each a minimum of 0.50 acres, would not generate excessive ground-borne noise or vibration levels, or lead to a permanent increase in ambient noise level. No impact.

(4) Any increase in noise would be construction-related and temporary, and less than significant impact with mitigation measures applied. Subsequent development would be required to adhere to the City's noise ordinance.

(5) The site is not located within an airport land use plan, and is approximately 3.5 miles away from the nearest public airport. No impact.

(6) The site is not within the vicinity of a private airstrip. The nearest known private airstrip is Yandell Ranch approximately 12 miles to the west. No impact.

(7) The site is not within 200 feet of an active railroad line. The nearest railroad line is the BNSF line 0.5 miles away to the east. No impact.

4. EFFECTS ON AGRICULTURAL LANDS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on agricultural lands expected after application of mitigating policies.

Direct Impacts

Effect: Development consistent with the Urban Area General Plan may convert up to approximately 10,500 acres of farmland in various categories in the Planned Urbanizing Area to urban uses.

Effect: Approximately 1,100 acres of urban development along a 350-foot wide 26-mile boundary between urban and agricultural uses could be affected by continued agricultural operations, including noise, dust, and chemical overspray or drift.

Cumulative Impacts

Effect: Growth within Modesto's planning area would contribute considerably to the loss of agricultural land within Stanislaus County, accounting for the conversion of as much as approximately 10,500 acres of farmland in various categories in the Planned Urbanizing Area to 2040.

b. Urban Area General Plan Mitigating Policies Pertinent to the Project

Agricultural land-related mitigating policies pertinent to the proposed project are found on pages V-4-4 to and V-4-8 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding agricultural lands from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-4.B of the Master EIR discloses the impacts resulting from the implementation of the Urban Area General Plan on agricultural lands. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect(s) not previously analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
4. EFFECTS ON AGRICULTURAL RESOURCES				

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
1) The proposed project would be inconsistent with the Urban Area General Plan policies relating to agricultural resources.	☐	☐	☐	☒
2) The proposed project would convert areas of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural uses, impair the agricultural productivity of prime agricultural land, or result in substantial pesticide overspray, dust, or noise at urban uses.	☐	☐	☐	☒
3) The proposed project would conflict with existing zoning for agricultural use, or with a Williamson Act contract.	☐	☐	☐	☒
4) The proposed project would conflict with existing zoning for, or cause rezoning of, forest land or timberland.	☐	☐	☐	☒
5) The proposed project would result in the loss of forest land or conversion of forest land to non-forest use.	☐	☐	☐	☒
6) The proposed project would involve other changes to the environment that could result in conversion of farmland or forest land.	☐	☐	☐	☒

Discussion:

(1) The area of the proposed rezone (located within Precise Plan Area No. 6, Subarea A of the Village One Specific Plan) is within the Planned Urbanizing Area and is currently not in agricultural production. The site is comprised undeveloped land and rural residential "ranchettes." Additionally, the 2018 California Department of Conservation's Important Farmland Map (the latest data available) designates this area of the Precise Plan as "Rural Residential" (R). Therefore, the project would not be inconsistent with the General Plan's policies related to agricultural land. There is no impact.

(2) As noted above, the 2018 Important Farmland Map designates the area as "Rural Residential". No farmlands designated as Prime, Unique or of Statewide Importance would be converted to non-agricultural purposes. No impact.

(3) The site is not zoned for agricultural uses and is not under a Williamson Act contract. No impact.

(4-6) The project would not cause the rezoning of forest land or timberland. The project site is within an urbanized area not on or in the vicinity of any forest or timberland. No impact.

5. INCREASED DEMAND FOR LONG-TERM WATER SUPPLIES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on long-term water supplies expected after application of mitigating policies.

Direct Impacts

Effect: Implementation of the Urban Area General Plan could substantially deplete groundwater supply or interfere with recharge.

Effect: Implementation of the Urban Area General Plan could necessitate construction of new water treatment facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.

Effect: Implementation of the Urban Area General Plan could necessitate expansion of existing water supply entitlements.

Cumulative Impacts

Effect: Groundwater withdrawals from both subbasins by the City, when combined with other users' withdrawals, may result in overdrafting.

Effect: Cumulative impacts resulting from construction of new water treatment facilities, or expansion of existing facilities, could cause significant environmental effects.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Water supply-related mitigating policies pertinent to the proposed project are found on pages V-5-11 through V-5-16 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding water supply from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-5.B of the Master EIR discloses impacts on long-term water supplies resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
5. EFFECTS RELATIVE TO INCREASED DEMAND FOR LONG TERM WATER SUPPLIES				
1) The proposed project is inconsistent with the Urban Area General Plan policies relating to water supply.	☐	☐	☐	☒
2) The proposed project would substantially deplete groundwater supply, interfere with groundwater recharge, result in water demand exceeds the capacity for recharge or that would contribute to overdraft of the groundwater basins.	☐	☐	☐	☒
3) The proposed project would require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	☐	☐	☐	☒
4) The proposed project would exceed existing water supply entitlements or require expansion of entitlements.	☐	☐	☐	☒

Discussion:

(1) The project is consistent with the water supply policies in the General Plan. No impact.

(2) The proposed project is consistent with the ground water demands assumed in the General Plan. The project would not have any effect on ground water recharge or depletion of long-term water supplies.

(3-4) The project was referred to Land Development Engineering Staff who indicated no concerns with water supply to the project. The proposed development will not exceed estimates or water supplies needed to serve other entitlements and resources. No impact.

6. INCREASED DEMAND FOR SANITARY SEWER SERVICES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on sanitary sewer services after application of mitigating policies.

Direct Impacts

Effect: Development resulting from implementation of the Urban Area General Plan may result in exceedance of wastewater treatment requirements of the Central Valley RWQCB.

Effect: Development resulting from implementation of the Urban Area General Plan may require or result in construction of new wastewater facilities, or the expansion of existing facilities, that could cause significant effects.

Effect: Development resulting from implementation of the Urban Area General Plan may result in a finding that the wastewater treatment facilities do not have adequate capacity to serve the projected demand in addition to the provider's existing commitments.

Cumulative Impacts

Effect: Development resulting from implementation of the Urban Area General Plan may result in cumulative effects similar to those described under "irect Impacts," above.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Sewer service-related mitigating policies that are relevant to the proposed project are found on pages V-6-3 through V-6-7 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding sanitary sewer services from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-6.B of the Master EIR discloses impacts on the Increased Demand for Sanitary Sewer Service resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
6. INCREASED DEMAND FOR SANITARY SEWER SERVICES				
1) The proposed project is inconsistent	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
with wastewater policies in the Urban Area General Plan, or would exceed wastewater treatment requirements of the Central Valley RWQCB.				
2) The proposed project would require or result in the construction of new wastewater facilities or the expansion of existing facilities, beyond those identified improvements needed to serve the proposed project, which would cause significant effects.	☐	☐	☐	☒
3) The proposed project would result in a finding that the wastewater treatment facilities do not have adequate capacity to serve the proposed project's projected demand in addition to the provider's existing commitments.	☐	☐	☐	☒

Discussion:

(1) The project involves the development of a nine-lot single-family residential subdivision. The project would be consistent with the General Plan's policies relating to wastewater and conform to applicable City Zoning Codes and Standards. No impact.

(2-3) The project would not generate sewage flows greater than estimates for a project of similar residential uses. The project was referred to Land Development Engineering, who indicated no concerns with the project. No impact.

7. LOSS OF SENSITIVE WILDLIFE AND PLANT HABITAT

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on sensitive wildlife and plant habitat expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant impacts on sensitive wildlife and plan habitat are expected to occur with the application of the policies contained in the Urban Area General Plan.

Cumulative Impacts

Effect: Implementation of the Urban Area General Plan will contribute to the cumulative impact of habitat loss in the San Joaquin Valley. Requiring increased density / intensity for new development than has occurred in the past, or that is expected in the future, would minimize the City's contribution to the cumulative loss of habitat. Nonetheless, this is a significant and unavoidable impact.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Wildlife and plant habitat-related mitigating policies that are pertinent to the proposed project are found on pages V-7-18 through V-7-25 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
The applicable mitigating policies to be applied to this project include SWPH-13 and SWPH-14, with regards to policies outlined in Table V-7-1-j and k from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-7.B of the Master EIR discloses impacts on the Loss of Sensitive Wildlife and Plant Habitat resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
7. LOSS OF PLANT AND WILDLIFE HABITAT				
1) The proposed project is inconsistent with the Urban Area General Plan policies related to loss of sensitive plant and wildlife habitat.	☐	☐	☐	☒
2) The proposed project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special-status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife service.	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
3) The proposed project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife service.	☐	☐	☐	☒
4) The proposed project would have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption or other means.	☐	☐	☐	☒
5) The proposed project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	☐	☐	☐	☒
6) The proposed project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	☐	☐	☐	☒
7) The proposed project would conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with the General Plan's polices related to loss of sensitive plant and wildlife habitat. No impact.

(2) The project involves the division of 4.98 acres into nine single-family residential lots on rural residential properties located on what was originally identified as pastureland in the Biological Resources study of the Village One Specific Plan Program EIR (SCH No. 90020181). The EIR did not identify any special status species in the area of the project site; however, there is history of Burrowing Owls nesting in the vicinity of the site as recently as 2013, in a storm drain basin located at the northeast corner of Bear Cub Lane and Kodiak Drive. The owls were then passively relocated in 2013 in accordance with the

California Department of Fish and Wildlife Guidelines in order to perform necessary improvements to the basin. There is also potential foraging habitat for the Swainson's Hawk at the site, which is known to nest within the General Plan area in grassland, riparian and agricultural habitats. Implementation of the mitigation measures in Table V-7-1 from the MEIR would reduce the potential impact for either species to a less-than-significant level.

(3-4) The project site is not within a riparian corridor or biologically sensitive area as defined by Figures V-7-1a through V 7-1e of the MEIR. No impact.

(5) The project would not interfere with the movement of native migratory fish or wildlife species. No impact.

(6) The project would not conflict with a local policy or ordinance protecting biological resources. The city does not have a tree preservation ordinance. No impact.

(7) The proposed project would not conflict with any adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. No impact.

8. DISTURBANCE OF ARCHAEOLOGICAL / HISTORICAL SITES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on archaeological / historical sites expected after application of mitigating policies.

Direct Impacts

Effect: Modification resulting in a substantial adverse change in the significance of a historically relevant resource, or the demolition of a listed or eligible historically relevant resource.

Cumulative Impacts

Effect: No additional cumulative impacts were disclosed in the Master EIR. The Direct impact described above could also result in a significant cumulative impact.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Archaeological or historic resource-related mitigating policies that are pertinent to the project being analyzed in this Initial Study are found on page V-8-16 through V-8-25 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
The applicable mitigating policies to be applied to this project include: none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-8.B of the Master EIR discloses impacts on archaeological / historical resources resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in any new, significant, project-specific effect(s) not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
8. ARCHAEOLOGICAL / HISTORICAL SITES				
1) The proposed project is inconsistent with the Urban Area General Plan archaeological / historical resource policies.	☐	☐	☐	☒
2) The proposed project would result in a modification that would result in a substantial adverse change in the significance of the resource or demolition of a listed or eligible historic resource.	☐	☐	☐	☒
3) The proposed project would have an adverse effect on any structure more than 50 years old that has been determined to have historical significance per policy AH-8 as shown in the Master EIR.	☐	☐	☐	☒
4) The proposed project would involve the removal of known significant resources.	☐	☐	☐	☒
5) The proposed project would result in an adverse impact to undiscovered archaeological and/or paleontological resources.	☐	☐	☐	☒
6) The proposed project would cause a substantial adverse change to a tribal cultural resource, as defined by State law, that is listed (or is eligible for listing) in the California Register of Historical Resources (or a local register of historical resources), or that otherwise has potential significance to a California Native American Tribe, including human remains.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with General Plan policies pertaining to archaeological or historic resources. No impact.

(2-6) The project site is comprised of rural residential properties and is zoned for residential uses. The site is surrounded by single-family residential uses and the Enochs High School to the north. The site is not classified as being of state or federal historic status nor is eligible for listing for such status. No impact.

9. INCREASED DEMAND FOR STORM DRAINAGE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on storm drainage expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: Existing drainage inadequacies, combined with the associated increase in impervious surface areas created by pavement and structures, have the potential to increase the rate or amount of runoff in a manner that could result in flooding in the urban area. Cumulative hydrologic impacts of storm water flows from Modesto's urban areas and other areas of the County could occur due to the fixed capacity of MID and TID irrigation canals to convey drainage west to the San Joaquin River. If drainage channels in some areas prove insufficient to handle the increased drainage discharges, existing storm water runoff from urban and agricultural areas during large storm events would have to be interrupted until water levels receded to a point allowing the resumption of discharges to the channel. Ceasing discharges to drainage channels could cause inundation in and around the drainage conveyance pipeline systems, surface drainage channels, detention basins, and other urban areas. This cumulative impact is considered significant and unavoidable.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Storm Drainage-related mitigating policies that are pertinent to the project being analyzed in this Initial Study are found on pages V-9-4 through V-9-8. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
The appropriate mitigating policies to be applied to this project include: SD-10 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-9.B of the MASTER EIR discloses impacts on the demand for storm drainage resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
9. INCREASED DEMAND FOR STORM DRAINAGE				
1) The proposed project is inconsistent with the Urban Area General Plan storm drainage policies.	☐	☐	☐	☒
2) The proposed project would substantially increase the rate or amount of surface runoff in a manner that would result in on- or off-site flooding.	☐	☐	☐	☒
3) The proposed project would create or contribute runoff water that would exceed the capacity of existing or planned storm drainage systems or provide substantial additional sources of polluted runoff.	☐	☐	☒	☐

Discussion:

(1) Storm water from the project area is proposed to be routed to existing facilities in Hillglen Avenue, Millbrook Avenue, and Roselle Avenue. Staff has determined that there is enough capacity in the existing storm system surrounding the site to serve the project. All infrastructure improvements would be in accordance to City Standards. No impact.

(2) The project would not substantially increase the rate of surface runoff. No impact.

(3) Land Development Engineering staff has concluded that there is sufficient capacity in the storm facilities to the north to handle development of the proposed project. The impact of this project is less than significant.

10. FLOODING AND WATER QUALITY

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on flooding and water quality expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Flooding and Water Quality-related mitigating policies that are pertinent to the project being analyzed in this Initial Study are found on pages V-10-7 through V-10-10 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
The appropriate mitigating policies to be applied to this project include: FWQ-11 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-10.B of the Master EIR provides analysis of Flooding and Water Quality impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
10. FLOODING AND WATER QUALITY				
1) The proposed project is inconsistent with the flooding and water quality policies in the Urban Area General Plan.	☐	☐	☐	☒
2) The proposed project would place housing within a 100-year flood hazard area.	☐	☐	☐	☒
3) The proposed project would place structures within a 100-year floodplain as defined by FEMA.	☐	☐	☐	☒
4) The proposed project would expose people or structures to a significant risk of	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
loss, injury or death including flooding as a result of the failure of a levee or dam.				
5) The proposed project would substantially alter the existing drainage pattern of the site or area or the course of a stream or river that would result in flooding onsite or offsite.	☐	☐	☒	☐
6) The proposed project would violate water quality standards, including groundwater standards administered by the SWRCB's DDW, standards for surface water quality such as the NPDES or waste discharge requirements.	☐	☐	☐	☒
7) The proposed project would substantially alter the existing drainage pattern of the site or area or the course of a stream or river in a manner that would result in substantial erosion or siltation onsite or offsite.	☐	☐	☒	☐
8) The proposed project would create or contribute runoff water that would provide substantial additional sources of polluted runoff or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite.	☐	☐	☐	☒

Discussion:

(1) The proposed project proposes to establish circulation and utility plans to route stormwater lines to existing lines in Hillglen Avenue, Millbrook Avenue and Roselle Avenue. The project would not be inconsistent with the flooding and water quality policies in the Urban Area General Plan. No impact.

(2-3) The project site is not within a 100-year flood hazard zone as established by the Federal Emergency Management Agency (FEMA) Flood Rate Insurance Map 06099C0335E dated September 26, 2008. No impact.

(4) The site is not in the vicinity of a levee or dam. The nearest waterway is Dry Creek approximately two miles to the south. No impact.

(5, 7) The project would not alter the existing drainage pattern of the site, area or a watercourse in a manner that would result in erosion or siltation. The impact of this project is less than significant.

(6) The project would not violate water quality standards.

(8) The project would not increase the rate or amount of surface runoff.

11. INCREASED DEMAND FOR PARKS AND OPEN SPACE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on parks and open space expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Parks and open space-related mitigating policies that are pertinent to the proposed project are found on pages V-11-2 through V-11-8 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding parks and open land from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-11.B of the MASTER EIR discloses impacts of the Urban Area General Plan on parks and open space. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
11. INCREASED DEMAND FOR PARKS AND OPEN SPACE				
1) The proposed project is inconsistent with the Urban Area General Plan parks	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
and open space policies.				
2) The proposed project would eliminate parks or open space.	☐	☐	☐	☒
3) The proposed project would not provide at least three (3) total acres of parkland and open space per 1,000 people (one acre for neighborhood park facilities; two acres for community park facilities).	☐	☐	☐	☒

Discussion:

(1) The project is consistent with the parks and open space policies in the General Plan. No impact.

(2) The project would not eliminate an existing park or designated open space. The project site is comprised of rural residential properties and is zoned for residential uses. No impact.

(3) Parks Planning staff indicated no concerns with the project with regards to provision of parkland. The site is within 0.25 miles of Ustach Park, a 17-acre community park. The project would have no impact.

12. INCREASED DEMAND FOR SCHOOLS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on school facilities expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR. By statute, the impact of new students is considered to be mitigated below a level of significance by payment of school impact fees and the exercise of any or all of the financing options set out in Government Code Section 65997.

Cumulative Impacts

Effect: Similar to direct impacts resulting from implementation of the Urban Area General Plan, no residual significant direct impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Mitigation relies upon the implementation of the policies in place under the Modesto Urban Area General Plan. As long these policies are applied to all subsequent projects, no new mitigation is necessary. Further, payment of school impact fees and compliance with SB 50 is statutorily deemed to be full mitigation of school impacts (Government Code Section 65995).

Schools-related mitigating policies that are relevant to the proposed project can be found on pages V-12-3 through V-12-5 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding schools from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-12.B of the Master EIR discloses impacts resulting from implementation of the Urban Area General Plan associated with increased demand for schools. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
12. INCREASED DEMAND FOR SCHOOLS				
1) The proposed project is inconsistent with Urban Area General Plan school policies.	☐	☐	☐	☒
2) The proposed project would result in new student population that exceeds the school system capacity, or if the project conflicts with established educational uses of the area, except to the limits established under SB50 / Proposition 1A as subsequently amended.	☐	☐	☐	☒

Discussion:

(1) The project is consistent with the polices relating to schools in the General Plan. No impact.

(2) The project was referred to the Sylvan Elementary and Modesto City Schools District, who have not indicated concerns with the project. No impact.

13. INCREASED DEMAND FOR POLICE SERVICES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on police services expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Police services-related mitigating policies that are pertinent to the proposed project are found on pages V-13-2 through V-13-5 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding police services from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-13.B of the Master EIR discloses impacts on police services resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
13. INCREASED DEMAND FOR POLICE SERVICES				
1) The proposed project is inconsistent with Urban Area General Plan policies relating to police service.	☐	☐	☐	☒
2) The proposed project would result in	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
development occurring in an area(s) that cannot be adequately served by existing or budgeted police personnel and facilities.				

Discussion:

(1) The project would not be inconsistent with the policies relating to police services in the General Plan. No impact.

(2) The project was referred to the Modesto City Police Department, who indicated no concerns with the project. No impact.

14. INCREASED DEMAND FOR FIRE SERVICES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on fire services expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Fire Services-related mitigating policies pertinent to the project being analyzed in this Initial Study are found on pages V-14-3 through V-14-5 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding fire services from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-14.B of the Master EIR discloses impacts on fire services resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
14. INCREASED DEMAND FOR FIRE SERVICES				
1) The proposed project is inconsistent with Urban Area General Plan policies relating to fire service.	☐	☐	☐	☒
2) The proposed project would result in any substantial adverse impact(s) associated with the need for – and/or provision of – new or physically altered fire service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable response times.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with the policies relating to fire services in the General Plan. No impact.

(2) The project was referred to the Modesto City Fire Department, who indicated no concerns with the project. No impact.

15. GENERATION OF SOLID WASTE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on solid waste expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Solid waste-related mitigating policies that are pertinent to the proposed project are found on pages V-15-4 through V-15-5 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding solid waste from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-15.B of the Master EIR discloses solid waste impacts resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
15. GENERATION OF SOLID WASTE				
1) The project is inconsistent with the solid waste policies in the Urban Area General Plan.	☐	☐	☐	☒
2) The project would result in solid waste generation that exceeds the projected capacity of existing landfills and waste-reduction facilities, or if it would result in non-compliance with any federal, state or local statutes or regulations related to solid waste.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with the solid waste policies in the Urban Area General Plan. No impact.

(2) The project would not exceed the projected capacity of existing landfills or result in non-compliance with any federal, state or local statutes or regulations related to solid waste. No impact.

16. GENERATION OF HAZARDOUS MATERIALS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts regarding hazardous materials expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Hazardous materials-related mitigating policies that are pertinent to the proposed project are found on pages V-16-5 through V-16-10 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
The appropriate mitigating policies to be applied to this project include: HM-5 and HM-8 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-16.B of the Master EIR discloses impacts on hazardous materials resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
16. HAZARDS AND HAZARDOUS MATERIALS				
1) The proposed project is inconsistent with the Urban Area General Plan hazards and hazardous materials policies.	☐	☐	☐	☒
2) The proposed project would create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials, or	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.				
3) The proposed project would result in hazardous materials emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	☐	☐	☐	☒
4) The proposed project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment.	☐	☐	☐	☒
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would result in a safety hazard for people residing or working in the project area.	☐	☐	☐	☒
6) For a project within the vicinity of a private airstrip, a safety hazard would result for people residing or working in the project area.	☐	☐	☐	☒
7) The proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	☐	☐	☐	☒
8) The proposed project would expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with the hazardous materials policies in the General Plan. No impact.

(2) No hazardous materials will be involved with the project. No impact.

(3) The project site is located adjacent to Enochs High School at Sylvan Avenue. The project is residential in nature and would not result in hazardous materials emissions or waste. No impact.

(4) The site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would not create a significant hazard to the public or the environment. No impact.

(5-6) The site is not within an airport land use plan nor in the vicinity of any airports or private airfields. No impact.

(7) The project would not interfere with an adopted emergency response or evacuation plan. No impact.

(8) The project site is not located near any wildland areas nor is at risk for wildland fire. No impact.

17. GEOLOGY, SOILS, AND MINERAL RESOURCES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts related to geology, soils, and mineral resources expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

Geology, soils, and mineral resource-related mitigating policies that are pertinent to the proposed project are found on pages V-17-7 through V-17-10 of the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding geologic resources from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-17.B of the Master EIR discloses geology, soils, and mineral resource impacts resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the

proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
17. GEOLOGY, SOILS, AND MINERAL RESOURCES				
1) The project is inconsistent with policies relating to geology, soils, and mineral resources contained in the Urban Area General Plan.	☐	☐	☐	☒
2) The proposed project would expose people or structures to potential substantial adverse effects including: the risk of loss, injury, or death involving fault rupture, strong seismic activity; location on an expansive soil; loss of topsoil; or, result in the loss of availability of known mineral resources that would be of value to the region and the state.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with policies relating to geology, soils, and mineral resources in the General Plan. No impact.

(2) The project would not be located on soil that is unstable, or that would become unstable as a result of the project. There are no known mineral resources of value to the region and the state on the property. No impact.

18. ENERGY

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts pertaining to energy expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

The following energy-related mitigating policies that are pertinent to the proposed project are found on pages V-18-2 and V-18-3 in the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding energy from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on energy resources. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
18. ENERGY				
1) The proposed project is inconsistent with policies relating to energy in the Urban Area General Plan.	☐	☐	☐	☒
2) The proposed project would result in energy consumption during construction, operation, maintenance, or removal that is more wasteful, inefficient, and unnecessary than assumed in the Urban Area General Plan.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with the energy policies in the General Plan. No impact.

(2) The project would not result in energy consumption during construction, operation, maintenance or removal that is more wasteful, inefficient and unnecessary than assumed in the General Plan. No impact.

19. EFFECTS ON VISUAL RESOURCES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on visual resources expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No additional cumulative impacts were disclosed in the Master EIR.

b. Urban Area General Plan Mitigating Policies Applied to the Project

The following visual resources-related mitigating policies pertinent to the proposed project are found on pages V-19-2 and V-19-3 in the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding visual resources from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on visual resources. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
19. VISUAL RESOURCES				
1) The proposed project is inconsistent with the Urban Area General Plan visual resource policies.	☐	☐	☐	☒
2) The proposed project would have a substantial adverse effect on a scenic vista.	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
3) The proposed project would substantially damage scenic resources, including trees, rock outcrops, and/or historic buildings along a state scenic highway.	☐	☐	☐	☒
4) The proposed project would substantially degrade the existing visual character or quality of the site and its surroundings.	☐	☐	☐	☒
5) The proposed project would create a new source of substantial light or glare that would adversely affect daytime or nighttime views.	☐	☐	☐	☒
6) The proposed project would substantially degrade views from riverside areas and parks.	☐	☐	☐	☒
7) The proposed project would substantially degrade views of riverside areas from public roadways and/or nearby properties.	☐	☐	☐	☒

Discussion:

(1) The project would not be inconsistent with the policies relating the visual resources in the General Plan. No impact.

(2) The project would not have an adverse impact on a scenic vista. The site is located within the Planned Urbanizing Area of the City and is comprised of rural residential ranchettes, with Enochs High School located to the north and existing single-family residential homes located to the south, east and west. No impact.

(3-4) The project would not impact scenic resources, nor degrade the existing visual character or quality of the site and its surroundings. No impact.

(5) The project would not cause substantial light or glare. No impact.

(6) The project would not impact views from riverside areas and parks. The nearest riverside area or park is Dry Creek one mile to the south. No impact.

(7) The project would not impact views of riverside areas from roadways or nearby properties. No impact.

20. LAND USE AND PLANNING

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts pertaining to land use and planning expected after application of mitigating policies.

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following land use and planning-related mitigating policies pertinent to the proposed project are found on pages V-20-5 through V-20-12 in the Master EIR. All mitigating policies appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, "Mitigating Policies Applied to Project."

Discussion:
No mitigation measures regarding land use and planning from the Master EIR are required. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-20.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on land use and planning. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
20. LAND USE AND PLANNING				
1) The proposed project is inconsistent the Urban Area General Plan land use and planning policies.	☐	☐	☐	☒
2) The proposed project contains elements that would physically divide an established community in a way not assumed in the Urban Area General Plan.	☐	☐	☐	☒
3) The proposed project conflicts with a land	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant w/Mitigating Policies	Less Than Significant Impact	No Impact
use plan, policy or regulation established for the purpose of avoiding or mitigating an environmental impact by an agency that has jurisdiction over the proposed project.				
4) The proposed project conflicts with an applicable habitat conservation plan or natural community conservation plan.	☐	☐	☐	☒

Discussion:

(1) The site is designated as Low Density Residential (R), and the proposed nine-lot (with each lot being not less than 0.5 acres), single-family residential subdivision is consistent with this Land Use Designation and the requirements of the Village One Specific Plan. The approval of the zone change and approval of the tentative subdivision map is consistent with the General Plan Land Use designation and the specific plan. No impact.

(2) The project would not divide an established community. No impact.

(3) The project does not conflict with the land use plan, policies and regulations of the City of Modesto designed to mitigate project impacts. No impact.

(4) The project does not conflict with applicable habitat conservation plans or natural community conservation plans. No impact.

V. APPLICABLE URBAN AREA GENERAL PLAN MITIGATING POLICIES

A. No New or Additional Mitigation Measures or Alternatives Required

Where the project's effects would exceed the significance criteria for each environmental impact category, a mitigated negative declaration or Focused EIR must be prepared.

Staff has reviewed the project against the significance criteria thresholds established in the Master EIR for all environmental impact categories in this Initial Study, and has determined there are no new significant effects, and that a mitigated negative declaration or Focused EIR is not required.

B. Urban Area General Plan Mitigating Policies Applied to the Project

Pursuant to Public Resources Code Section 21157.1(c), in order for a Finding of Conformance to be made, all appropriate mitigating policies from the Master EIR shall be incorporated into the proposed project. The Urban Area General Plan Policies that mitigate impacts shall be made part of the proposed project prior to approval by means of conditions of project approval or incorporation into the appropriate document or plan. The applicable and appropriate mitigating policies from the Master EIR that have been applied to the project are listed below by category.

1. Traffic and Circulation.

No mitigating measures regarding traffic and circulation from the Master EIR are required.

2. Air Quality and Greenhouse Gases:

The following mitigating measures regarding Air Quality and Greenhouse Gas Emission from the Master EIR are required.

AQ-100. Reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources. (Policy VII.H.2.jj)

AQ-103. Effectively stabilize dust emissions using water, chemical stabilizer / suppressant, cover with a tarp or other suitable cover or vegetative ground cover, all disturbed areas, including storage piles, which are not being actively utilized for construction purposes. (Policy VII.H.2.mm)

AQ-105. Effectively control fugitive dust emissions utilizing application of water or by presoaking all land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities. (Policy VII.H.2.oo)

AQ-107. When materials are transported off site, cover all materials, or effectively wet them to limit visible dust emissions, and maintain at least six inches of freeboard from top of container. (Policy VII.H.2.qq)

AQ-108. Limit operations or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) (Policy VII.H.2.rr)

AQ-109. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles for fugitive dust emissions utilizing sufficient water or chemical stabilizer / suppressant. (Policy VII.H.2.ss)

AQ-110. Within urban areas, immediately remove trackout when it extends 50 or more feet from the site and at the end of each workday. (Policy VII.H.2.tt)

AQ-113. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent (1%). (Policy VII.H.2.ww)

AQ-114. Install wheel washers for all exiting trucks, or wash all trucks and equipment leaving the site. (Policy VII.H.2.xx)

AQ-115. Install wind breaks at windward side(s) of construction areas. (Policy VII.H.2.yy)

AQ-116. Suspend excavation and grading activity when winds exceed 20 mph (regardless of windspeed, an owner/operator must comply with Regulation VIII's 20 percent opacity limit). (Policy VII.H.2.zz)

3. Noise and Vibration:

Noise-4. Implement noise-reducing construction practices as conditions of approval where substantial construction-related noise impacts would be likely to occur, such as with extended periods of pile driving, or where construction is expected to continue or where sensitive receptors would be affected by construction noise. Conditions of approval may include, but are not limited to:

- Require construction equipment, including air compressors and pneumatic equipment to have properly maintained mufflers;
- Require impact tools to be equipped with shrouds or shields;
- Require that the quietest equipment available be used; and,
- Require selection of haul routes that affect the fewest number of people. (Policy VII-G.3.b)

Noise-7. Incorporate construction practices and acoustic treatment in new residential construction to reduce typical indoor noise levels to 45 dB. Developers of residential buildings within the 65 dBA contours shown in the General Plan Master EIR shall demonstrate that interior noise has been reduced to 45 dB. Other types of development should be protected against noise intrusion at least to the levels indicated on UAGP Table VII-2. (Policy VII-G.3.e)

4. Effects on Agricultural Lands:

No mitigating measures regarding Agricultural Lands from the Master EIR are required.

5. Increased Demand for Long-Term Water Supplies:

No mitigating measures regarding Long-term Water Supplies from the Master EIR are required.

6. Increased Demand for Sanitary Sewer Services:

No mitigating measures regarding Sanitary Sewer Services from the Master EIR are required.

7. Loss of Sensitive Wildlife and Plant Habitat:

SWPH-13. For proposed development consistent with the adopted Urban Area General Plan on lands within the Baseline Developed Area and Downtown, exclusive of lands within the Dry Creek and Tuolumne River Comprehensive Planning Districts, an assessment of whether any potential habitat for special-status species is present within proposed development areas shall be made. No further biological study is warranted unless habitat is present or if specific information concerning the known or potential presence of significant biological resources is identified in future updates of the California Natural Diversity Database, or through formal or informal input received from resource agencies or other qualified sources (Policy VII-E.2[a]).

SWPH-14. Additional measures to protect sensitive habitats may be implemented. Potential measures to be implemented may include measures listed in Table V-7-1 in the General Plan MEIR.

8. Disturbance of Archaeological / Historic Sites:

No mitigating measures regarding archaeological/historical sites from the Master EIR are required.

9. Increased Demand for Storm Drainage:

SD-10. Construction activities shall comply with the requirements of the City's Stormwater Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (Policy VI.G.3)

10. Flooding and Water Quality:

FWQ-11. Construction activities shall comply with the requirements of the City's Storm Water Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (Policy VI.G.3)

11. Increased Demand for Parks and Open Space:

No mitigating measures regarding parks and open space from the Master EIR are required.

12. Increased Demand for Schools:

No mitigating measures regarding demand for schools from the Master EIR are required.

13. Increased Demand for Police Services:

No mitigating measures regarding demand for police services from the Master EIR are required.

14. Increased Demand for Fire Services:

No mitigating measured regarding demand for fire services from the Master EIR are required.

15. Generation of Solid Waste:

No mitigating measures regarding solid waste from the Master EIR are required.

16. Generation of Hazardous Materials:

HM-5. In the event that site inspection or construction activities uncover chemical contamination, underground storage tanks, abandoned drums, or other hazardous materials or wastes at a parcel, the inspection report preparer shall so notify the City. The City shall notify the County Health Services Department. Under the direction of these agencies, a site remediation plan would be prepared by the project applicant.

The plan would (1) specify measures to be taken to protect workers and the public from exposure to potential site hazards and (2) certify that the proposed remediation measures would clean up the wastes, dispose the wastes, and protect public health in accordance with federal, state, and local requirements. Permitting or work in the areas of potential hazard shall not proceed until the site remediation plan is on file with the City.

If a parcel is found to be contaminated to a level that prohibits the proposed use, the potential for reduction of the hazard should be evaluated. Site remediation is theoretically capable of removing hazards to levels sufficiently low to allow any use at the site. In practice, both the technical feasibility of the remediation and its cost (financial feasibility) should be evaluated in order to determine the overall feasibility of locating a specific use on a specific site. In some cases, it may require restriction to industrial use or a use that involves complete paving and covering of the parcel.

In accordance with OSHA requirements, any activity performed at a contaminated site shall be preceded by preparation of a separate site health and safety plan (prepared by the project applicant and filed with the City) for the protection of workers and the public. All reports, plans, and other documentation shall be added to the administrative record. (Policy VI.M.3)

HM-8. Applicants for building permits should determine that a site containing or formerly containing residences or farm buildings / structures has been fully investigated for the presence of hazardous materials or wastes prior to issuance of the permit. Investigation should consist of, at minimum, a Phase I environmental site assessment and a Phase II site assessment, if found necessary as a result of the Phase I assessment. The findings of the site assessment should be reported to the City and the County's Department of Environmental Resources. The appropriate remediation should occur prior to final occupancy of the approved development. (Policy VI.M.6)

17. Geology, Soils, and Mineral Resources:

No mitigating measures regarding geology, soils, and mineral resources from the Master EIR are required.

18. Energy:

No mitigating measures regarding energy from the Master EIR are required.

19. Effects on Visual Resources:

No mitigating measures regarding visual resources from the Master EIR are required.

20. Land Use and Planning:

No mitigating measures regarding land use and planning from the Master EIR are required.

FINANCIAL INTEREST DISCLOSURE FORM

All persons included within the meaning of either of the following tests have a material financial interest in an agreement, or application for development rights, submitted for approval or disapproval by the City Council, and shall be identified by the applicant, by name.

Tests of Materiality:

1. Whether it is foreseeable to a reasonable person that the value of their interest in property available for use by an applicant, or their interest in the applicant itself, may increase or decrease by an amount greater than $2,000.00 as a direct or indirect result of Council action on the applicant's agreement or application for development rights.

2. Whether it is foreseeable to a reasonable person that the person's gross income from the applicant may increase or decrease by a sum greater than $2,000.00 as a direct or indirect result of Council action on the agreement or application for development rights.

It is the legal obligation of all applicants for approval of an agreement or of an application for development rights to verify in writing, under penalty of perjury, that the identity of each person having a material financial interest in the agreement or application or development rights is true, correct and complete. The applicant understands that this information is provided under penalty of perjury, and that intentionally supplying misinformation or deception may result in either invalidation of the agreement or application, or criminal prosecution for misdemeanor violation of the Modesto Municipal Code, or both. Negligent provision of misinformation shall be grounds for invalidation. In accordance with the Modesto Municipal Code, each applicant has a continuing obligation to maintain the truth, accuracy and completeness of the financial interest disclosure information provided below until after final consideration by the City Council of any matter arising out of or relating to the agreement or application.

PROJECT: PLAN 2025-00282 3431 Millbrook Dr Modesto, CA.

F. E. Miller 5/20/26

APPLICANT SIGNATURE

Fred Miller

APPLICANT NAME (*type or print*)

In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website: https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA

NAMES

Property Owner(s) – (Please list name of company and names of individual names of said company)

FRED & LEANNE MILLER

RON & LINDA ADERHOLT

Developer(s) – (Please list name of company and names of individual owner(s) of company)

OWNERS

Architect(s), Engineer(s) or Other Design Professional(s) – (Please list name of company and names of individual owner(s) of company)

MID VALLEY ENGINEERS - KIRK DELAMARE

HAWKINS & ASSOC. ENGINEERING ROD HAWKINS

Attorney(s) or Representative(s) – (Please list name of company and names of individual owner(s) of company)

N/A

Real Estate Agent(s) – (Please list name of company and names of individual owner(s) of company)

FRED MILLER, OWNER IS ALSO A REAL ESTATE BROKER

Contractor(s)

N/A

Other – (Investors, Trustees, etc.)

NONE

WE HAVE NOT CONTRIBUTED OR CONTACTED ANY CITY REPRESENTIVE, OR PLANNING, OR COUNCIL MEMBER.

FINANCIAL INTEREST DISCLOSURE FORM GUIDELINES

City ordinance requires that all individuals with a material interest in a decision of the City Council must be disclosed. The following is for your assistance in completing the attached disclosure form:

1. For all of the below, corporate names/LLC's/limited partnerships are not acceptable in and of themselves, all individuals with an interest of $2000 or more must be disclosed in these cases.

2. Individuals with a material interest include all property owners.

3. Individuals with a material interest include any developer.

4. Individuals with a material interest include any architect, engineer, or other design professional.

5. Individuals with a material interest include the applicant's attorney or other representative.

6. Individuals with a material interest include any real estate agent who is party to the transaction.

7. Individuals with a material interest include any contractor constructing the project for which the contract has been arranged by the time of the hearing.

The above is for guidance only and not an inclusive list of all individuals at interest. You have a responsibility to determine and list all individuals in accordance with the Tests of Materiality as set forth on the attached.

California Levine Act Disclosure

California Government Code Section 84308, also known as the "Levine Act", prohibits City "officers" from participating in any action related to a license, permit, or other entitlement for use (a "proceeding") if such member accepts, solicits, or directs political contributions from a party to the proceeding or their agent totaling more than $500 while the proceeding is pending before the agency, and for twelve (12) months following the date a decision concerning the proceeding has been made. The Levine Act also requires disclosure of such contribution by a party to the proceeding.

Section 84308(a)(4) of the Levine Act defines an "officer" as follows: "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency. The term "officer" is further defined 2 Cal. Code Regs. Section 18438.1, which states:

> An officer of an agency includes only those persons who make, participate in making, or in any way attempt to use their official position to influence a decision in the license, permit, or entitlement for use proceeding, or who exercise authority or budgetary control over the agency of officers who may do so, and:
>
> (1) Serve in an elected position, including an official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
> (2) Serve as a member of a board or commission;
> (3) Serve as the chief executive of a state agency, or county, city or district of any kind; or
> (4)Have decision making authority with respect to the proceeding involving a license, permit, or other entitlement for use and is also a candidate for elected office or has been a candidate for elective office in the 12 months prior to the proceeding.

A list of Modesto City Council Board Members can be found online at: Modesto City Council https://modestogov.com/706/Council-Members (modestogov.com). The party making this certification is responsible for determining whether a recipient of a political contribution is a City officer prior to answering the following questions:

1. Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than $500 to any City officer, in the twelve (12) months preceding the date of the submission of your proposals or the anticipated date of any Council action related to this contract?

   ☐ YES If yes, please identify the Councilmember(s):

   ☒ NO

2. Do you, or your company, or any agent on behalf of you or your company, anticipate or plan to make any political contribution of more than $500 to any City officer in the twelve (12) months following any Council action related to this contract?

   ☐ YES If yes, please identify the Councilmember(s):

   ☒ NO

Answering YES to either of the questions above does not preclude the City of Modesto from awarding a contract to your firm or taking any subsequent action related to the contract. It may, however, preclude the identified City officer from participating in any actions related to such contract.

HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

May 19, 2026
Date

F. L. Miller
Signature of authorized individual

Company/Applicant Name

City of Modesto
Indemnification and Hold Harmless Agreement

The property owner, developer and applicant (collectively, the "Applicant"), together with any and all additional signatories to this agreement and their respective heirs, successors, and assigns shall, at its sole cost and expense, indemnify, defend with counsel selected by the City, protect, release, and hold harmless the City, its officers, employees, commissions, and agents, from any and all claims, actions, or proceedings arising out of or in any way relating to the Applicant's project. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the Applicant, third parties, and the indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the indemnitees. Nothing herein shall prohibit the City from participating in the defense of any claim, action, or proceeding. The City may select its own legal counsel and the Applicant agrees to pay directly, or timely reimburse on a monthly basis, the City for all such court costs, attorney fees, and time referenced herein.

Execution of Agreement: The agreement shall only be executed by an authorized representative of the Applicant. The person(s) executing this agreement represent that they are authorized to enter into this agreement on behalf of the Applicant. If more than one person or entity is named as Applicant for the proposed project, all such persons or entities must sign as indicated below.

Project Name: PLAN 2025-00282 3431 Millbrook Av.

Site Address: 3431 Millbrook Av. Modesto, Ca. 95355

Fred Miller
Applicant Signature

05/19/2026
Date

Print Name: Fred Miller

Title: owner

Property Owner Signature (*If different than applicant*)

Date

Print Name:

Title:

Additional applicants:

Applicant (2)

Date:

Print Name:

Title:

Applicant (3)

Date:

Print Name:

Title:

CITY OF MODESTO CALIFORNIA	**CITY OF MODESTO** **COMMITTEE AGENDA REPORT**	**DATE OF MEETING:** June 15, 2026

Date: May 4, 2026

TO: Chairperson Shanks and Members of the Planning Commission

THROUGH: Jessica Hill, Community and Economic Development Director

FROM: Michael Hren, AICP, Principal Planner

SUBJECT: Vesting Tentative Subdivision Map and Final Development Plan: Boulevard 2224 Claus Road

CONTACT: Katharine Martin, Senior Planner
kamartin@modestogov.com Ph: 209-577-5267

DESCRIPTION:
Hearing to consider a Vesting Tentative Subdivision Map (VTSM) and Final Development Plan to divide 29.2 gross acres into 148 single-family residential lots, one 3.5-acre park/basin lot and one common area lot, for property located at 2224 Claus Road. (Funding Source: Application Fees)

STRATEGIC PLAN ELEMENT:
The Vesting Tentative Subdivision Map and Final Development Plan are consistent with the following 2025-2026 Strategic Plan Areas of Focus: Economic Vitality, Retain and attract residential, commercial, and industrial development to meet the community's needs today and for the next generation. The Vesting Tentative Subdivision Map and associated Final Development Plan would provide for 148 new residential units which, in turn, will drive economic vitality.

BACKGROUND:
The project site is a single 29.2-acre parcel currently utilized as a nut tree orchard, located at 2224 Claus Road within the Village One Specific Plan. The Specific Plan, comprised of 35 individual Precise Plan areas to facilitate new residential, commercial and business park development, was adopted in 1990 and annexed to the City of Modesto in 1992. The project site is located within Precise Plan No. 35 South, adopted by City Council Ordinance 3777-C.S. on January 23, 2024, to outline the development standards, locations of backbone utilities and street circulation, and land uses within the area of the Precise Plan.

With the adoption of Precise Plan No. 35 South, the Land Use Diagram of the Specific Plan was also amended on January 23, 2024, by City Council Resolution No. 2024-023, to change the designation of 140 acres on the east side of Claus Road north of Briggsmore Avenue from Business Park uses to Village Residential uses. As part of that action, the designation of Claus Road between Sylvan Avenue and Briggsmore Avenue was also amended from Expressway to Principal Arterial Street, with mitigation measures for roundabouts at Claus Road/Merle Avenue, and Claus Road/Floyd Avenue. The above entitlements were adopted to facilitate The Crossings residential development, a 527-lot single-family residential project currently underway to the south of the subject site.

DISCUSSION:

On November 5, 2025, NRB Investments LLC submitted an application for a Vesting Tentative Subdivision Map and associated Final Development Plan, "Boulevard", to divide the subject 29.2-acre parcel into 148 single-family residential lots, one 3.25-acre Community Park/Basin lot, and one common-area lot to be utilized as a secondary access into the development until further development occurs to the north. The Final Development Plan would provide for setback and other development standards in association with the tentative map.

Boulevard Vesting Tentative Subdivision Map: The VTSM proposes 148 single-family residential lots, one 3.25-acre community park/storm basin lot and one common-area lot. The proposed VTSM is compliant with and would facilitate development within the above-mentioned Precise Plan No. 35 South.

Access: The proposed Boulevard development would be connected to The Crossings development via future Rossi Street, a collector street that would extend southward to the new Merle Avenue east of Claus Road. The right-of-way for Rossi Street would match the configuration of the street within The Crossings for a seamless connection point. However, since two points of access are necessary for emergency vehicles, the Boulevard VTSM proposes a temporary right-turn-in/right-turn-out vehicle access onto Claus Road ("Lot A" of the tentative map). This access would then be converted to a pedestrian-only access to Claus Road once further development occurs to the north of the project site with a street connection northward to the existing Milnes Road.

The tentative map also proposes an alternative pedestrian access to Claus Road to the north of Lots 1-7, where an existing Modesto Irrigation District (MID) utility easement is located (Alternate B). MID no longer favors easements at the back of lots, so if it is retained, the area would be utilized as a second pedestrian path and public utility easement (PUE) to Claus Road ("Lot B") with the adjacent lots reconfigured to allow for it and the total number of lots as 146. If the easement is abandoned, then the Lot A access would be the sole pedestrian access to Claus Road and the lot count maintained at 148.

Final Development Plan, "Boulevard": Per Village One Specific Plan policy, a Final Development Plan is proposed for the residential development in association with the Boulevard tentative map. The Final Development Plan outlines building setbacks, wall placement and landscaping for the project area. Among the items of the Final Development Plan is placement of sound walls for noise attenuation against Claus Road and the Burlington Northern and Santa Fe (BNSF) Railroad, outlined with Noise mitigation measures below. The Final Development Plan would ensure that development is consistent with the Precise Plan and the Village One Specific Plan.

Noise: The project proposes new residential development adjacent to the Burlington Northern and Santa Fe (BNSF) Railroad along the east side of the site. To mitigate noise impacts of train traffic, the developer will be required to include acoustical treatments with construction of homes within 200-feet of the rail alignment, install a nine-foot-high sound wall along the east side of the Vesting Tentative Subdivision Map, and a minimum seven-foot-high sound wall along the Claus Road frontage of the development. These requirements are outlined in the Wall Plan of the previously adopted Precise Plan No. 35 South document, and in the conditions of approval for the Boulevard Vesting Tentative Subdivision Map and Final Development Plan.

Density: The parcel of the project site is 29.4 gross acres. The Boulevard Vesting Tentative Subdivision Map proposes 148 single-family residential lots on approximately 18.7 net acres with roadway dedication and the 3.5-acre park/basin lot factored in, resulting in a density of 7.9 units per net acre (7.8 du/acre if at 146 lots for retainment of the abovementioned MID easement/Alternative B pedestrian access).

Per the Comprehensive Development Policies of the Specific Plan found in Chapter 2, an average density of 6.5 dwelling units per gross acre is permitted for single-family residential development. The average density does not impose upon a hard maximum cap on each project but is meant to provide an overall guideline for density of the Specific Plan area as development progresses. Taking into consideration existing and approved developments in the Specific Plan area, the project's proposed 7.9 units per net acre is appropriate.

The underlying zone for this portion of the Specific Plan is Low Density Residential (R-1) Zone. As defined by Section 10-4.104(a) of the Modesto Municipal Code, the R-1 Zone allows for a maximum density of 10.9 units per net acre, with no minimum density defined. The proposed project's units per acre is consistent with this requirement.

GENERAL PLAN CONSISTENCY:

The project area is within the Residential (R) land use designation of the General Plan's Land Use Element which allows for single-family residential uses, in accordance with the adopted Village One Specific Plan and Precise Plan No. 35 South. The proposed single-family residential project is consistent with this designation.

FISCAL IMPACT:

The project is developer funded. All applicable Capital Facility Fees will be levied at the time of development and requirements to pay such fees are included in the resolution as conditions of approval.

CEQA:

Staff has prepared an Initial Study, Environmental Assessment No. EA/C&ED 2026-09, which concluded that there are no project-specific effects which are peculiar to the project or site, that the project is consistent with the City of Modesto Urban Area General Plan and within the scope of the General Plan Programmatic EIR (SCH No. 2024091127) and that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183 of the Public Resources Code, no further environmental review is required.

RECOMMENDED PLANNING COMMISSION ACTION:

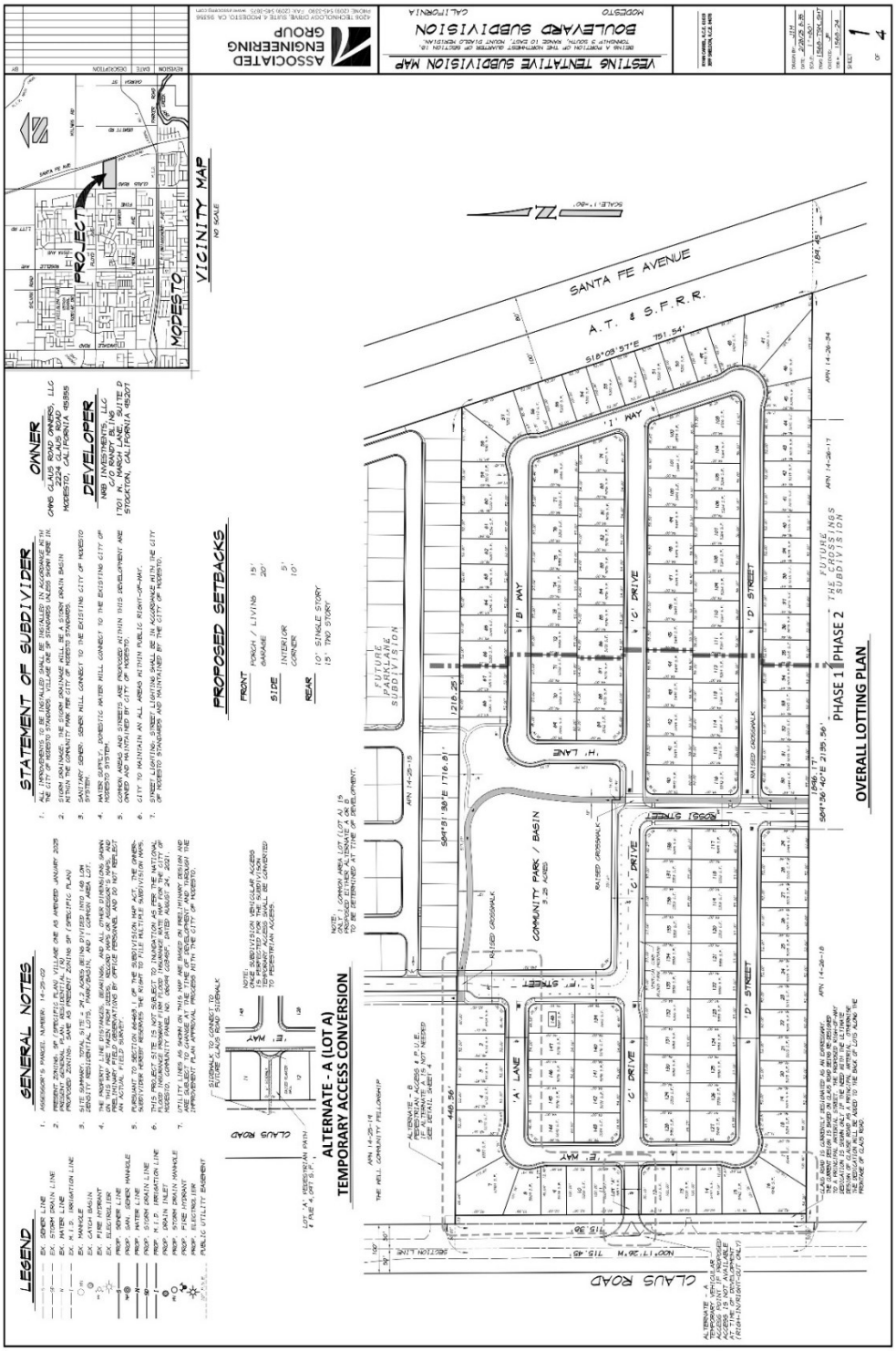
Staff Recommendations:

Resolution approving the Boulevard Vesting Tentative Subdivision Map for property located at 2224 Claus Road (NRB Investments, LLC)

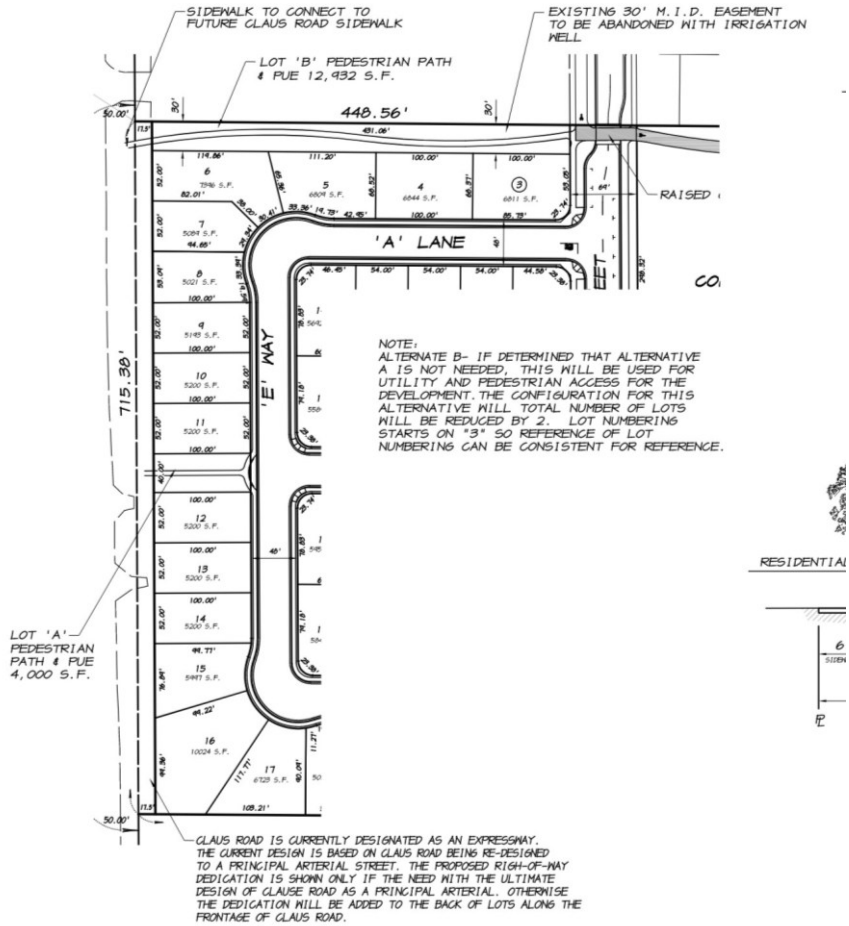
Resolution approving the Boulevard Final Development Plan, in the Village One Specific Plan, for 148 single-family residential lots, one park/basin lot and one common area lot, property located at 2224 Claus Road (NRB Investments, LLC)

Attachments:

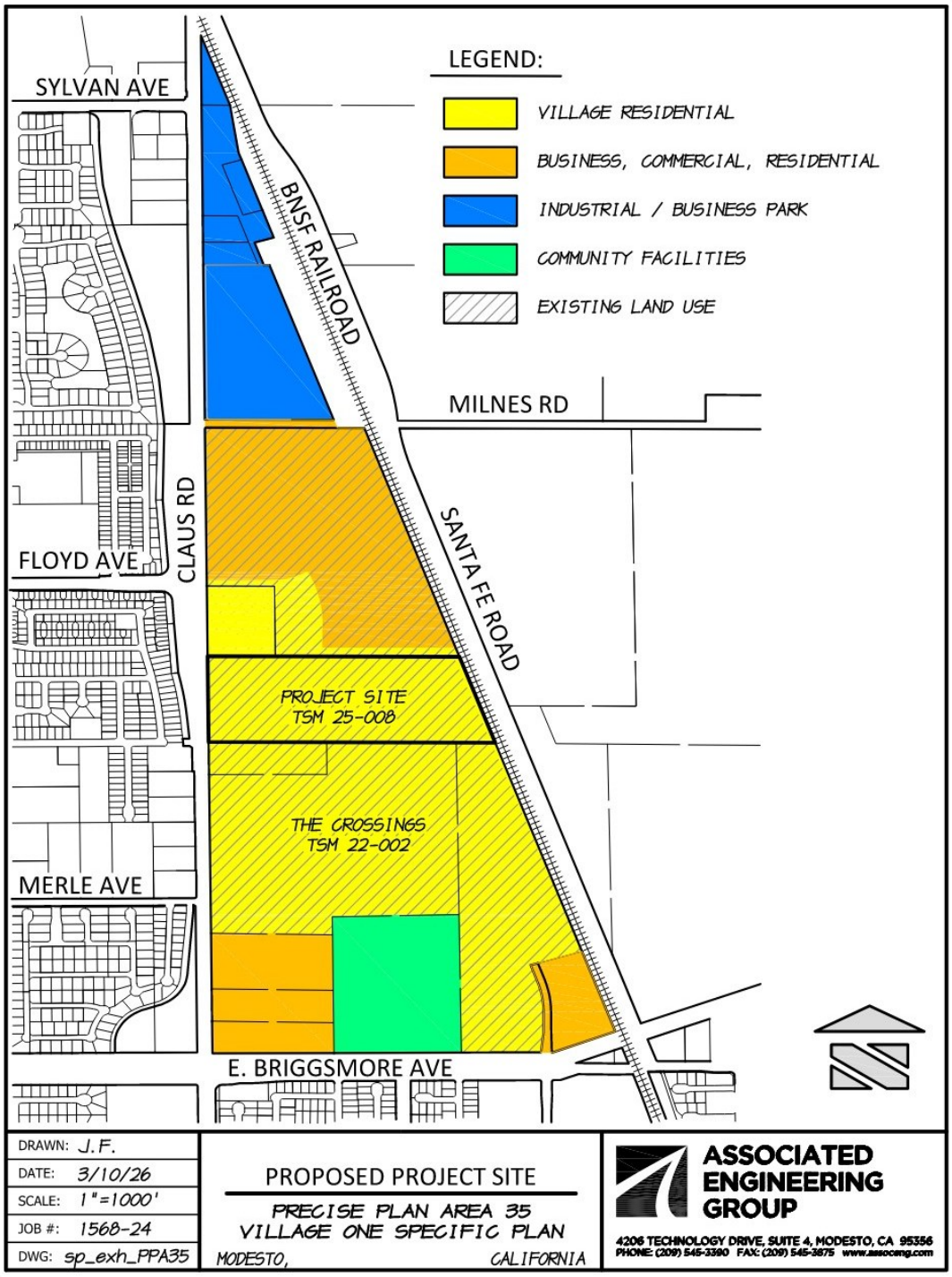
1. Planning Commission Resolution 2026-xx (VTSM)
2. Planning Commission Resolution 2026-xx (FDP)
3. CEQA Negative Declaration EA-C&ED 2026-09
4. Financial Interest Disclosure Form
5. Levine Act Form
6. Indemnification Form



BOULEVARD VTSM



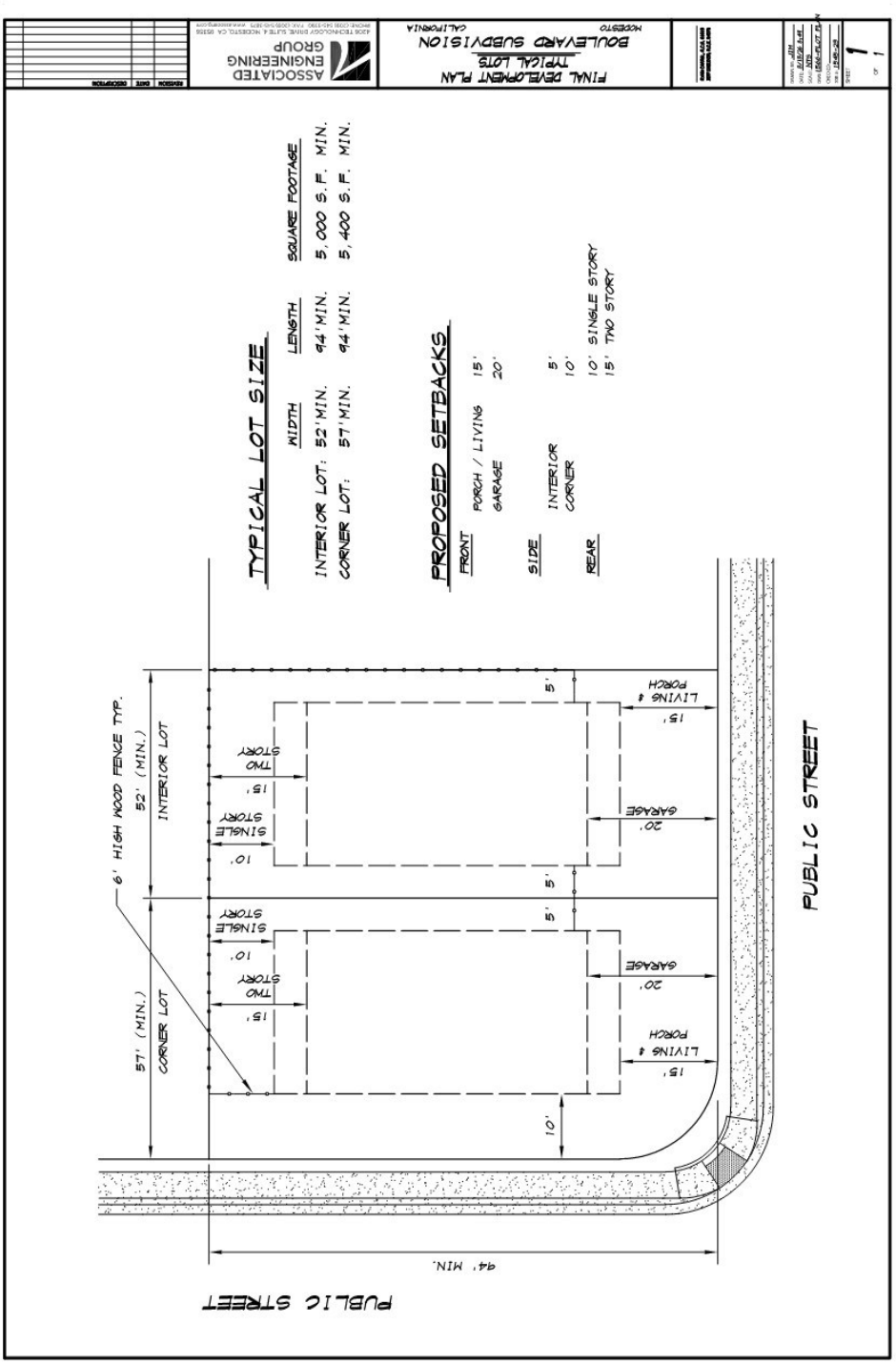
VTSM ALTERNATE B PEDESTRIAN ACCESS



BOULEVARD PROJECT AREA



BOULEVARD FDP: LANDCAPE CONCEPT



BOULEVARD FDP: TYPICAL HOME SITING AND SETBACKS

PLANNING COMMISSION
RESOLUTION NO. 2026-XX

A RESOLUTION APPROVING THE BOULEVARD VESTING TENTATIVE MAP FOR PROPERTY LOCATED AT 2224 CLAUS ROAD (NRB INVESTMENTS LLC)

WHEREAS, the City Council by Ordinance No. 3777-C.S., effective on March 4, 2024, approved Precise Plan No. 35 South to allow development in this area of the Village One Specific Plan, in accordance with the requirements of the Village One Specific Plan; and

WHEREAS, NRB Investments LLC has filed an application for a Vesting Tentative Subdivision Map, Boulevard, to divide 29.2 acres located at 2224 Claus Road into 148 single-family residential lots; and

WHERAS, said application was filed together with an application for a Final Development Plan, Boulevard (Project ID FDP-25-005), to provide for the development and setback standards for new residential development for the lots and amenities of the Vesting Tentative Subdivision Map; and

WHEREAS, said Vesting Tentative Map was received in the office of the Secretary of the Planning Commission on November 5, 2025, and was accepted for filing and deemed complete on December 4, 2025 in accordance with the provisions of Section 4-4.401 of the Modesto Municipal Code, and was revised on May 13, 2026, said Vesting Tentative Subdivision Map being as shown in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, copies of said vesting tentative map have been sent to the Sylvan Elementary School and Modesto High School Districts, Modesto Irrigation District, the local utility companies, and the City Engineering Services Department; and

WHEREAS, City services, including sewer and water facilities, are available; and

WHEREAS, the area can be served by elementary schools in the Sylvan School District and by Fire Station No. 9 at 4025 Fara Biundo Drive, 0.8 miles distant; and

WHEREAS, a public hearing was held by the Planning Commission on June 1, 2025, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission certifies it has received and reviewed the Initial Study, Environmental Assessment No. EA/C&ED 2026-09,

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Modesto that it hereby finds and determines as follows:

1. The proposed vesting tentative subdivision map, together with the provisions for its design and improvements, is consistent with the General Plan of the City of Modesto, and the Subdivision Map Act of the State of California.

2. The discharge of waste as a result of the proposed vesting tentative subdivision map into the existing sewer system will not result in a violation of existing requirements by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code of the State of California.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby certifies and adopts the Initial Study, Environmental Assessment No. EA/C&ED 2026-09, which concluded that there are no project-specific significant effects which are peculiar to the project or site, that the project is consistent with the City of Modesto Urban Area General Plan and within the scope of the General Plan Programmatic EIR (SCH No. 2024091127), and that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183 of the Public Resources Code, no further environmental review is required.

BE IT FURTHER RESOLVED by the Planning Commission that the Vesting Tentative Map of Boulevard accepted for filing in the office of the Secretary of the Planning Commission on December 4, 2025, and revised on March 13, 2026, described in Exhibit "A" attached hereto and incorporated herein by reference, be and it is hereby approved subject to the following conditions:

1. Prior to recordation of a Final Map, new street names for all lettered streets and cul-de-sac courts of the subdivision shall be proposed and approved by both the City and the County.

2. Prior to issuance of a building permit for lots that back up to Claus Road, plot plans for said lots shall demonstrate that all rear yard setbacks be at least fifteen (15) feet, in accordance to the setback standards outlined in Section 10-408(c) of the City's Zoning Code.

3. Prior to Certificate of Occupancy of any structure adjacent to required fences and walls, such fences and walls shall be installed in accordance to the Wall Plan of Precise Plan Area No. 35 South as adopted by the City Council, and the Village One Specific Plan, Section II.G.13, Residential—Community Design Policies, including but not limited to the following standards:

4. A minimum eight (8) foot high decorative concrete masonry sound wall with cap treatment along the Claus Road frontage at the rear of lots backing up to Claus Road. Said wall shall continue and be extended approximately 425 feet along the rear property lines of Alternate A or the side property lines of Alternate B as shown on Sheets 1 and 4 of

the Tentative Map, respectively, of the residential lots on the northern edge of the project side which shares a property line with the Well Community Church (APN 014-025-019) to the north.

a. At the Claus Road right-in/right-out access to "C" Drive, the eight (8) foot high wall should wrap around the corners of Lots 11 and 12 and step down to a minimum six (6) foot high decorative concrete masonry wall along the access to the fifteen-foot front yard building setback line of both Lots.

b. A minimum nine (9) foot high CMU or pre-cast concrete masonry sound wall along the BNSF rail alignment at the rear of lots 47 through 57 and be extended along the north and south boundaries of the site to a distance of 400 feet from the centerline of the rail alignment. Such CMU or pre-cast concrete masonry wall shall step down to seven (7) feet in height beyond the 400-foot distance from the center of the mainline of the railroad.

c. Walls and fences along the collector streets shall be provided as required by Section II.G.13.a.8 of the Village One Specific Plan.

5. Prior to issuance of a building permit for lots 46 through 59 within 200-feet of the center of the near mainline of the adjacent BNSF Railroad along the easternmost boundaries of the subdivision, and any lot within the 65dBA contour, the applicant/developer must adhere to conditions Noise-5 and Noise-12 below to the satisfaction of the Chief Building Official and the Director of Community and Economic Development.

6. In addition, for lots 46 through 59 within 200-feet of the center of the near mainline of the adjacent BNSF Railroad along the easternmost boundaries of the subdivision, building plans shall demonstrate structural improvements to mitigate vibration levels generated by passing train traffic, to the satisfaction of the Chief Building Official and the Director of Community and Economic Development per condition 79 below.

LAND DEVELOPMENT ENGINEERING

7. Prior to recordation of a Final Map, project applicant shall produce improvement plans for required improvements prepared by a Registered Civil Engineer according to City Standards. Improvement plans shall be submitted for approval by the City Engineer or Designee.

8. Project applicant shall ensure that any public improvements that are missing damaged or not to current City standards shall be designed and constructed per current City standards at the time of VSTM approval, in accordance with City Code (Article 7-1.701) and in accordance with the Village One Specific Plan. Such improvements may include, but not be limited to curb & gutter, drive approach, sidewalk, ADA access ramps, fire hydrants and streetlights. All public improvement plans shall be designed by a Registered Engineer, reviewed and approved by the City Engineer prior to issuance of an Encroachment permit.

9. Project applicant shall ensure that all existing underground and aboveground utilities, irrigation, and electrical lines shall be protected, relocated, or removed as required by the City Engineer or designee in coordination with the respective utility companies.

10. The City Engineer may provide modified current City Standard Details during the plan check phase as necessary to address site-specific conditions, construction feasibility, or public safety requirements. The Developer shall be responsible for incorporating these modified details into the improvement plans and constructing all required improvements.

11. Project applicant/developer shall be responsible for the design of a two-lane roundabout with bypass lanes at the intersection of Claus Road and Floyd Avenue. The requirement for the design of the Claus Road and Floyd Avenue roundabout is required in order to complete the design and construction of the Development's frontage improvements to limit any transitional throwaway costs. The design for the intersection and frontage improvements shall be a separate improvement plan set. All roundabouts must be designed by a California registered civil engineer with demonstrated experience in two lanes with bypass lane roundabout geometry and design to the satisfaction of the City Engineer or designee, and shall provide evidence of previous experience in similar type of roundabout designs. The timing of the submittal and approval of the Claus Road and Floyd roundabout and development frontage improvements shall be as follows:

    a. 30% geometric concept for the roundabout shall be submitted with the first submittal of the onsite improvement plans;
    b. 60% design plans for the roundabout and frontage improvement plans shall be submitted prior to the approval of the onsite improvement plans;

c. 100% plans shall be approved by the City Engineer prior to the City Council approval of the first Final Map for the development.

12. The following Conditions of Approval are Mitigation Measures from the Mitigation Monitoring and Reporting Program (MMRP) of the Mitigated Negative Declaration, EA C&ED No. 2023-26, that are applicable to the project:

    a. Claus Road between Sylvan Avenue and Briggsmore Avenue: Developer shall dedicate sufficient right-of-way along the project frontage to allow for four-lane Principal Arterial Street alignment. Developer shall install improvements along project frontage that shall include but not be limited to:

        i. Median, curb, gutter and sidewalk along Claus Road frontage;

        ii. Landscape planter between concrete masonry wall and sidewalk per approved street cross-sections;

        iii. Landscape planter between sidewalk and northbound travel lanes per approved street cross-sections.

    b. The ultimate Claus Road improvements and design identified above and in condition #10 are incorporated in the Village One Community Facilities District and Capital Facilities Fee program. The improvements required above are eligible for fee credits and/or reimbursements via approved agreements in accordance with the Infrastructure Finance policies and procedures via credit and/or acquisition agreements to be executed prior to the first Final Map.

13. Project applicant to install decorative lighting along Rossi Street, C Drive (between Rossi Street and F Street), and F Street. Rossi Street will have double heads when streetlight is located on same side of bike path. Decorative lighting shall be in-kind as installed in the Crossing Subdivision development to the south. Spacing to follow manufacturers specs. All other interior streets shall have City standard streetlights installed. Decorative lights spacing shall be similar to the decorative lights in the Crossings Subdivision.

14. Project applicant shall include 10-foot Public Utility and 10-foot Tree Planting Easements on the Final Map and Improvement Plans.

15. Project applicant shall add STOP signs on E Way. If “Alternate A (Lot A)” is chosen, remove STOP sign westbound near Lot 90, remove STOP sign eastbound in front of Lot 132, and install STOP signs northbound west of Lot 90 and southbound east of Lot 139.

16. Project applicant shall extend storm, sewer and water lines in Claus Road to the north project limits. The extension of the water and sewer facilities may be adjusted to ensure the ultimate services in the area and the City Engineer may adjust the limits if other viable service locations are identified through design of the final improvements. The storm drain improvements and fire hydrants are incorporated in the Village One Community Facilities District. The storm drain and fire hydrants improvement required above are eligible for fee credits and/or reimbursements via approved agreements in accordance with the Infrastructure Finance policies and procedures via credit and/or acquisition agreements to be executed prior to the first Final Map.

17. Project applicant shall provide calculations and mapping to demonstrate that applicable storage within the proposed tributary area and percolation is provided for 100-year 6 days storm event, as well as demonstrate that the full volume of the 100 year 24 hour storm is fully retained within the proposed basin or underground infrastructure must percolate within 48 hours with the submittal of Improvement Plans..

18. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall prepare and submit a Water Pollution Control Plan (WPCP) and SWPPP Report to Land Development Engineering, Stormwater for review. The WPCP and Local SWPPP shall include a description of all erosion, sediment, and pollution control BMPs to be used at the construction or demolition site to prevent sediment and other sources of pollution from entering the City storm drain system as well as a site plan showing their placement.

19. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall obtain coverage under the General Permit for Discharges of Stormwater associated with Construction Activity that disturbs one or more acres of soil in accordance with Construction General Permit.

20. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall prepare a Stormwater Water Quality Control Measures Plan (SWQCMP).

21. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall submit improvement plans conforming to volume and water quality requirements of the most current edition of the City of Modesto Guidance Manual for Development, Stormwater Quality Control Measures and the City of Modesto Municipal Code.

22. Prior to the issuance of a Grading, Demolition, or Building Permit, Project applicant shall submit improvement plans conforming to volume and water quality requirements of the most current edition of the City of Modesto Guidance Manual for Development, Stormwater Quality Control Measures and the City of Modesto Municipal Code. Project applicant shall integrate Low Impact Development (LID) principles into proposed development projects' design. LID is a storm water management and land development strategy that promotes conservation and use of natural on-site features combined with engineering small-scale hydrologic devices. In designing development projects, minimize the amount of impervious surface in order to maximize on-site infiltration of stormwater runoff and minimize the potential for storm water runoff from the site. (Policy VI.G.8)

PARKS PLANNING AND DEVELOPMENT

23. Applicant shall submit Landscape and Irrigation (L&I) plans for review and approval by the City's Parks Planning and Development (PPD) Division. L&I plans shall meet the current State of California Model Water Efficient Landscape Ordinance (MWELO) requirements, Modesto Municipal Code (MMC) requirements and City of Modesto Standards at time of submittal. Separate plans are required for model homes, master lots, park and green spaces.

24. Improvement plans shall demonstrate design the proposed park / basin and green spaces areas of this subdivision. Park / Basin and green space area designs shall be approved by the City of Modesto Parks Planning and Development Division.

25. Applicant shall install a separate landscape water meter for ROW or public landscape areas maintained by the city and/or CFD.

26. Applicant shall provide a minimum fifteen-foot (15') landscape setback along Claus Road. Said minimum width shall be allowed to vary based upon final design and alignment of Claus Road.

27. Applicant shall install street trees every thirty-five feet (35') to forty feet (40') on center along sidewalks, and within seven feet (7') of sidewalks along Claus Roads.

28. Applicant shall install one (1) street tree per residential lot unless on a corner lot where two (2) additional street trees will be installed on side yard. Location of trees shall be approved by Parks and LDE prior to installation and shall not be within the clear vision triangle.

29. Applicant shall provide a street tree master plan per each subdivision. Street tree master plan for all new lots / streets of the subdivision. Said trees will be selected from City of Modesto street tree list.

30. Applicant may provide monument signage with appropriate landscaping for Clear Vision Triangles at entrances. Within the triangle, the area between three (3) and eight (8) feet in height measured from top of curb adjacent to landscape shall be clear.

31. Low Impact Development (LID) control and treatment measures shall be planted with vegetation for erosion protection and sediment entrapment to collect/treat storm water run-off before entering the storm drain system. Storm drainage basins shall be appropriately landscaped and irrigated to address the specific type of storm water control measure. Provide total square feet of the landscape area in project information.

INFRASTRUCTURE FINANCE

32. Prior to the recordation of a final map for any residential project involving the subdivision of land into single family parcels or issuance of a building permit for any other project, the applicant shall provide for perpetual funding to cover the full cost of services provided to the proposed development including but not limited to the maintenance and lighting of parks, parkways, streets, roads, and open space services, and flood and storm protection services, including the operation and maintenance of storm drainage systems, as well as perpetual funding to cover the full cost of maintenance and operation of any public improvements or other tangible property owned by the City with an estimated useful life of five or more years constructed as part of the proposed development.

    The perpetual funding can be provided in the following manner:

    a. Community Facilities District (CFD): Applicant shall form or annex the development into an existing City of Modesto Community Facilities District (CFD 2025-2: Village One Triangle) in accordance with the requirements of the Mello-Roos Community Facilities Act of 1982 (Gov. Code § 53311 et seq.) including, without limitation, affirmative votes or completion of a unanimous approval form, and the recordation of a Notice of Special Tax Lien. Applicant shall be responsible for all costs associated with the CFD proceedings.

    Or:

    b. Direct Funding: Applicant shall deposit with the City an amount necessary, as reasonably determined by the City and approved by the City Council, to fund in perpetuity the full on-going cost of these obligations.

33. A One-Time Facilities Special Tax shall be collected prior to building permit issuance for any new construction on taxable property within the CFD. The estimated One-Time Facilities Tax and Annual Maintenance Special Tax, based on the proposed 148 single-family residences for CFD 2025-2 Village One Triangle are listed below:

    a. Maximum One-Time Facilities Special Tax: $22,495.00

    b. Maximum Annual Maintenance Special Tax: $1,589.00

    Per the Rate and Method of Apportionment (RMA) each fiscal year on July 1 the escalation factor is placed on the CFD Special Taxes. The One-Time Facilities Special Tax and Annual Maintenance Special Tax shall escalate each year by the greater of the percentage increase, if any, in the construction cost index for the San Francsico region for the prior 12 months as published in the Engineering News Record (or comparable source if discontinued), or 4%.

    The current estimate of the total CFD special tax obligations for this project, subject to adjustments based on approved final maps, are as follows:
    a. Total Maximum One-Time Facilities Special Tax: $3,329,260.00
    b. Maximum Annual Maintenance Special Tax: $235,172.00

34. Prior to issuance of building permits, all applicable Capital Facilities Fees (CFF) shall be paid. Capital Facilities Fees are impact fees established to mitigate the impacts of new development as outlined in §66000 of the California Government Code. If the developer constructs park improvements identified in the FMP, the developer may request a reimbursement against the CFF Air Quality and Parks obligation. Any reimbursement claims shall include documentation of the acreage and improvements constructed. Prior to approving any offset or reimbursement, the City shall verify the acreage and confirmed value of the park improvements constructed against the FMP to confirm CFF eligibility for reimbursement.

MODESTO FIRE DEPARTMENT

35. Improvement plans shall demonstrate the placement of fire hydrants each 500-feet on center.

36. All fire hydrants and fire apparatus access roads meeting the requirement for “all weather” shall be installed prior to combustible construction materials being brought into the site.

37. Prior to the Final Inspection, Building Inspection Division shall verify that all fireplaces and wood stoves in residential units are equipped to

meet the performance and emissions standards set forth in Part 60, Title 40, Subpart AAA Code of Federal Regulations, February 26, 1988.

38. Prior to start of construction, all-weather, hard-surfaced roadways shall be constructed and maintained free of obstructions at all times during construction as required by Director of Community and Economic Development and the Fire Department.

MODESTO IRRIGATION DISTRICT

39. Project developer shall submit draft improvement plans and maps to MID Civil Engineering Department for review.

40. Existing irrigation facilities within or adjacent to the proposed project shall be protected, relocated, or removed as required by the District's Civil Engineering Department. Should the proposed project impact, encroach on, or otherwise alter existing MID-owned or Improvement District irrigation infrastructure, the pipeline must be upgraded, replaced and/or relocated as required by MID. All costs associated with design, approval and analysis of relocation shall be at the Developer's expense.

41. All existing cast-in-place (CIP) pipe/culvert, corrugated metal pipe (CMP), polyvinyl chloride (PVC) pipeline, disturbed pipeline, and appurtenant facilities that lie within the project limits must be replaced with rubber gasketed reinforced concrete pipe (RGRCP) that meets AASHTO requirements for HS20-44 traffic loading conditions:

    a. Class IV RGRCP is required under all roads and must extend a minimum of 10' each way beyond the drive path in any new development or improvement.

    b. Type III RGRCP is required under any other location, unless otherwise required by MID representative.

    c. The pipeline shall be installed with a minimum of 30" of cover from pipe bell to final grade. If 30" of cover cannot be achieved, Class IV RGRCP will be required with a cover no less than 24" from the pipe bell to final grade.

    d. Ground disturbing activities at or within ten (10) feet of the existing pipeline will also require the replacement of the existing pipeline.

    e. All design and construction is subject to the latest MID Irrigation Standard Construction Details which may be found at: https://www.mid.org/isc/documents/M.I.D._Standards_Outside MID.pdf

42. MID easements for protection of overhead and underground electrical facilities are required. MID overhead secondary cable shall be protected by a minimum 20-foot-wide easement centered on the overhead cable. Overhead primary cable shall be protected by a minimum 30-foot-wide easement centered on the overhead cable. MID underground secondary cable shall be protected by a minimum five (5) foot-wide easement centered on the underground cable. MID underground primary cable shall be protected by a minimum 10-foot-wide easement centered on the underground cable. When underground cable is not located in the Road Right of Way or within the PUE along the street frontage a MID easement is required to protect the existing underground electrical facilities and maintain necessary safety clearances.

GENERAL CONDITIONS

43. Improvement plans for required improvements shall be prepared by a Registered Civil Engineer and submitted for approval by the City Engineer or designee. All improvements shall be constructed in accordance with the approved plans.

44. Future home buyers and prospective residents of the Precise Plan Area No. 35 South shall be provided disclosure that they are subject to noise, dust, odor and other impacts from adjacent agricultural operations. Such notice shall be placed on the recorded Final Map and the recorded CCR's for the individual lots.

45. Future home buyers and prospective residents of the Precise Plan Area No. 35 South that are within 200-feet of the right-of-way of the Burlington Northern Santa Fe railroad shall be provided disclosure that they are subject to noise, vibration and other impacts from rail operations. Said notice shall be provided on the recorded Final Map and the recorded CCR's for the individual lots.

46. Future home buyers and prospective residents of the Precise Plan Area No. 35 South shall be provided disclosure that they are subject to noise, vibration and other impacts from aircraft operations of the East Side Mosquito Abatement District facility located on Santa Fe Avenue to the southeast of the project. Such notice shall be placed on the recorded Final Map and the recorded CCR's for the individual lots.

47. At the time of issuance of a building permit, the developer shall pay development impact fees at the established rate. Such fees may include but are not limited to, sewer and water connection fees, community facility fees, building permit and plan check fees.

48. All department Conditions of Approval for the project shall be included with building plans and shall be continuously maintained on-site

during project construction to the satisfaction of the Chief Building Official.

49. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

50. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

The following are mitigation measures from the City of Modesto Urban Area General Plan Programmatic EIR (PEIR) which are applicable to the project:

51. AQ-100. Reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources. (Policy VII.H.2.jj)

52. AQ-103. Effectively stabilize dust emissions using water, chemical stabilizer / suppressant, cover with a tarp or other suitable cover or vegetative ground cover, all disturbed areas, including storage piles, which are not being actively utilized for construction purposes. (Policy VII.H.2.mm)

53. AQ-104. Effectively stabilize dust emissions using water or chemical stabilizer / suppressant, all onsite unpaved roads and off-site unpaved access roads. (Policy VII.H.2.nn)

54. AQ-105. Effectively control fugitive dust emissions utilizing application of water or by presoaking all land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities. (Policy VII.H.2.oo)

55. AQ-107. When materials are transported off site, cover all materials, or effectively wet them to limit visible dust emissions, and maintain at least six inches of freeboard from top of container. (Policy VII.H.2.qq)

56. AQ-108. Limit operations or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where

preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) (Policy VII.H.2.rr)

57. AQ-109. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles for fugitive dust emissions utilizing sufficient water or chemical stabilizer / suppressant. (Policy VII.H.2.ss)

58. AQ-110. Within urban areas, immediately remove trackout when it extends 50 or more feet from the site and at the end of each workday. (Policy VII.H.2.tt)

59. AQ-111. Prevent carryout and trackout for any site with 150 or more vehicle trips per day. (Policy VII.H.2.uu)

60. AQ-112. Limit traffic speeds on unpaved roads to 15 mph. (Policy VII.H.2.vv)

61. AQ-113. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent (1%). (Policy VII.H.2.ww)

62. AQ-114. Install wheel washers for all exiting trucks, or wash all trucks and equipment leaving the site. (Policy VII.H.2.xx)

63. AQ-115. Install wind breaks at windward side(s) of construction areas. (Policy VII.H.2.yy)

64. AQ-116. Suspend excavation and grading activity when winds exceed 20 mph (regardless of windspeed, an owner/operator must comply with Regulation VIII's 20 percent opacity limit). (Policy VII.H.2.zz)

65. AQ-117. Limit the area subject to excavation, grading, and other construction activity at any one time. (Policy VII.H.2.aaa)

66. SWPH-2: For all lands within the Planned Urbanizing Area, site-specific surveys shall be conducted by a qualified biologist to determine whether any sensitive natural communities or species are present within the proposed development area. These studies shall particularly focus on proposed development within any lands included within a potential biological resource study area as delineated on Figure V-7-1 in the Final Program Environmental Impact Report (Riparian Corridor Diagram). Prior to considering development applications, the City shall coordinate with the USFWS and CDFW regarding listed species and potential for impacts. The City shall employ the measures recommended by the USFWS and/or CDFW to avoid an incidental take.

    Conduct surveys at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies

as determined by CDFW and the USFWS. The results of such surveys should be recorded onto the City's existing biological resources map for future planning purposes. (UAGP Policy VII-E.3[a])

67. SWPH-3. Avoid and preserve all areas occupied or potentially occupied by special-status species, where feasible. Protect areas that can be avoided by fencing, signage, or establishment of buffer zones appropriate to the species and/or habitat involved. Design fencing to allow passage of small mammals and avoid impacts to wildlife movement or dispersal.

    Generally, a minimum 100-foot buffer of undeveloped land from identified sensitive resources would be necessary. Improve this buffer area through sustainable habitat restoration. Require protected habitat to be managed to contribute to the long-term conservation of the species and ecosystems on which they depend.

    Where it is determined that state and/or federally listed species are present, consult with the CDFW and/or USFWS in accordance with the California and/or federal Endangered Species Acts to determine mitigation measures to avoid and minimize impacts to those species. If other special-status species are determined to be present and cannot be avoided, implement species-specific mitigation measures to minimize impacts to those species through informal consultation with CDFW and/or USFWS. Incorporate the mitigation measures and other recommendations of these agencies into the development plan. (UAGP Policy VII-E.3[b])

68. SWPH-4. Additional measures to protect sensitive habitats may be implemented. Potential measures to be implemented may include measures listed in Table 3.4-4 of the PEIR.

69. AH-18. Any project that involves earth-disturbing activities within previously undisturbed soils in an area determined to be archaeologically or culturally sensitive by the City of Modesto through consultation with Native American tribes or bands and a qualified archaeologist should be required to carry out the following mitigation measures, at a minimum:

    a. If prehistoric archaeological remains are discovered during project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist should be retained by the project sponsor to investigate the find, and make recommendations as to treatment and mitigation. In the event of the discovery of a burial, human bone, or suspected human bone all excavation or grading in the vicinity of the find should halt immediately and the area of the find should be protected and the project applicant immediately should notify the County Coroner of the find and comply with

the provisions of California Health and Safety Code Section 7050.5, including California Public Resources Code Section 5097.98, if applicable. If human remains are identified, the project sponsor should also retain a Native American monitor;

b. A qualified archaeological monitor should be present and should have the authority to stop and redirect grading activities, in consultation with the Native Americans and their designated monitors, to evaluate the significance of any Native American archaeological resources discovered on the property;

c. Native American monitors from the appropriate Native American Tribes, as determined by the NAHC should be allowed to monitor all groundbreaking activities, including all archaeological testing and data recovery excavations that are likely to affect Native American resources, as determined by a qualified archaeologist. The project proponent should be responsible for compensating Native American monitors. If human remains are discovered, the NAHC should assign a Most Likely Descendent (MLD); and,

d. The landowner agrees to relinquish ownership of all Native American human remains and associated burial artifacts that are found within the project area, to the appropriate Native American MLD, as assigned by the NAHC, for proper treatment and disposition. The MLD will decide whether or not standard archaeological analysis will be allowed on human remains and associated artifacts from burials.

e. If paleontological resources are discovered during earth-moving activities, the construction crew shall immediately cease work in the vicinity of the find, and the City's Planning Manager shall be notified. A qualified paleontologist shall evaluate the resource and prepare a proposed mitigation plan in accordance with Society of Vertebrate Paleontology guidelines. The proposed mitigation plan may include a field survey of additional construction areas, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. (UAGP Policy VII.F.3[c])

70. HM-5. In the event that site inspection or construction activities uncover chemical contamination, underground storage tanks, abandoned drums, or other hazardous materials or wastes at a parcel, the inspection report preparer shall so notify the City. The City shall

notify the County Health Services Department. Under the direction of these agencies, a site remediation plan would be prepared by the project applicant. Said plan would follow policies as outlined in UAGP Policy VI.M.3.

71. HM-8. Applicants for building permits should determine that a site containing or formerly containing residences or farm buildings / structures has been fully investigated for the presence of hazardous materials or wastes prior to issuance of the permit. Investigation should consist of, at minimum, a Phase I environmental site assessment and a Phase II site assessment, if found necessary as a result of the Phase I assessment. The findings of the site assessment should be reported to the City and the County's Department of Environmental Resources. The appropriate remediation should occur prior to final occupancy of the approved development. (UAGP Policy VI.M.6)

72. FWQ-11/SD-10. Construction activities shall comply with the requirements of the City's Storm Water Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (UAGP Policy VI.G.3)

73. FWQ-13/SD-12. Ensure that new development complies with the City of Modesto's Stormwater Management Program: Guidance Manual for New Development Stormwater Quality Control Measures. (UAGP Policy VI.G.5)

74. FWQ-14/SD-13. Require new development to implement an appropriate selection of permanent pollution control measures in accordance with the City's implementation policies for the municipal NPDES stormwater permit. (UAGP Policy VI.G.6)

75. FWQ-16/SD-14. Integrate Low Impact Development principles into proposed development projects' design. Low Impact Development is a storm water management and land development strategy that promotes conservation and use of natural on-site features combined with engineered small-scale hydrologic devices. In designing development projects, minimize the amount of impervious surface in order to maximize on-site infiltration of stormwater runoff and minimize the potential for storm water runoff from the site. (UAGP Policy VI.G.8)

76. Noise-1. Construction activities are to comply with Modesto Municipal Code Title 4, Chapter 9.

77. Noise-2. Implement noise-reducing construction practices as conditions of approval where substantial construction-related noise impacts would be likely to occur, such as with extended periods of pile driving, or where construction is expected to continue or where

sensitive receptors would be affected by construction noise. Conditions of approval may include, but are not limited to:

a. Require construction equipment, including air compressors and pneumatic equipment to have properly maintained mufflers;

b. Require impact tools to be equipped with shrouds or shields;

c. Require that the quietest equipment available be used; and,

d. Require selection of haul routes that affect the fewest number of people. (UAGP Policy VII-G.3.b)

78. Noise-5: Incorporate construction practices and acoustic treatment in new residential construction to reduce typical indoor noise levels to 45 dB. Developers of residential buildings within the 65 dBA contours shown in the General Plan Program EIR shall demonstrate that interior noise has been reduced to 45 dB. Other types of development should be protected against noise intrusion at least to the levels indicated on UAGP Table VII-2. (UAGP Policy VII-G.3.e)

79. Noise-12: For new residential development proposed in areas within 200 feet of the center of the near mainline of active rail lines where single-event noise from trains is of concern, demonstrate that the proposed development will incorporate measures to reduce maximum noise levels generated during train passbys to 50 dBA Lmax or less inside bedrooms and to 55 dBA Lmax or less inside other noise sensitive occupied areas. (UAGP Policy VII-G.3.l)

80. Noise-13: For new residential and vibration sensitive commercial development (including but not limited to lodging facilities, hospitals and similar uses) located within 200 feet of the center of the near mainline of active rail lines, demonstrate that the proposed development will incorporate measures to reduce vibration levels generated during train passby events to meet the FTA vibration criteria as shown in Program EIR Table V-3-6. (UAGP Policy VII-G.3.m)

81. WS-14. All new connections to the public water system are to have meters installed. In addition, on or before January 1, 2025, all existing municipal and industrial service connections are to have water meters installed. (UAGP Policy VI.A.3)

BE IT FURTHER RESOLVED that the conditions of project approval set forth herein include certain fees, dedication requirements, reservations requirements, and other exactions, and that pursuant to Government Code Section 66020(d)(1), these

conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions.

BE IT FURTHER RESOLVED that the applicant is hereby further notified that the ninety (90) days approval period in which a protest of these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a) can be filed, begins on June 1, 2026, and that if a protest is not filed within this ninety (90)-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

BE IT FURTHER RESOLVED by the Planning Commission that the Secretary of the Planning Commission is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed subdivision.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 15, 2026, by , who moved its adoption, which motion was seconded by , and carried by the following vote:

Ayes:
Noes:
Absent:
Recused:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD

Michael Hren, AICP, Secretary

LEGEND

- EX. SEWER LINE
- EX. STORM DRAIN LINE
- EX. WATER LINE
- EX. M.I.D. IRRIGATION LINE
- EX. MANHOLE
- EX. CATCH BASIN
- EX. FIRE HYDRANT
- EX. ELECTROLIER
- PROP. SEWER LINE
- PROP. SAN. SEWER MANHOLE
- PROP. WATER LINE
- PROP. STORM DRAIN LINE
- PROP. M.I.D. IRRIGATION LINE
- PROP. DRAIN INLET
- PROP. STORM DRAIN MANHOLE
- PROP. FIRE HYDRANT
- PROP. ELECTROLIER
- PUBLIC UTILITY EASEMENT

GENERAL NOTES

1. ASSESSOR'S PARCEL NUMBER: 14-25-02
2. PRESENT ZONING: SP (SPECIFIC PLAN) VILLAGE ONE AS AMENDED JANUARY 2025
   PRESENT GENERAL PLAN: RESIDENTIAL (R)
   PROPOSED ZONING: SAME AS PRESENT ZONING SP (SPECIFIC PLAN)
3. SITE SUMMARY: TOTAL SITE = 29.2 ACRES BEING DIVIDED INTO 148 LOW DENSITY RESIDENTIAL LOTS, PARK/BASIN, AND 1 COMMON AREA LOT.
4. THE PROPERTY LINE DISTANCES, BEARINGS, AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM DEEDS, RECORD MAPS OR ASSESSOR'S MAPS, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY.
5. PURSUANT TO SECTION 66463.1 OF THE SUBDIVISION MAP ACT, THE OWNER-SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION MAPS.
6. THIS PROJECT SITE IS NOT SUBJECT TO INUNDATION AS PER THE NATIONAL FLOOD INSURANCE PROGRAM FIRM FLOOD INSURANCE RATE MAP FOR THE CITY OF MODESTO, COMMUNITY PANEL NO. 06099 C0345F, DATED AUGUST 24, 2021.
7. UTILITY LINES AS SHOWN ON THIS MAP ARE BASED ON PRELIMINARY DESIGN AND ARE SUBJECT TO CHANGE AT THE TIME OF DEVELOPMENT AND THROUGH THE IMPROVEMENT PLAN APPROVAL PROCESS WITH THE CITY OF MODESTO.

STATEMENT OF SUBDIVIDER

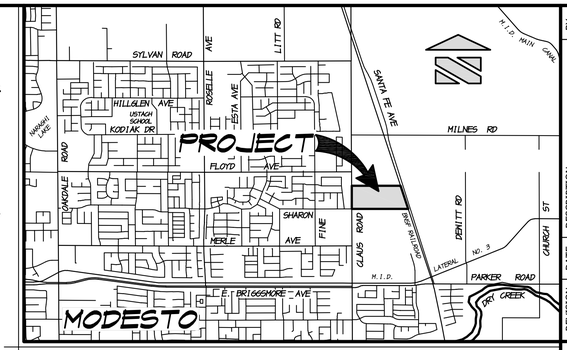
1. ALL IMPROVEMENTS TO BE INSTALLED SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MODESTO STANDARDS. VILLAGE ONE SP STANDARDS UNLESS SHOWN HERE IN.
2. STORM DRAINAGE: THE STORM DRAINAGE WILL BE A STORM DRAIN BASIN WITHIN THE COMMUNITY PARK PER CITY OF MODESTO STANDARDS.
3. SANITARY SEWER: SEWER WILL CONNECT TO THE EXISTING CITY OF MODESTO SYSTEM.
4. WATER SUPPLY: DOMESTIC WATER WILL CONNECT TO THE EXISTING CITY OF MODESTO SYSTEM.
5. COMMON AREAS AND STREETS ARE PROPOSED WITHIN THIS DEVELOPMENT ARE OWNED AND MAINTAINED BY CITY OF MODESTO.
6. CITY TO MAINTAIN AN ALL AREAS WITHIN PUBLIC RIGHT-OF-WAY.
7. STREET LIGHTING: STREET LIGHTING SHALL BE IN ACCORDANCE WITH THE CITY OF MODESTO STANDARDS AND MAINTAINED BY THE CITY OF MODESTO.

OWNER

CMWS CLAUS ROAD OWNERS, LLC
2224 CLAUS ROAD
MODESTO, CALIFORNIA 95355

DEVELOPER

NRB INVESTMENTS, LLC
C/O RANDY BLING
1701 W. MARCH LANE, SUITE D
STOCKTON, CALIFORNIA 95207

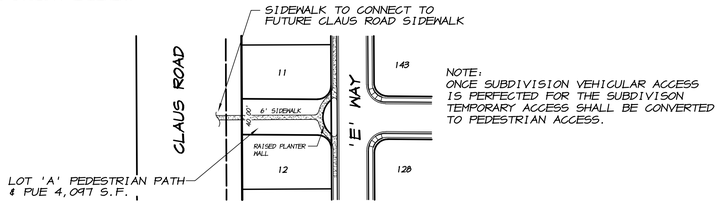


VICINITY MAP

NO SCALE

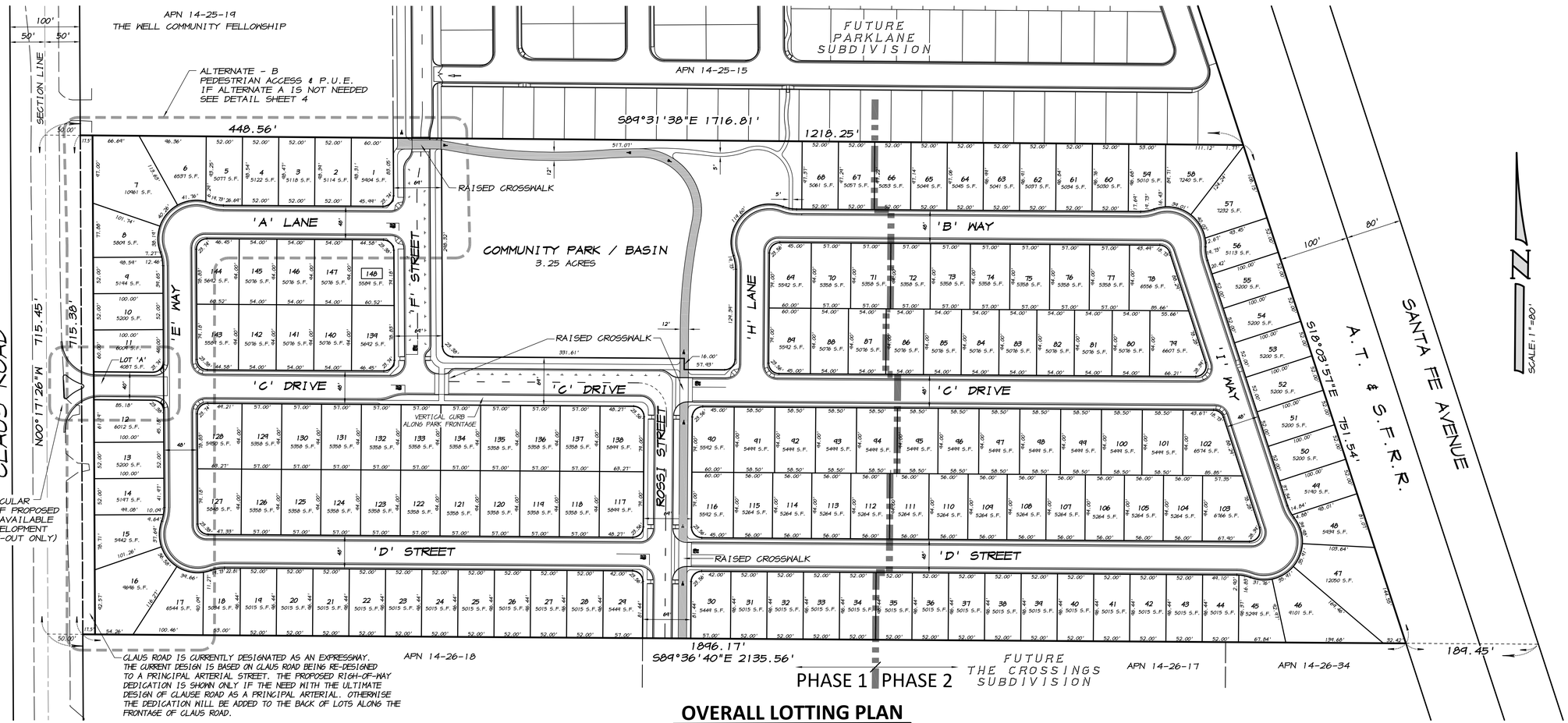
PROPOSED SETBACKS

FRONT		
	PORCH / LIVING	15'
	GARAGE	20'
SIDE		
	INTERIOR	5'
	CORNER	10'
REAR		
	10' SINGLE STORY	
	15' TWO STORY	



NOTE:
ONCE SUBDIVISION VEHICULAR ACCESS IS PERFECTED FOR THE SUBDIVISON TEMPORARY ACCESS SHALL BE CONVERTED TO PEDESTRIAN ACCESS.

ALTERNATE - A (LOT A) TEMPORARY ACCESS CONVERSION



OVERALL LOTTING PLAN

VESTING TENTATIVE SUBDIVISION MAP

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN.

BOULEVARD SUBDIVISION

MODESTO CALIFORNIA

BY	DESCRIPTION	DATE	REVISION

ASSOCIATED ENGINEERING GROUP
4206 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA 95356
PHONE: (209) 545-3390 FAX: (209) 545-3875 www.assocengr.com

RYAN CARREL, R.C.E. 61619
JEFF SHELDON, R.C.E. 84078

DRAWN BY: JIM
DATE: 2/28/25 8:35
SCALE: 1"=80'
DWG: 1568-TSM_SHT
CHECKED: JF
JOB #: 1568-24

SHEET 1 OF 4

THE WELL COMMUNITY FELLOWSHIP
APN 14-25-19

STUB STORM DRAINAGE
STUB WATER
EX. M.I.D. EASEMENT TO BE ABANDONED WITH IRRIGATION WELL
8' MASONRY WALL
CELL TOWER
STUB WATER
STUB SEWER
STUB STORM DRAINAGE
RAISED CROSSWALK

FUTURE PARKLANE SUBDIVISION

EX. IRRIGATION WELL AND POWER SERVICE TO BE ABANDONED
OUTLET

COMMUNITY PARK / BASIN
3.25 ACRES

'A' LANE
'E' WAY
'F' STREET
'C' DRIVE
'D' STREET
'H' LANE
ROSSI STREET
CLAUS ROAD

7 10961 S.F.
6 6537 S.F.
5 5077 S.F.
4 5122 S.F.
3 5118 S.F.
2 5114 S.F.
1 5904 S.F.
8 5809 S.F.
9 5194 S.F.
10 5200 S.F.
11 6009 S.F.
LOT 'A' 4087 S.F.
12 6012 S.F.
13 5200 S.F.
14 5197 S.F.
15 5942 S.F.
16 9696 S.F.
17 6544 S.F.
18 5034 S.F.
19 5015 S.F.
20 5015 S.F.
21 5015 S.F.
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27 5015 S.F.
28 5015 S.F.
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30 5449 S.F.
31 5015 S.F.
32 5015 S.F.
33 5015 S.F.
68 5061 S.F.
69 5592 S.F.
89 5592 S.F.
90 5592 S.F.
91 5499 S.F.
92 5499 S.F.
116 5592 S.F.
115 5264 S.F.
114 5264 S.F.
117 5899 S.F.
118 5358 S.F.
119 5358 S.F.
120 5358 S.F.
121 5358 S.F.
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123 5358 S.F.
124 5358 S.F.
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126 5358 S.F.
127 5848 S.F.
128 5450 S.F.
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142 5076 S.F.
143 5589 S.F.
144 5692 S.F.
145 5076 S.F.
146 5076 S.F.
147 5076 S.F.
148 5589 S.F.

EX. LIGHT TO BE REMOVED
EX. DRIVEWAYS TO BE REMOVED
PROPOSED RIGHT-OF-WAY DEDICATION (IF NEEDED)

CONNECT TO EXISTING WATER LINE EXTENDED WITH THE CROSSING SUBDIVISION
CONNECT TO FUTURE SEWER LINE TO BE EXTENDED WITH THE CROSSING SUBDIVISION
CONNECT TO FUTURE STORM DRAIN LINE TO BE EXTENDED WITH THE CROSSING SUBDIVISION

APN 14-26-18

CONNECT TO FUTURE WATER LINE TO BE EXTENDED WITH THE CROSSING SUBDIVISION
CONNECT TO FUTURE SEWER LINE TO BE EXTENDED WITH THE CROSSING SUBDIVISION

SEE SHEET 3

SCALE: 1"=40'

REVISION	DATE	DESCRIPTION	BY

ASSOCIATED ENGINEERING GROUP
4206 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA 95356
PHONE: (209) 545-3390 FAX: (209) 545-3875 www.assocengr.com

VESTING TENTATIVE SUBDIVISION MAP

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN.

BOULEVARD SUBDIVISION

MODESTO CALIFORNIA

RYAN CARREL, R.C.E. 61619
JEFF SHELDON, R.C.E. 84078

DRAWN BY: JIM
DATE: 2/28/25 8:35
SCALE: 1"=50'
DWG: 1568-TSMSHT2
CHECKED: JF
JOB #: 1568-24

SHEET 2 OF 4

VESTING TENTATIVE SUBDIVISION MAP

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN.

BOULEVARD SUBDIVISION

MODESTO CALIFORNIA

SCALE: 1"=40'

SEE SHEET 2

FUTURE PARKLANE SUBDIVISION

6' - 10' MASONRY WALL

'B' WAY

'H' LANE

COMMUNITY PARK / BASIN
3.25 ACRES

'C' DRIVE

'I' WAY

ROSSI STREET

'D' STREET

RAISED CROSSWALK

SANTA FE AVENUE

A.T. & S.F.R.R.

LOT	AREA
45	5299 S.F.
46	9101 S.F.
47	12050 S.F.
48	5939 S.F.
49	5190 S.F.
50	5200 S.F.
51	5200 S.F.
52	5200 S.F.
53	5200 S.F.
54	5200 S.F.
55	5200 S.F.
56	5113 S.F.
57	7232 S.F.
58	7240 S.F.
59	5010 S.F.
60	5030 S.F.
61	5034 S.F.
62	5037 S.F.
63	5041 S.F.
64	5045 S.F.
65	5049 S.F.
66	5053 S.F.
67	5057 S.F.
68	5061 S.F.
69	5592 S.F.
70	5358 S.F.
71	5358 S.F.
72	5358 S.F.
73	5358 S.F.
74	5358 S.F.
75	5358 S.F.
76	5358 S.F.
77	5358 S.F.
78	6556 S.F.
79	6607 S.F.
80	5076 S.F.
81	5076 S.F.
82	5076 S.F.
83	5076 S.F.
84	5076 S.F.
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86	5076 S.F.
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98	5499 S.F.
99	5499 S.F.
100	5499 S.F.
101	5499 S.F.
102	6574 S.F.
103	6766 S.F.
104	5264 S.F.
105	5264 S.F.
106	5264 S.F.
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108	5264 S.F.
109	5264 S.F.
110	5264 S.F.
111	5264 S.F.
112	5264 S.F.
113	5264 S.F.
114	5264 S.F.
115	5264 S.F.
116	5592 S.F.

CONNECT TO FUTURE WATER LINE TO BE EXTENDED WITH THE CROSSING SUBDIVISION

CONNECT TO FUTURE SEWER LINE TO BE EXTENDED WITH THE CROSSING SUBDIVISION

FUTURE THE CROSSING SUBDIVISION

APN 14-26-17

APN 14-26-34

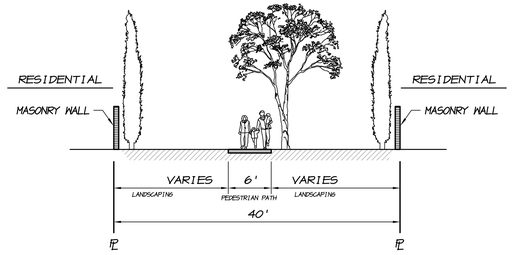
REVISION	DATE	DESCRIPTION	BY

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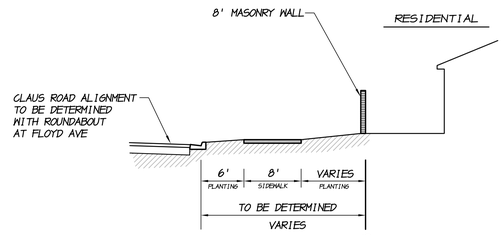
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SHEET 3 OF 4

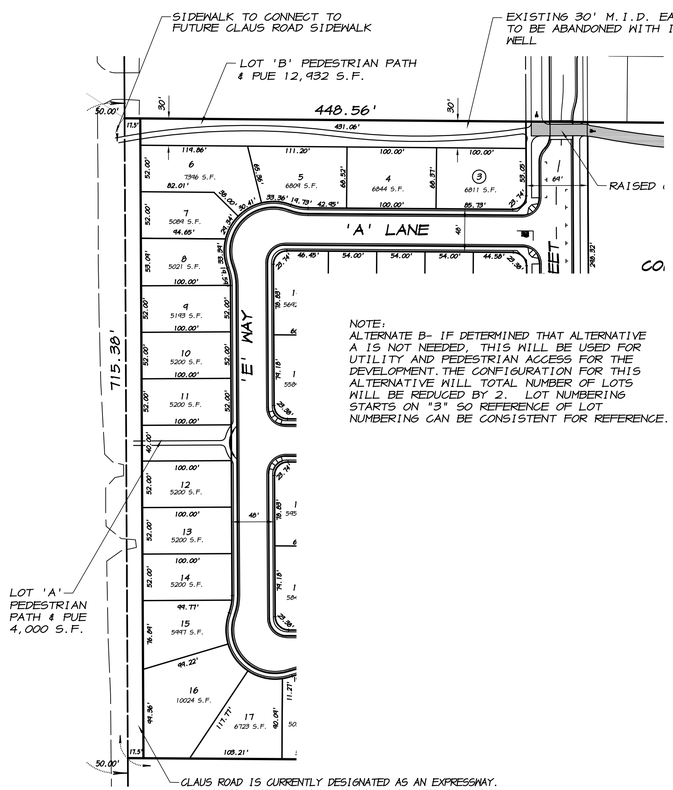


ALTERNATE - A (LOT 'A')

PEDESTRIAN TRAIL



CLAUS ROAD

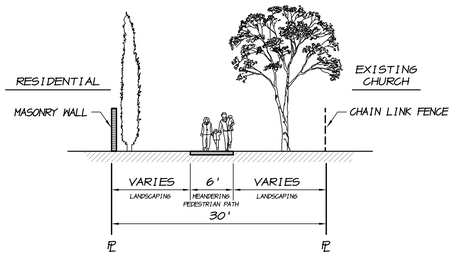


NOTE:
ALTERNATE B- IF DETERMINED THAT ALTERNATIVE A IS NOT NEEDED, THIS WILL BE USED FOR UTILITY AND PEDESTRIAN ACCESS FOR THE DEVELOPMENT. THE CONFIGURATION FOR THIS ALTERNATIVE WILL TOTAL NUMBER OF LOTS WILL BE REDUCED BY 2. LOT NUMBERING STARTS ON "3" SO REFERENCE OF LOT NUMBERING CAN BE CONSISTENT FOR REFERENCE.

CLAUS ROAD IS CURRENTLY DESIGNATED AS AN EXPRESSWAY. THE CURRENT DESIGN IS BASED ON CLAUS ROAD BEING RE-DESIGNED TO A PRINCIPAL ARTERIAL STREET. THE PROPOSED RIGH-OF-WAY DEDICATION IS SHOWN ONLY IF THE NEED WITH THE ULTIMATE DESIGN OF CLAUSE ROAD AS A PRINCIPAL ARTERIAL. OTHERWISE THE DEDICATION WILL BE ADDED TO THE BACK OF LOTS ALONG THE FRONTAGE OF CLAUS ROAD.

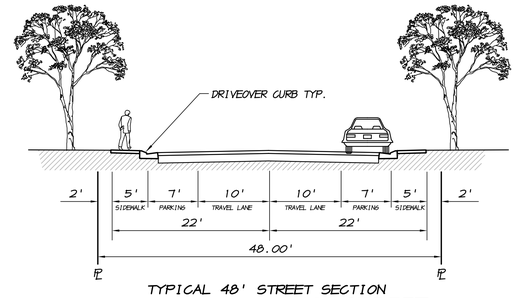
ALTERNATE - B
LOTTING AT PEDESTRIAN ACCESS

SCALE: 1"=80'



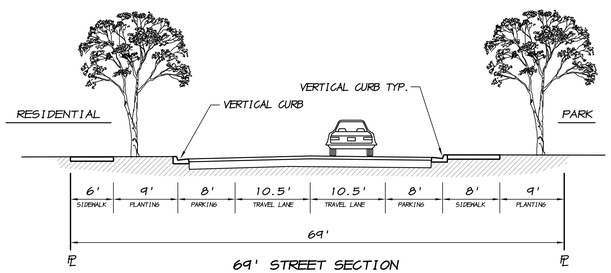
ALTERNATE - B (LOT 'A')

PEDESTRIAN TRAIL



TYPICAL 48' STREET SECTION

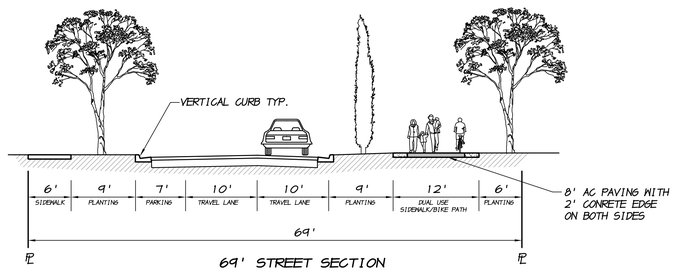
LOCAL RESIDENTIAL STREET



69' STREET SECTION

RESIDENTIAL PARKWAY

('C' STREET & 'F' STREET ALONG PARK SITE)



69' STREET SECTION

RESIDENTIAL PARKWAY

(ROSSI STREET)

REVISION	DATE	DESCRIPTION	BY

ASSOCIATED ENGINEERING GROUP
4206 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA 95356
PHONE (209) 545-3390 FAX (209) 545-3875 www.assocengr.com

VESTING TENTATIVE SUBDIVISION MAP
STREET SECTIONS
BOULEVARD SUBDIVISION
MODESTO CALIFORNIA

RYAN CARREL, R.C.E. 61619
JEFF SHELDON, R.C.E. 84078

DRAWN BY: JIM
DATE: 3/3/25
SCALE: 1"=10'
DWG: CROSSECTIONS
CHECKED: J.F.
JOB #: 1568-24

SHEET 4 OF 4

PLANNING COMMISSION
RESOLUTION NO. 2026-XX

A RESOLUTION APPROVING THE BOULEVARD FINAL DEVELOPMENT PLAN, IN THE VILLAGE ONE SPECIFIC PLAN, FOR 148 SINGLE-FAMILY RESIDENTIAL LOTS, ONE PARK/BASIN LOT AND ONE COMMON AREA LOT, PROPERTY LOCATED AT 2224 CLAUS ROAD (NRB INVESTMENTS LLC)

WHEREAS, on October 16, 1990, the City Council by Resolution No. 90-828A, adopted the Village One Specific Plan; and

WHEREAS, the Village One Specific Plan is comprised of 35 Precise Plan areas subject to review and approval by the Planning Commission, each Precise Plan denoted to ensure that the circulation, infrastructure, land use, density, project design and other specific plan provisions are provided for each Area Plan as required by Section IV.D.2 of the Village One Specific Plan; and

WHEREAS, the Modesto City Council by Ordinance No. 3777-C.S., effective on March 4, 2024, approved Precise Plan No. 35 South to allow development in this area of the Village One Specific Plan, in accordance with the requirements of the Village One Specific Plan; and

WHEREAS, Section IV.D.2 of the Village One Specific Plan requires the Planning Commission's review and approval of a Final Development Plan for new residential development within the Specific Plan to ensure that the development policies of Chapter II of the Specific Plan are implemented for projects involving residential uses with a tentative map, which may be approved by the Commission after or concurrently with the approval of a tentative map and/or Precise Plan; and

WHEREAS, an application for a Final Development Plan for “Boulevard”, comprised of 148 single-family residential lots, one park/basin lot and one common area lot within Precise Plan No. 35 South, on 29.2 acres located at 2224 Claus Road was filed by NRB Investments LLC on November 5, 2025 in accordance with Section IV.D.2 of the Village One Specific Plan; and

WHEREAS, said application was filed together with an application for a Vesting Tentative Subdivision Map, Boulevard (Project ID TSM-25-008), to divide 29.2 acres located at 2224 Claus Road into 148 single-family residential lots; and

WHEREAS, a public hearing was held by the Planning Commission on June 1, 2025, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission certifies it has received and reviewed the Initial Study, Environmental Assessment No. EA/C&ED 2026-09,

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Modesto that it hereby finds and determines as follows:

1. The Planning Commission certifies and adopts the Initial Study, Environmental Assessment No. EA/C&ED 2026-09, which concludes that there are no project-specific significant effects which are peculiar to the project or site, that the project is consistent with the City of Modesto Urban Area General Plan and within the scope of the General Plan Programmatic EIR (SCH No. 2024091127), and that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183 of the Public Resources Code, no further environmental review is required.

BE IT FURTHER RESOLVED by the Planning Commission that the Final Development Plan for the proposed “Boulevard” project shown in Exhibits “A” and

"B", attached hereto and incorporated herein by reference, is hereby approved as submitted and as shown amended in red, subject to the following conditions:

1. All development shall be consistent with the Final Development Plan titled "Final Development Plan, Boulevard" submitted on November 5, 2025, and revised on March 13, 2026, as shown amended in red and described in Exhibits "A" and "B", attached hereto and incorporated herein by reference.

2. Siting of residences shall be in accordance to the approved Final Development Plans and the Development Standards for Residential uses as specific in Chapter II of the Village One Specific Plan, and the Development Standards of Precise Plan No. 35 South.

3. Upon development of the residential lots, the developer shall provide specific site plans and elevations consistent with the Design Guidelines and Standards of the Village One Specific Plan and Precise Plan No. 35 South, to the satisfaction of the Director of Community and Economic Development or designee, prior to the issuance of a building permit.

4. Prior to issuance of a building permit for lots that back up to Claus Road, plot plans for said lots shall demonstrate that all rear yard setbacks be at least fifteen (15) feet, in accordance to the setback standards outlined in Section 10-408(c) of the City's Zoning Code.

5. Prior to Certificate of Occupancy of any structure adjacent to required fences and walls, such fences and walls shall be installed in accordance to the Wall Plan of Precise Plan Area No. 35 South as adopted by the City Council, and the Village One Specific Plan, Section II.G.13, Residential—Community Design Policies, including but not limited to the following standards:

    a. A minimum eight (8) foot high decorative concrete masonry sound wall with cap treatment along the Claus Road frontage at the rear of lots backing up to Claus Road. Said wall shall continue and be extended approximately 425 feet along the rear property lines of Alternative A or the side property lines of Alternative B of the residential lots on the northern edge of the project side which shares a property line with the Well Community Church (APN 014-025-019) to the north.

    b. At the Claus Road right-in/right-out access to "C" Drive, the eight (8) foot high wall should wrap around the corners of Lots 11 and 12 and step down to a minimum six (6) foot high decorative concrete

masonry wall along the access to the fifteen-foot front yard building setback line of both Lots.

c. A minimum nine (9) foot high concrete masonry unit (CMU) or pre-cast concrete masonry sound wall along the BNSF rail alignment at the rear of lots 47 through 57 and be extended along the north and south boundaries of the site to a distance of 400 feet from the centerline of the rail alignment. Such CMU or pre-cast concrete masonry wall shall step down to seven (7) feet in height beyond the 400-foot distance from the center of the mainline of the railroad.

d. Walls and fences along the collector streets shall be provided as required by Section II.G.13.a.8 of the Specific Plan.

6. Prior to issuance of a building permit for lots 46 through 59 within 200-feet of the center of the near mainline of the adjacent BNSF Railroad along the easternmost boundaries of the subdivision, and any lot within the 65dBA contour, the applicant/developer must adhere to conditions Noise-5 and Noise-12 below to the satisfaction of the Chief Building Official and the Director of Community and Economic Development.

7. In addition, for lots 46 through 59 within 200-feet of the center of the near mainline of the adjacent BNSF Railroad along the easternmost boundaries of the subdivision, building plans shall demonstrate structural improvements to mitigate vibration levels generated by passing train traffic, to the satisfaction of the Chief Building Official and the Director of Community and Economic Development per condition 82 below.

LAND DEVELOPMENT ENGINEERING

8. Prior to recordation of a Final Map, project applicant shall produce improvement plans for required improvements, prepared by a Registered Civil Engineer according to City Standards. Improvement plans shall be submitted for approval by the City Engineer or Designee.

9. Project applicant shall ensure that any public improvements that are missing damaged or not to current City standards shall be designed and constructed per current City standards at the time of VSTM approval, in accordance with City Code (Article 7-1.701) and in accordance with the Village One Specific Plan. Such improvements may include, but not be limited to curb & gutter, drive approach, sidewalk, ADA access ramps, fire hydrants and streetlights. All public improvement plans shall be designed by a Registered Engineer, reviewed and approved by the City Engineer prior to issuance of an Encroachment permit.

10. Project applicant shall ensure that all existing underground and aboveground utilities, irrigation, and electrical lines shall be protected, relocated, or removed as required by the City Engineer or designee in coordination with the respective utility companies.

11. The City Engineer may provide modified current City Standard Details during the plan check phase as necessary to address site-specific conditions, construction feasibility, or public safety requirements. The Developer shall be responsible for incorporating these modified details into the improvement plans and constructing all required improvements.

12. Project applicant/developer shall be responsible for the design of a two-lane roundabout with bypass lanes at the intersection of Claus Road and Floyd Avenue. The requirement for the design of the Claus Road and Floyd Avenue roundabout is required in order to complete the design and construction of the Development's frontage improvements to limit any transitional throwaway costs. The design for the intersection and frontage improvements shall be a separate improvement plan set. All roundabouts must be designed by a California registered civil engineer with demonstrated experience in two lanes with bypass lane roundabout geometry and design to the satisfaction of the City Engineer or designee, and shall provide evidence of previous experience in similar type of roundabout designs. The timing of the submittal and approval of the Claus Road and Floyd roundabout and development frontage improvements shall be as follows:

    a. 30% geometric concept for the roundabout shall be submitted with the first submittal of the onsite improvement plans;

    b. 60% design plans for the roundabout and frontage improvement plans shall be submitted prior to the approval of the onsite improvement plans;

    c. 100% plans shall be approved by the City Engineer prior to the City Council approval of the first Final Map for the development.

13. The following Conditions of Approval are Mitigation Measures from the Mitigation Monitoring and Reporting Program (MMRP) of the Mitigated Negative Declaration, EA C&ED No. 2023-26, that are applicable to the project:

    a. Claus Road between Sylvan Avenue and Briggsmore Avenue: Developer shall dedicate sufficient right-of-way along the project frontage to allow for four-lane Principal Arterial Street alignment.

Developer shall install improvements along project frontage that shall include but not be limited to:

i. Median, curb, gutter and sidewalk along Claus Road frontage;

ii. Landscape planter between concrete masonry wall and sidewalk per approved street cross-sections;

iii. Landscape planter between sidewalk and northbound travel lanes per approved street cross-sections.

b. The ultimate Claus Road improvements identified above are incorporated in the Village One Community Facilities District and Capital Facilities Fee program. The improvements required above are eligible for fee credits and/or reimbursements via approved agreements in accordance with the Infrastructure Finance policies and procedures via credit and/or acquisition agreements to be executed prior to the first Final Map.

14. Project applicant to install decorative lighting along Rossi Street, C Drive(between Rossi Street and F Street), and F Street. Rossi Street will have double heads when streetlight is located on same side of bike path. Decorative lighting shall be in-kind as installed in the Crossing Subdivision development to the south. Spacing to follow manufacturers specs. All other interior streets shall have City standard streetlights installed. Decorative lights spacing shall be similar to the decorative lights in the Crossings Subdivision.

15. Project applicant shall include 10-foot Public Utility and 10-foot Tree Planting Easements along street frontages.

16. Project applicant shall add STOP signs on E Way. If “Alternate A (Lot A)” is chosen, remove STOP sign westbound near Lot 90, remove STOP sign eastbound in front of Lot 132, and install STOP signs northbound west of Lot 90 and southbound east of Lot 139.

17. Project applicant shall extend storm, sewer and water lines in Claus Road to the north project limits. The extension of the water and sewer facilities may be adjusted to ensure the ultimate services in the area and the City Engineer may adjust the limits if other viable service locations are identified through design of the final improvements. The storm drain improvements and fire hydrants are incorporated in the Village One Community Facilities District. The storm drain and fire hydrants improvement required above are eligible for fee credits and/or reimbursements via approved agreements in accordance with the Infrastructure Finance policies and procedures via credit and/or acquisition agreements to be executed prior to the first Final Map.

18. Project applicant shall provide calculations and mapping to demonstrate that applicable storage within the proposed tributary area and percolation is provided for 100-year 6 days storm event, as well as demonstrate that the full volume of the 100 year 24 hour storm is fully retained within the proposed basin or underground infrastructure must percolate within 48 hours with the submittal of Improvement Plans..

19. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall prepare and submit a Water Pollution Control Plan (WPCP) and SWPPP Report to Land Development Engineering, Stormwater for review. The WPCP and Local SWPPP shall include a description of all erosion, sediment, and pollution control BMPs to be used at the construction or demolition site to prevent sediment and other sources of pollution from entering the City storm drain system as well as a site plan showing their placement.

20. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall obtain coverage under the General Permit for Discharges of Stormwater associated with Construction Activity that disturbs one or more acres of soil in accordance with Construction General Permit.

21. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall prepare a Stormwater Water Quality Control Measures Plan (SWQCMP).

22. Prior to the issuance of a Grading, Demolition, or Building Permit, project applicant shall submit improvement plans conforming to volume and water quality requirements of the most current edition of the City of Modesto Guidance Manual for Development, Stormwater Quality Control Measures and the City of Modesto Municipal Code.

23. Prior to the issuance of a Grading, Demolition, or Building Permit, Project applicant shall submit a improvement plans conforming to volume and water quality requirements of the most current edition of the City of Modesto Guidance Manual for Development, Stormwater Quality Control Measures and the City of Modesto Municipal Code. Project applicant shall integrate Low Impact Development (LID) principles into proposed development projects' design. LID is a storm water management and land development strategy that promotes conservation and use of natural on-site features combined with engineering small-scale hydrologic devices. In designing development projects, minimize the amount of impervious surface in order to maximize on-site infiltration of stormwater runoff and minimize the potential for storm water runoff from the site. (Policy VI.G.8)

PARKS PLANNING AND DEVELOPMENT

24. Applicant shall submit Landscape and Irrigation (L&I) plans for review and approval by the City's Parks Planning and Development (PPD) Division. L&I plans shall meet the current State of California Model Water Efficient Landscape Ordinance (MWELO) requirements, Modesto Municipal Code (MMC) requirements and City of Modesto Standards at time of submittal. Separate plans are required for model homes, master lots, park and green spaces.

25. Improvement plans shall demonstrate design the proposed park / basin and green spaces areas of this subdivision. Park / Basin and green space area designs shall be approved by the City of Modesto Parks Planning and Development Division.

26. Applicant shall install a separate landscape water meter for ROW landscape areas.

27. Applicant shall install a separate water meter for public landscape areas.

28. Applicant shall provide a minimum fifteen-foot (15') landscape setback along Claus Road.

29. Applicant shall install street trees every thirty-five feet (35') to forty feet (40') on center along sidewalks, and within seven feet (7') of sidewalks along Claus Roads.

30. Applicant shall install one (1) street tree per residential lot unless on a corner lot which requires street trees every thirty-five to forty feet on center thirty-five feet (35') to forty feet (40') of the parcel's length.

31. Applicant shall provide a street tree master plan per each subdivision. Street tree master plan for all new lots / streets of the subdivision.

32. Applicant shall provide signage with appropriate landscaping for Clear Vision Triangles at entrances. Within the triangle, the area between three (3) and eight (8) feet in height measured from top of curb adjacent to landscape shall be clear.

33. Low Impact Development (LID) control and treatment measures shall be planted with vegetation for erosion protection and sediment entrapment to collect/treat storm water run-off before entering the storm drain system. Storm drainage basins shall be appropriately landscaped and irrigated to address the specific type of storm water control measure. Provide total square feet of the landscape area in project information.

INFRASTRUCTURE FINANCE

34. Prior to the recordation of a final map for any residential project involving the subdivision of land into single family parcels or issuance of a building permit for any other project, the applicant shall provide for perpetual funding to cover the full cost of services provided to the proposed development including but not limited to the maintenance and lighting of parks, parkways, streets, roads, and open space services, and flood and storm protection services, including the operation and maintenance of storm drainage systems, as well as perpetual funding to cover the full cost of maintenance and operation of any public improvements or other tangible property owned by the City with an estimated useful life of five or more years constructed as part of the proposed development.

    The perpetual funding can be provided in the following manner:

    a. Community Facilities District (CFD): Applicant shall form or annex the development into an existing City of Modesto Community Facilities District (CFD 2025-2: Village One Triangle) in accordance with the requirements of the Mello-Roos Community Facilities Act of 1982 (Gov. Code § 53311 et seq.) including, without limitation, affirmative votes or completion of a unanimous approval form, and the recordation of a Notice of Special Tax Lien. Applicant shall be responsible for all costs associated with the CFD proceedings.

    Or:

    b. Direct Funding: Applicant shall deposit with the City an amount necessary, as reasonably determined by the City and approved by the City Council, to fund in perpetuity the full on-going cost of these obligations.

35. A One-Time Facilities Special Tax shall be collected prior to building permit issuance for any new construction on taxable property within the CFD. The estimated One-Time Facilities Tax and Annual Maintenance Special Tax, based on the proposed 148 single-family residences for CFD 2025-2 Village One Triangle are listed below:

    a. Maximum One-Time Facilities Special Tax: $22,495.00

    b. Maximum Annual Maintenance Special Tax: $1,589.00

    Per the Rate and Method of Apportionment (RMA) each fiscal year on July 1 the escalation factor is placed on the CFD Special Taxes. The One-Time Facilities Special Tax and Annual Maintenance Special Tax shall escalate each year by the greater of the percentage increase, if any, in the construction cost index for the San Francsico region for the

prior 12 months as published in the Engineering News Record (or comparable source if discontinued), or 4%.

The current estimate of the total CFD special tax obligations for this project, subject to adjustments based on approved final maps, are as follows:

a. Total Maximum One-Time Facilities Special Tax: $3,329,260.00
b. Maximum Annual Maintenance Special Tax: $235,172.00

36. Prior to issuance of building permits, all applicable Capital Facilities Fees (CFF) shall be paid. Capital Facilities Fees are impact fees established to mitigate the impacts of new development as outlined in §66000 of the California Government Code. If the developer constructs park improvements identified in the FMP, the developer may request a reimbursement against the CFF Air Quality and Parks obligation. Any reimbursement claims shall include documentation of the acreage and improvements constructed. Prior to approving any offset or reimbursement, the City shall verify the acreage and confirmed value of the park improvements constructed against the FMP to confirm CFF eligibility for reimbursement.

MODESTO FIRE DEPARTMENT

37. Improvement plans shall demonstrate the placement of fire hydrants each 500-feet on center.

38. All fire hydrants and fire apparatus access roads meeting the requirement for “all weather” shall be installed prior to combustible construction materials being brought into the site.

39. Prior to the Final Inspection, Building Inspection Division shall verify that all fireplaces and wood stoves in residential units are equipped to meet the performance and emissions standards set forth in Part 60, Title 40, Subpart AAA Code of Federal Regulations, February 26, 1988.

40. Prior to start of construction, all-weather, hard-surfaced roadways shall be constructed and maintained free of obstructions at all times during construction as required by Director of Community and Economic Development and the Fire Department.

MODESTO IRRIGATION DISTRICT

41. Project developer shall submit draft improvement plans and maps to MID Civil Engineering Department for review.

42. Existing irrigation facilities within or adjacent to the proposed project shall be protected, relocated, or removed as required by the District’s Civil Engineering Department. Should the proposed project impact,

encroach on, or otherwise alter existing MID-owned or Improvement District irrigation infrastructure, the pipeline must be upgraded, replaced and/or relocated as required by MID. All costs associated with design, approval and analysis of relocation shall be at the Developer's expense.

43. All existing cast-in-place (CIP) pipe/culvert, corrugated metal pipe (CMP), polyvinyl chloride (PVC) pipeline, disturbed pipeline, and appurtenant facilities that lie within the project limits must be replaced with rubber gasketed reinforced concrete pipe (RGRCP) that meets AASHTO requirements for HS20-44 traffic loading conditions:

    a. Class IV RGRCP is required under all roads and must extend a minimum of 10' each way beyond the drive path in any new development or improvement.

    b. Type III RGRCP is required under any other location, unless otherwise required by MID representative.

    c. The pipeline shall be installed with a minimum of 30" of cover from pipe bell to final grade. If 30" of cover cannot be achieved, Class IV RGRCP will be required with a cover no less than 24" from the pipe bell to final grade.

    d. Ground disturbing activities at or within ten (10) feet of the existing pipeline will also require the replacement of the existing pipeline.

    e. All design and construction is subject to the latest MID Irrigation Standard Construction Details which may be found at https://www.mid.org/isc/documents/M.I.D._Standards_Outside MID.pdf

44. MID easements for protection of overhead and underground electrical facilities are required. MID overhead secondary cable shall be protected by a minimum 20-foot-wide easement centered on the overhead cable. Overhead primary cable shall be protected by a minimum 30-foot-wide easement centered on the overhead cable. MID underground secondary cable shall be protected by a minimum five (5) foot-wide easement centered on the underground cable. MID underground primary cable shall be protected by a minimum 10-foot-wide easement centered on the underground cable. When underground cable is not located in the Road Right of Way or within the PUE along the street frontage a MID easement is required to protect the existing underground electrical facilities and maintain necessary safety clearances.

GENERAL CONDITIONS

45. Improvement plans for required improvements shall be prepared by a Registered Civil Engineer and submitted for approval by the City Engineer or designee. All improvements shall be constructed in accordance with the approved plans.

46. Future home buyers and prospective residents of the Precise Plan Area No. 35 South shall be provided disclosure that they are subject to noise, dust, odor and other impacts from adjacent agricultural operations. Such notice shall be placed on the final deeds for the individual lots.

47. Future home buyers and prospective residents of the Precise Plan Area No. 35 South that are within 200-feet of the right-of-way of the Burlington Northern Santa Fe railroad shall be provided disclosure that they are subject to noise, vibration and other impacts from rail operations. Said notice shall be provided on the final deeds for the individual lots.

48. Future home buyers and prospective residents of the Precise Plan Area No. 35 South shall be provided disclosure that they are subject to noise, vibration and other impacts from aircraft operations of the East Side Mosquito Abatement District facility located on Santa Fe Avenue to the southeast of the project. Such notice shall be placed on the final deeds for the individual lots.

49. At the time of issuance of a building permit, the developer shall pay development impact fees at the established rate. Such fees may include but are not limited to, sewer and water connection fees, community facility fees, building permit and plan check fees.

50. All department Conditions of Approval for the project shall be included with building plans and shall be continuously maintained on-site during project construction to the satisfaction of the Chief Building Official.

51. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

52. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of

Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

The following are mitigation measures from the City of Modesto Urban Area General Plan Programmatic EIR (PEIR) which are applicable to the project:

53. AQ-100. Reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources. (Policy VII.H.2.jj)

54. AQ-103. Effectively stabilize dust emissions using water, chemical stabilizer / suppressant, cover with a tarp or other suitable cover or vegetative ground cover, all disturbed areas, including storage piles, which are not being actively utilized for construction purposes. (Policy VII.H.2.mm)

55. AQ-104. Effectively stabilize dust emissions using water or chemical stabilizer / suppressant, all onsite unpaved roads and off-site unpaved access roads. (Policy VII.H.2.nn)

56. AQ-105. Effectively control fugitive dust emissions utilizing application of water or by presoaking all land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities. (Policy VII.H.2.oo)

57. AQ-107. When materials are transported off site, cover all materials, or effectively wet them to limit visible dust emissions, and maintain at least six inches of freeboard from top of container. (Policy VII.H.2.qq)

58. AQ-108. Limit operations or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) (Policy VII.H.2.rr)

59. AQ-109. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles for fugitive dust emissions utilizing sufficient water or chemical stabilizer / suppressant. (Policy VII.H.2.ss)

60. AQ-110. Within urban areas, immediately remove trackout when it extends 50 or more feet from the site and at the end of each workday. (Policy VII.H.2.tt)

61. AQ-111. Prevent carryout and trackout for any site with 150 or more vehicle trips per day. (Policy VII.H.2.uu)

62. AQ-112. Limit traffic speeds on unpaved roads to 15 mph. (Policy VII.H.2.vv)

63. AQ-113. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent (1%). (Policy VII.H.2.ww)

64. AQ-114. Install wheel washers for all exiting trucks, or wash all trucks and equipment leaving the site. (Policy VII.H.2.xx)

65. AQ-115. Install wind breaks at windward side(s) of construction areas. (Policy VII.H.2.yy)

66. AQ-116. Suspend excavation and grading activity when winds exceed 20 mph (regardless of windspeed, an owner/operator must comply with Regulation VIII's 20 percent opacity limit). (Policy VII.H.2.zz)

67. AQ-117. Limit the area subject to excavation, grading, and other construction activity at any one time. (Policy VII.H.2.aaa)

68. SWPH-2: For all lands within the Planned Urbanizing Area, site-specific surveys shall be conducted by a qualified biologist to determine whether any sensitive natural communities or species are present within the proposed development area. These studies shall particularly focus on proposed development within any lands included within a potential biological resource study area as delineated on Figure V-7-1 in the Final Program Environmental Impact Report (Riparian Corridor Diagram). Prior to considering development applications, the City shall coordinate with the USFWS and CDFW regarding listed species and potential for impacts. The City shall employ the measures recommended by the USFWS and/or CDFW to avoid an incidental take.

    Conduct surveys at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies as determined by CDFW and the USFWS. The results of such surveys should be recorded onto the City's existing biological resources map for future planning purposes. (UAGP Policy VII-E.3[a])

69. SWPH-3. Avoid and preserve all areas occupied or potentially occupied by special-status species, where feasible. Protect areas that can be avoided by fencing, signage, or establishment of buffer zones appropriate to the species and/or habitat involved. Design fencing to allow passage of small mammals and avoid impacts to wildlife movement or dispersal.

    Generally, a minimum 100-foot buffer of undeveloped land from identified sensitive resources would be necessary. Improve this buffer area through sustainable habitat restoration. Require protected habitat

to be managed to contribute to the long-term conservation of the species and ecosystems on which they depend.

Where it is determined that state and/or federally listed species are present, consult with the CDFW and/or USFWS in accordance with the California and/or federal Endangered Species Acts to determine mitigation measures to avoid and minimize impacts to those species. If other special-status species are determined to be present and cannot be avoided, implement species-specific mitigation measures to minimize impacts to those species through informal consultation with CDFW and/or USFWS. Incorporate the mitigation measures and other recommendations of these agencies into the development plan. (UAGP Policy VII-E.3[b])

70. SWPH-4. Additional measures to protect sensitive habitats may be implemented. Potential measures to be implemented may include measures listed in Table 3.4-4 of the PEIR.

71. AH-18. Any project that involves earth-disturbing activities within previously undisturbed soils in an area determined to be archaeologically or culturally sensitive by the City of Modesto through consultation with Native American tribes or bands and a qualified archaeologist should be required to carry out the following mitigation measures, at a minimum:

    a. If prehistoric archaeological remains are discovered during project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist should be retained by the project sponsor to investigate the find, and make recommendations as to treatment and mitigation. In the event of the discovery of a burial, human bone, or suspected human bone all excavation or grading in the vicinity of the find should halt immediately and the area of the find should be protected and the project applicant immediately should notify the County Coroner of the find and comply with the provisions of California Health and Safety Code Section 7050.5, including California Public Resources Code Section 5097.98, if applicable. If human remains are identified, the project sponsor should also retain a Native American monitor;

    b. A qualified archaeological monitor should be present and should have the authority to stop and redirect grading activities, in consultation with the Native Americans and their designated monitors, to evaluate the significance of any Native American archaeological resources discovered on the property;

    c. Native American monitors from the appropriate Native American Tribes, as determined by the NAHC should be allowed to monitor all groundbreaking activities, including all

archaeological testing and data recovery excavations that are likely to affect Native American resources, as determined by a qualified archaeologist. The project proponent should be responsible for compensating Native American monitors. If human remains are discovered, the NAHC should assign a Most Likely Descendent (MLD); and,

d. The landowner agrees to relinquish ownership of all Native American human remains and associated burial artifacts that are found within the project area, to the appropriate Native American MLD, as assigned by the NAHC, for proper treatment and disposition. The MLD will decide whether or not standard archaeological analysis will be allowed on human remains and associated artifacts from burials.

e. If paleontological resources are discovered during earth-moving activities, the construction crew shall immediately cease work in the vicinity of the find, and the City's Planning Manager shall be notified. A qualified paleontologist shall evaluate the resource and prepare a proposed mitigation plan in accordance with Society of Vertebrate Paleontology guidelines. The proposed mitigation plan may include a field survey of additional construction areas, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. (UAGP Policy VII.F.3[c])

72. HM-5. In the event that site inspection or construction activities uncover chemical contamination, underground storage tanks, abandoned drums, or other hazardous materials or wastes at a parcel, the inspection report preparer shall so notify the City. The City shall notify the County Health Services Department. Under the direction of these agencies, a site remediation plan would be prepared by the project applicant. Said plan would follow policies as outlined in UAGP Policy VI.M.3.

73. HM-8. Applicants for building permits should determine that a site containing or formerly containing residences or farm buildings / structures has been fully investigated for the presence of hazardous materials or wastes prior to issuance of the permit. Investigation should consist of, at minimum, a Phase I environmental site assessment and a Phase II site assessment, if found necessary as a result of the Phase I assessment. The findings of the site assessment should be reported to the City and the County's Department of Environmental Resources. The appropriate remediation should occur

prior to final occupancy of the approved development. (UAGP Policy VI.M.6)

74. FWQ-11/SD-10. Construction activities shall comply with the requirements of the City's Storm Water Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (UAGP Policy VI.G.3)

75. FWQ-13/SD-12. Ensure that new development complies with the City of Modesto's Stormwater Management Program: Guidance Manual for New Development Stormwater Quality Control Measures. (UAGP Policy VI.G.5)

76. FWQ-14/SD-13. Require new development to implement an appropriate selection of permanent pollution control measures in accordance with the City's implementation policies for the municipal NPDES stormwater permit. (UAGP Policy VI.G.6)

77. FWQ-16/SD-14. Integrate Low Impact Development principles into proposed development projects' design. Low Impact Development is a storm water management and land development strategy that promotes conservation and use of natural on-site features combined with engineered small-scale hydrologic devices. In designing development projects, minimize the amount of impervious surface in order to maximize on-site infiltration of stormwater runoff and minimize the potential for storm water runoff from the site. (UAGP Policy VI.G.8)

78. Noise-1. Construction activities are to comply with Modesto Municipal Code Title 4, Chapter 9.

79. Noise-2. Implement noise-reducing construction practices as conditions of approval where substantial construction-related noise impacts would be likely to occur, such as with extended periods of pile driving, or where construction is expected to continue or where sensitive receptors would be affected by construction noise. Conditions of approval may include, but are not limited to:

    a. Require construction equipment, including air compressors and pneumatic equipment to have properly maintained mufflers;

    b. Require impact tools to be equipped with shrouds or shields;

    c. Require that the quietest equipment available be used; and,

    d. Require selection of haul routes that affect the fewest number of people. (UAGP Policy VII-G.3.b)

80. Noise-5: Incorporate construction practices and acoustic treatment in new residential construction to reduce typical indoor noise levels to 45 dB. Developers of residential buildings within the 65 dBA contours

shown in the General Plan Program EIR shall demonstrate that interior noise has been reduced to 45 dB. Other types of development should be protected against noise intrusion at least to the levels indicated on UAGP Table VII-2. (UAGP Policy VII-G.3.e)

81. Noise-12: For new residential development proposed in areas within 200 feet of the center of the near mainline of active rail lines where single-event noise from trains is of concern, demonstrate that the proposed development will incorporate measures to reduce maximum noise levels generated during train passbys to 50 dBA Lmax or less inside bedrooms and to 55 dBA Lmax or less inside other noise sensitive occupied areas. (UAGP Policy VII-G.3.l)

82. Noise-13: For new residential and vibration sensitive commercial development (including but not limited to lodging facilities, hospitals and similar uses) located within 200 feet of the center of the near mainline of active rail lines, demonstrate that the proposed development will incorporate measures to reduce vibration levels generated during train passby events to meet the FTA vibration criteria as shown in Program EIR Table V-3-6. (UAGP Policy VII-G.3.m)

83. WS-14. All new connections to the public water system are to have meters installed. In addition, on or before January 1, 2025, all existing municipal and industrial service connections are to have water meters installed. (UAGP Policy VI.A.3)

BE IT FURTHER RESOLVED that the conditions of project approval set forth herein include certain fees, dedication requirements, reservations requirements, and other exactions, and that pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions.

BE IT FURTHER RESOLVED that the applicant is hereby further notified that the ninety (90) days approval period in which a protest of these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a) can be filed, begins on June 1, 2026, and that if a protest is not filed within this ninety

(90)-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

BE IT FURTHER RESOLVED by the Planning Commission that the Secretary of the Planning Commission is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 1, 2026, by , who moved its adoption, which motion was seconded by , and carried by the following vote:

Ayes:
Noes:
Absent:
Recused:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD

Michael Hren, AICP, Secretary

FINAL DEVELOPMENT PLAN

VILLAGE ONE – PPA 35

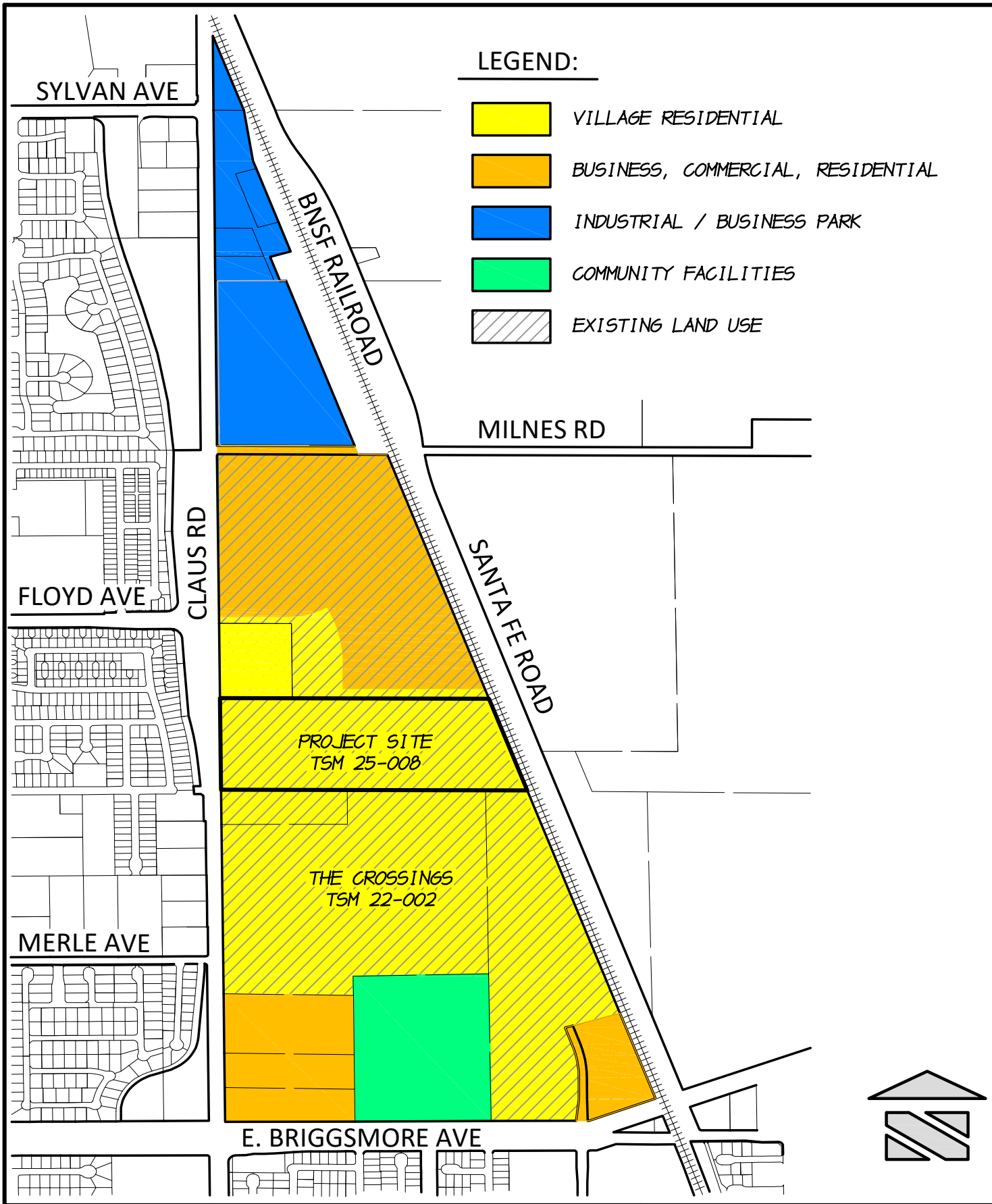
BOULEVARD SUBDIVISION

2224 Claus Road

SUBMITTAL DATE: NOVEMBER 2025

Prepared By:
Associated Engineering Group, Inc.
4206 Technology Drive, Suite 4
Modesto, CA 95356

Applicant:
NRB Investments, LLC
1701 W. March Lane, Suite D
Stockton, CA 95207



DRAWN:	J.F.
DATE:	3/10/26
SCALE:	1"=1000'
JOB #:	1568-24
DWG:	sp_exh_PPA35

PROPOSED PROJECT SITE

PRECISE PLAN AREA 35
VILLAGE ONE SPECIFIC PLAN

MODESTO, CALIFORNIA

ASSOCIATED ENGINEERING GROUP
4206 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA 95356
PHONE: (209) 545-3390 FAX: (209) 545-3875 www.assoceng.com

LEGEND

—S—	EX. SEWER LINE
—SD—	EX. STORM DRAIN LINE
—W—	EX. WATER LINE
—I—	EX. M.I.D. IRRIGATION LINE
○ MH	EX. MANHOLE
◙	EX. CATCH BASIN
⋇	EX. FIRE HYDRANT
☼	EX. ELECTROLIER
—S—	PROP. SEWER LINE
◎ MH	PROP. SAN. SEWER MANHOLE
—W—	PROP. WATER LINE
—SD—	PROP. STORM DRAIN LINE
—I—	PROP. M.I.D. IRRIGATION LINE
◙	PROP. DRAIN INLET
○ MH	PROP. STORM DRAIN MANHOLE
⋇	PROP. FIRE HYDRANT
☼	PROP. ELECTROLIER
10' P.U.E.	PUBLIC UTILITY EASEMENT

GENERAL NOTES

1. ASSESSOR'S PARCEL NUMBER: 14-25-02
2. PRESENT ZONING: SP (SPECIFIC PLAN) VILLAGE ONE AS AMENDED JANUARY 2025
   PRESENT GENERAL PLAN: RESIDENTIAL (R)
   PROPOSED ZONING: SAME AS PRESENT ZONING SP (SPECIFIC PLAN)
3. SITE SUMMARY: TOTAL SITE = 29.2 ACRES BEING DIVIDED INTO 148 LOW DENSITY RESIDENTIAL LOTS, PARK/BASIN, AND 1 COMMON AREA LOT.
4. THE PROPERTY LINE DISTANCES, BEARINGS, AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM DEEDS, RECORD MAPS OR ASSESSOR'S MAPS, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY.
5. PURSUANT TO SECTION 66463.1 OF THE SUBDIVISION MAP ACT, THE OWNER-SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION MAPS.
6. THIS PROJECT SITE IS NOT SUBJECT TO INUNDATION AS PER THE NATIONAL FLOOD INSURANCE PROGRAM FIRM FLOOD INSURANCE RATE MAP FOR THE CITY OF MODESTO, COMMUNITY PANEL NO. 06099 C0345F, DATED AUGUST 24, 2021.
7. UTILITY LINES AS SHOWN ON THIS MAP ARE BASED ON PRELIMINARY DESIGN AND ARE SUBJECT TO CHANGE AT THE TIME OF DEVELOPMENT AND THROUGH THE IMPROVEMENT PLAN APPROVAL PROCESS WITH THE CITY OF MODESTO.

STATEMENT OF SUBDIVIDER

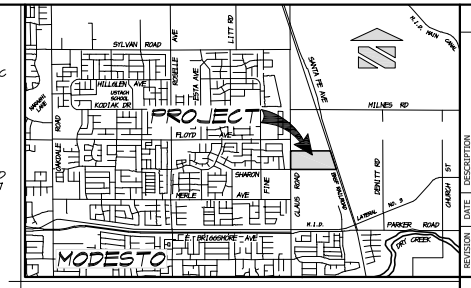
1. ALL IMPROVEMENTS TO BE INSTALLED SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF MODESTO STANDARDS. VILLAGE ONE SP STANDARDS UNLESS SHOWN HERE IN.
2. STORM DRAINAGE: THE STORM DRAINAGE WILL BE A STORM DRAIN BASIN WITHIN THE COMMUNITY PARK PER CITY OF MODESTO STANDARDS.
3. SANITARY SEWER: SEWER WILL CONNECT TO THE EXISTING CITY OF MODESTO SYSTEM.
4. WATER SUPPLY: DOMESTIC WATER WILL CONNECT TO THE EXISTING CITY OF MODESTO SYSTEM.
5. COMMON AREAS AND STREETS ARE PROPOSED WITHIN THIS DEVELOPMENT ARE OWNED AND MAINTAINED BY CITY OF MODESTO.
6. CITY TO MAINTAIN AN ALL AREAS WITHIN PUBLIC RIGHT-OF-WAY.
7. STREET LIGHTING: STREET LIGHTING SHALL BE IN ACCORDANCE WITH THE CITY OF MODESTO STANDARDS AND MAINTAINED BY THE CITY OF MODESTO.

OWNER

CMNS CLAUS ROAD OWNERS, LLC
2224 CLAUS ROAD
MODESTO, CALIFORNIA 95355

DEVELOPER

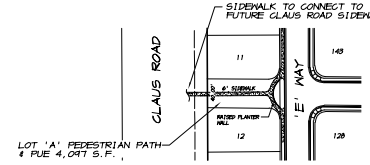
NRB INVESTMENTS, LLC
C/O RANDY BLING
1701 W. MARCH LANE, SUITE D
STOCKTON, CALIFORNIA 95207



VICINITY MAP
NO SCALE

PROPOSED SETBACKS

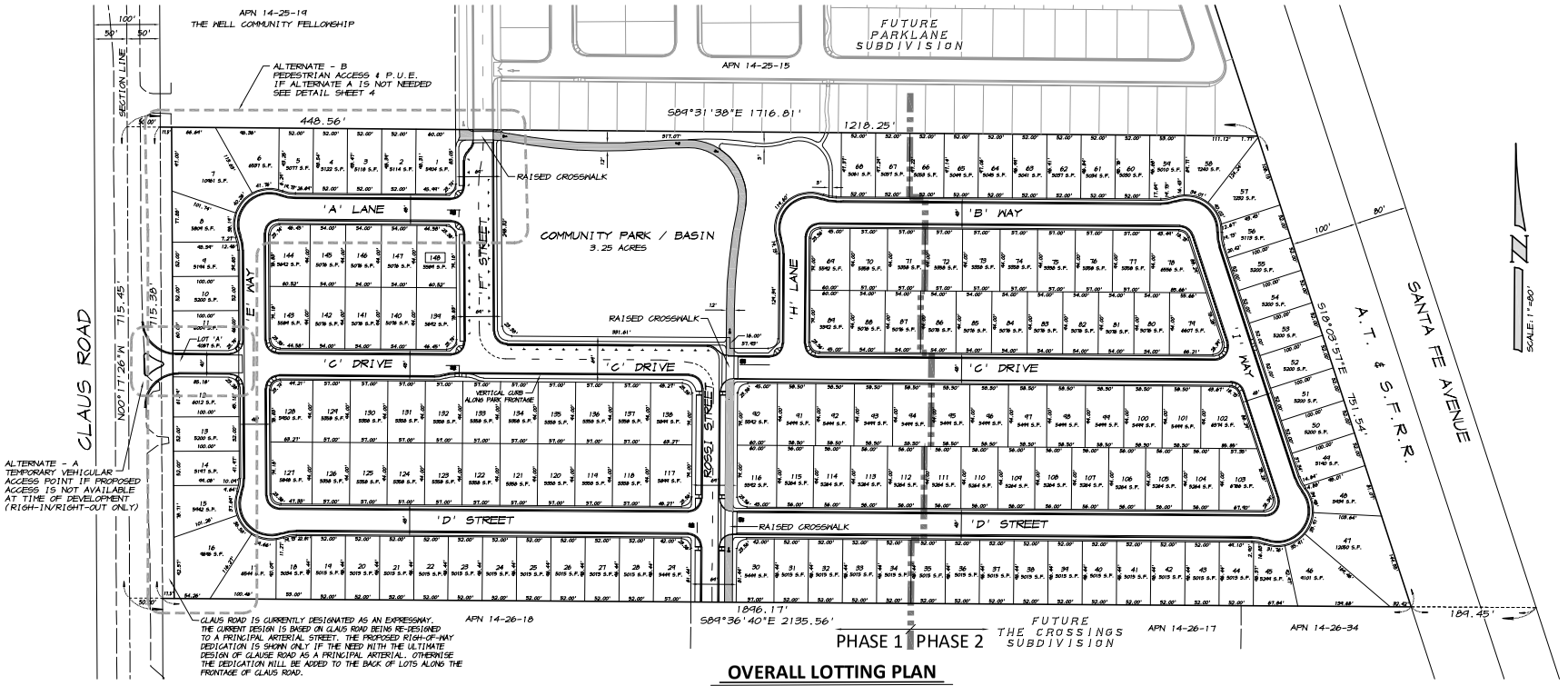
FRONT		
	PORCH / LIVING	15'
	GARAGE	20'
SIDE		
	INTERIOR	5'
	CORNER	10'
REAR		
	10' SINGLE STORY	
	15' TWO STORY	



NOTE:
ONCE SUBDIVISION VEHICULAR ACCESS IS PERFECTED FOR THE SUBDIVISON TEMPORARY ACCESS SHALL BE CONVERTED TO PEDESTRIAN ACCESS.

ALTERNATE - A (LOT A) TEMPORARY ACCESS CONVERSION

NOTE:
ONLY 1 COMMON AREA LOT (LOT A) IS PROPOSED EITHER ALTERNATE A OR B TO BE DETERMINED AT TIME OF DEVELOPMENT.



CLAUS ROAD IS CURRENTLY DESIGNATED AS AN EXPRESSWAY. THE CURRENT DESIGN IS BASED ON CLAUS ROAD BEING RE-DESIGNED TO A PRINCIPAL ARTERIAL STREET. THE PROPOSED RIGHT-OF-WAY DEDICATION IS SHOWN ONLY IF THE NEED WITH THE ULTIMATE DESIGN OF CLAUSE ROAD AS A PRINCIPAL ARTERIAL. OTHERWISE THE DEDICATION WILL BE ADDED TO THE BACK OF LOTS ALONG THE FRONTAGE OF CLAUS ROAD.

OVERALL LOTTING PLAN

REVISION	DATE	DESCRIPTION	BY

ASSOCIATED ENGINEERING GROUP
1306 TECHNOLOGY DRIVE, SUITE 4, MODESTO, CA. 95355
PHONE (209) 545-3300 FAX (209) 545-3676 www.aegcorp.com

VESTING TENTATIVE SUBDIVISION MAP

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 1-8, TOWNSHIP 3 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN.

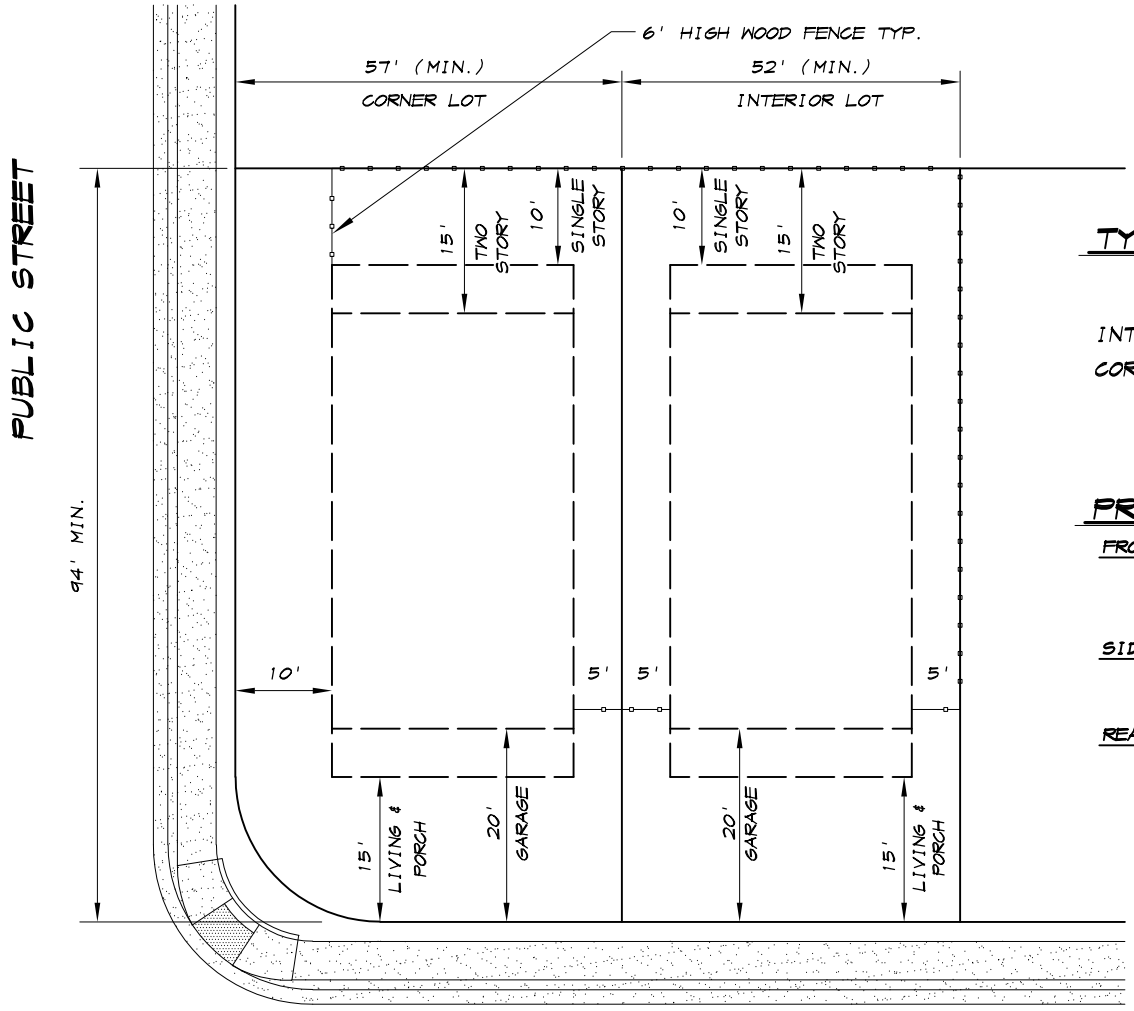
BOULEVARD SUBDIVISION

MODESTO CALIFORNIA

RYAN CARR, R.C.E. 61869
JEFF SHELDON, R.C.E. 84078

DRAWN BY: JIM
DATE: 2/28/25 8:35
SCALE: 1"=80'
DWG: 1568-TSM_SHT
CHECKED: JF
JOB #: 1568-24

SHEET 1 OF 4



TYPICAL LOT SIZE

	WIDTH	LENGTH	SQUARE FOOTAGE
INTERIOR LOT:	52' MIN.	94' MIN.	5,000 S.F. MIN.
CORNER LOT:	57' MIN.	94' MIN.	5,400 S.F. MIN.

PROPOSED SETBACKS

FRONT

PORCH / LIVING	15'
GARAGE	20'

SIDE

INTERIOR	5'
CORNER	10'

REAR

10' SINGLE STORY
15' TWO STORY

ASSOCIATED ENGINEERING GROUP
1206 TECHNOLOGY DRIVE, SUITE A, MODESTO, CA. 95355
(209) 545-4300 FAX (209) 545-4375 www.aegcivil.com

REVISION | DATE | DESCRIPTION

FINAL DEVELOPMENT PLAN
TYPICAL LOTS
BOULEVARD SUBDIVISION
MODESTO CALIFORNIA

RYAN CARR, R.C.E. 61869
JEFF SHELDON, R.C.E. 84078

DRAWN BY: JIM
DATE: 3/13/26 8:49
SCALE: NTS
DWG: 1566-PLOT PLAN
CHECKED:
JOB #: 1545-23

SHEET 1 OF 1

BOULEVARD

FLORSHEIM
HOMES

Conceptual Landscape Plans

LAND
CONCERN
LANDSCAPE ARCHITECTURE
18301 VON KARMAN AVE., SUITE 760
IRVINE, CA 92612
O 949.250.4822 www.landconcern.com

BOULEVARD

MODESTO, CA

BASIN SPORTS FIELD
(SHEET L-5)



FLORSHEIM HOMES

BOULEVARD

MODESTO, CA

Overall Site Plan
Conceptual Landscape Plans

LAND CONCERN
LANDSCAPE ARCHITECTURE
18301 VON KARMAN AVE., SUITE 760
IRVINE, CA 92612
O 949.250.4822 www.landconcern.com

0 100 200 400
SCALE: 1" = 200'

02/12/26 | L-2

Access Legend

COMMUNITY WALKWAY AND BIKE PATH



FLORSHEIM HOMES

LAND CONCERN
LANDSCAPE ARCHITECTURE
18301 VON KARMAN AVE., SUITE 760
IRVINE, CA 92612
O 949.250.4822 www.landconcern.com

BOULEVARD

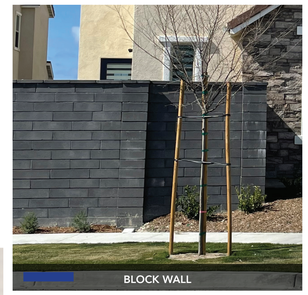
MODESTO, CA

Overall Circulation Plan
Conceptual Landscape Plans

0 100 200 400
SCALE: 1" = 200'

Access Legend

- 9'-0" BLOCK WALL (SOUND WALL)
- 7'-0" BLOCK WALL (SOUND WALL)
- 6'-0" BLOCK WALL
- BLOCK PILASTER





FLORSHEIM HOMES

Overall Fence and Wall
Conceptual Landscape Plans

LAND CONCERN
LANDSCAPE ARCHITECTURE
18301 VON KARMAN AVE., SUITE 760
IRVINE, CA 92612
O 949.250.4822 www.landconcern.com

BOULEVARD

MODESTO, CA

0 100 200 400
SCALE: 1" = 200'

Landscape Key

1. SPORTS FIELD (BASIN)
   - T-BALL
   - SOCCER
   - OPEN PLAY
2. TOT LOT
   - BENCH SEATING
   - SHADE TREES
3. OPEN LAWN
4. PICNIC AREA
   - PICNIC TABLES
   - D.G. PAVING
5. PARK SIGNAGE
6. COMMUNITY BIKE PATH
7. GATED COMMUNITY PASEO CONNECTION
8. WATER QUALITY BASIN









Park Summary

- PUBLIC FACILITY
- SIZE IS 144,619 S.F. / 3.32 ACRES
- PARK SERVES AS A COMMUNITY GATHERING SPACE.
- FEATURES PASSIVE HARDSCAPE, SEATING AND TOT LOT FEATURE.

Key Map



FLORSHEIM HOMES

LAND CONCERN
LANDSCAPE ARCHITECTURE
18301 VON KARMAN AVE., SUITE 760
IRVINE, CA 92612
O 949.250.4822 www.landconcern.com

BOULEVARD
MODESTO, CA

Sports Park
Conceptual Landscape Plans

0 5 10 20
SCALE: 1" = 10'

02/12/26 | L-5

Modesto UAGP Program EIR

15183 Exemption Checklist



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Figure 8 Proposed Utilities ..... **Error! Bookmark not defined.**

Appendices

Appendix A _____

General Plan Consistency Checklist: EA No. C&ED 2026-09

1. Project Title

PLAN2025-00334/TSM-25-008/FDP-25-008: Vesting Tentative Subdivision Map and Final Development Plan, "Boulevard"

2. Lead Agency Name and Address

City of Modesto
10th Street Place, 1010 10th St #3300
Modesto, California 95354

3. Contact Person and Phone Number

Katharine Martin, Senior Planner, 209-577-5267

4. Project Location

Location

The project site is located at 2224 Claus Road in the City of Modesto.

Assessor's Parcel Number

The project site encompasses approximately 29.2 acres and comprises Assessor's Parcel Number 014-025-002.

Surrounding Uses

To the north: SP Zone as part of the Village One Specific Plan, allowing for Business Park (BP) uses; The Well Community Church on APN 014-025-019 and almond tree orchard on APN 014-025-015.

To the east: County unincorporated area; BNSF Railroad, N. Santa Fe Avenue, and pastureland.

To the south: SP Zone as part of the Village One Specific Plan, allowing for Residential (R) uses; existing single-family residence at 2116 Claus Road (APN 014-026-039) and recently approved Vesting Tentative Subdivision Maps of The Crossings and The Crossings II, single-family residential development.

To the west: SP Zone as part of the Village One Specific Plan, allowing for Residential (R) uses; existing single-family residences (Falling Leaf Subdivision).

Error! Reference source not found. shows the location of the site in the region and

depicts the Project Vicinity.

Figure 1: Regional Location

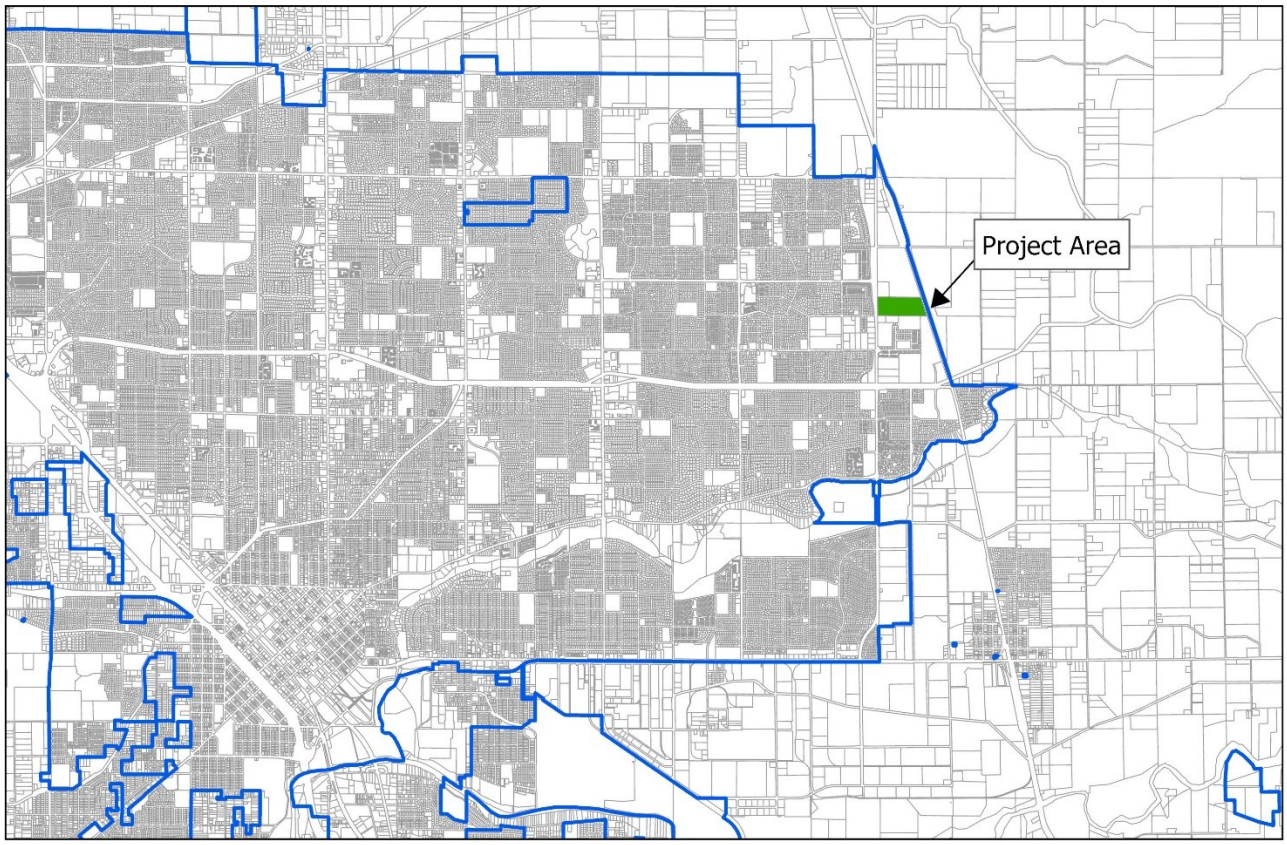
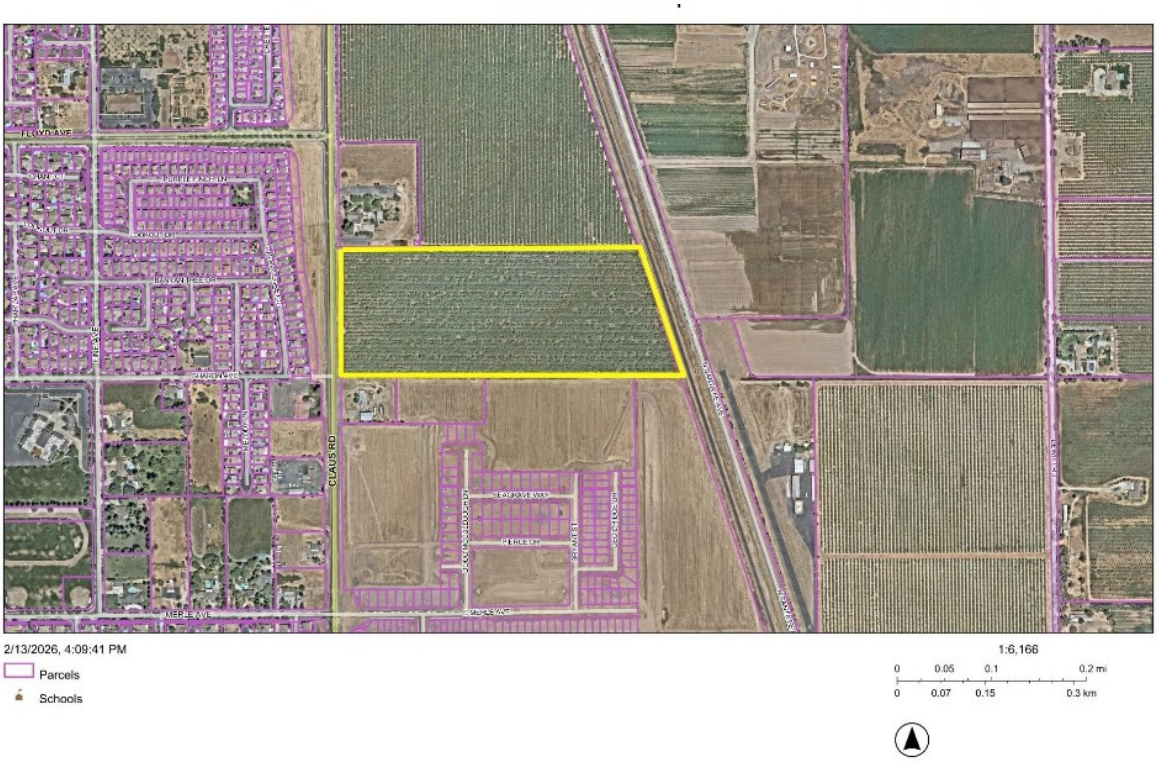


Figure 1: Regional Location

Existing Condition

The project site is an existing almond orchard. No other structures or major utility facilities are located on the site.

Figure 2: Project Vicinity



Site History

The project site has historically been used for agricultural purposes. Earliest available aerial imagery indicates use as grazing land for livestock with a single-family residence. The site was annexed to the City of Modesto in June 1992 as part of the Village One Reorganization to the City of Modesto. Since annexation, the site was relatively unchanged until March 2011 whereupon the residence was demolished and the site planted with a new almond orchard. The orchard has remained in place since then.

5. Project Sponsor's Name and Address

NRB Investments, LLC

1701 W. March Lane, Suite D

Stockton, CA 95207

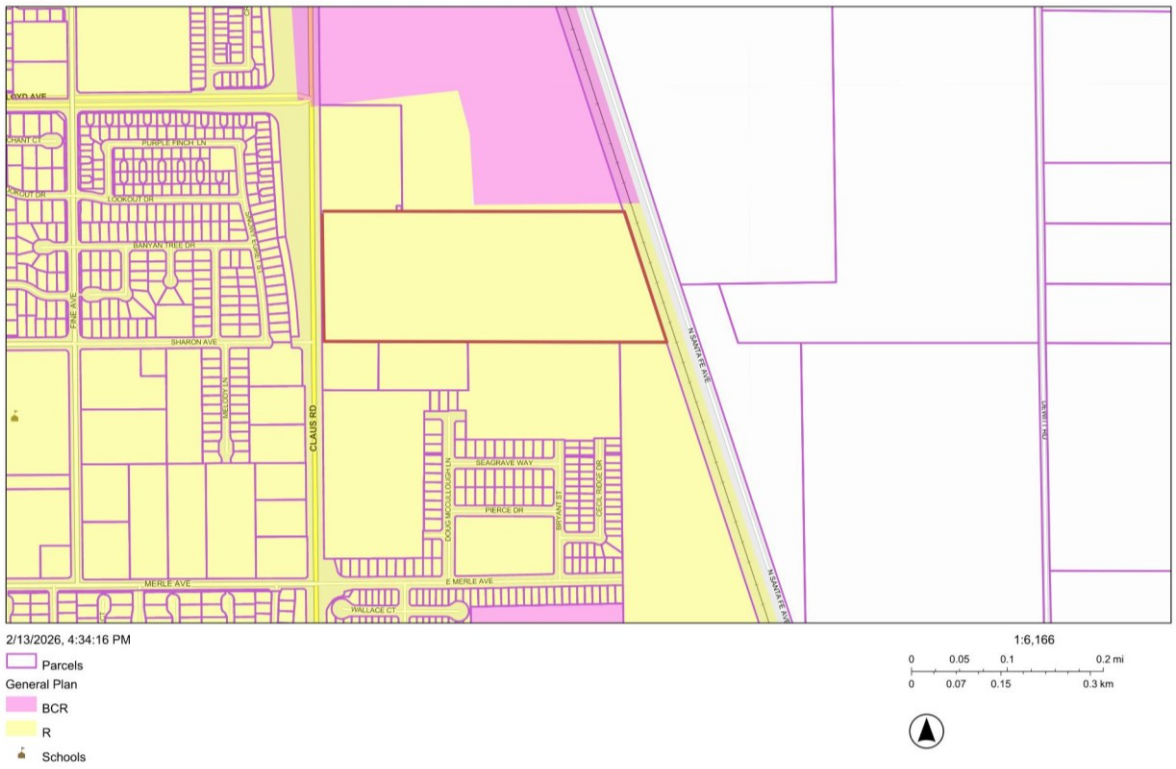
6. General Plan and Zoning Designations

General Plan: Residential (R)

The project site is designated Residential (R) in the General Plan. Figure 3 shows the General Plan Land Use Map. This designation provides for areas of single-family and multi-family development in accordance to underlying zoning and/or the permitted

uses of a Specific Plan. The project site is within the Planned Urbanizing Area and is part of the Village One Specific Plan.

Figure 3: Existing General Plan



Zoning: Specific Plan (SP)

The project site is zoned as Specific Plan (SP) as part of the Village One Specific Plan. The allowable uses of this portion of the Specific Plan are residential which includes single-family residential uses. Figure 4 shows the Zoning Map.

The Village One Specific Plan is comprised of 35 individual Precise Plans which establishes zoning code standards and other development policies and standards. The proposed project is located within Precise Plan No. 35 South, which prescribes residential development as allowed in the Low Density Residential (R-1) Zone as defined in Title 10 of the Modesto Municipal Code.

Figure 4: Existing Zoning

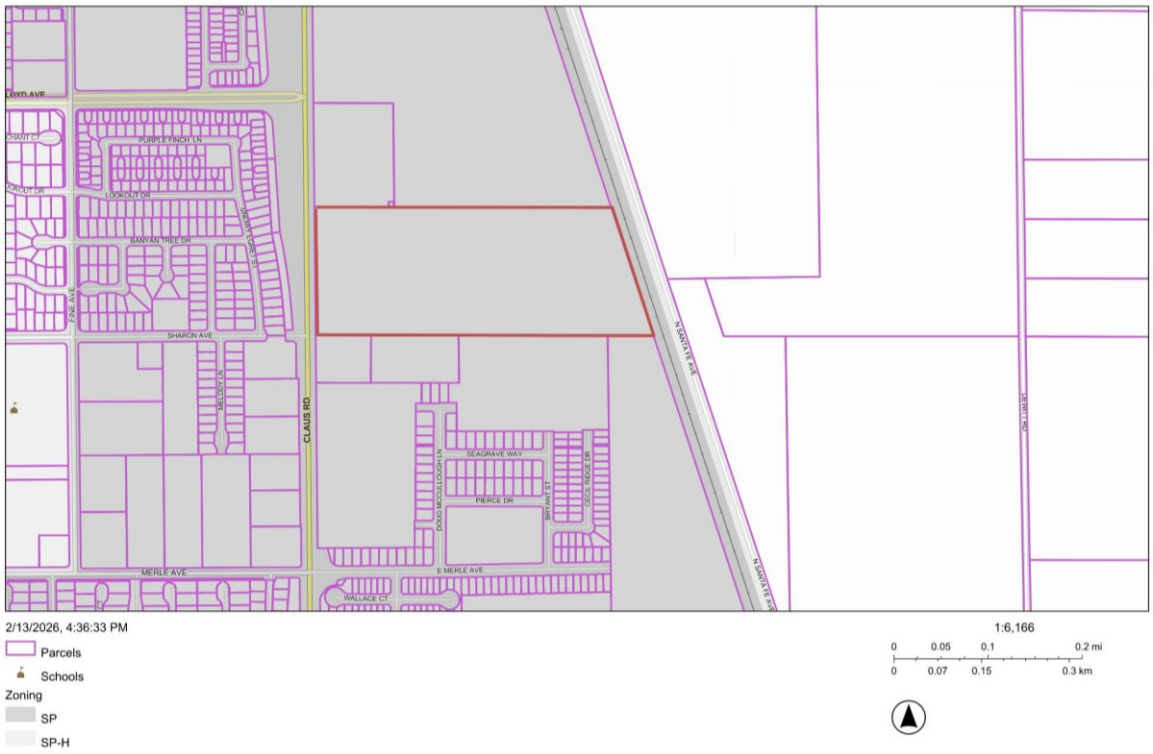
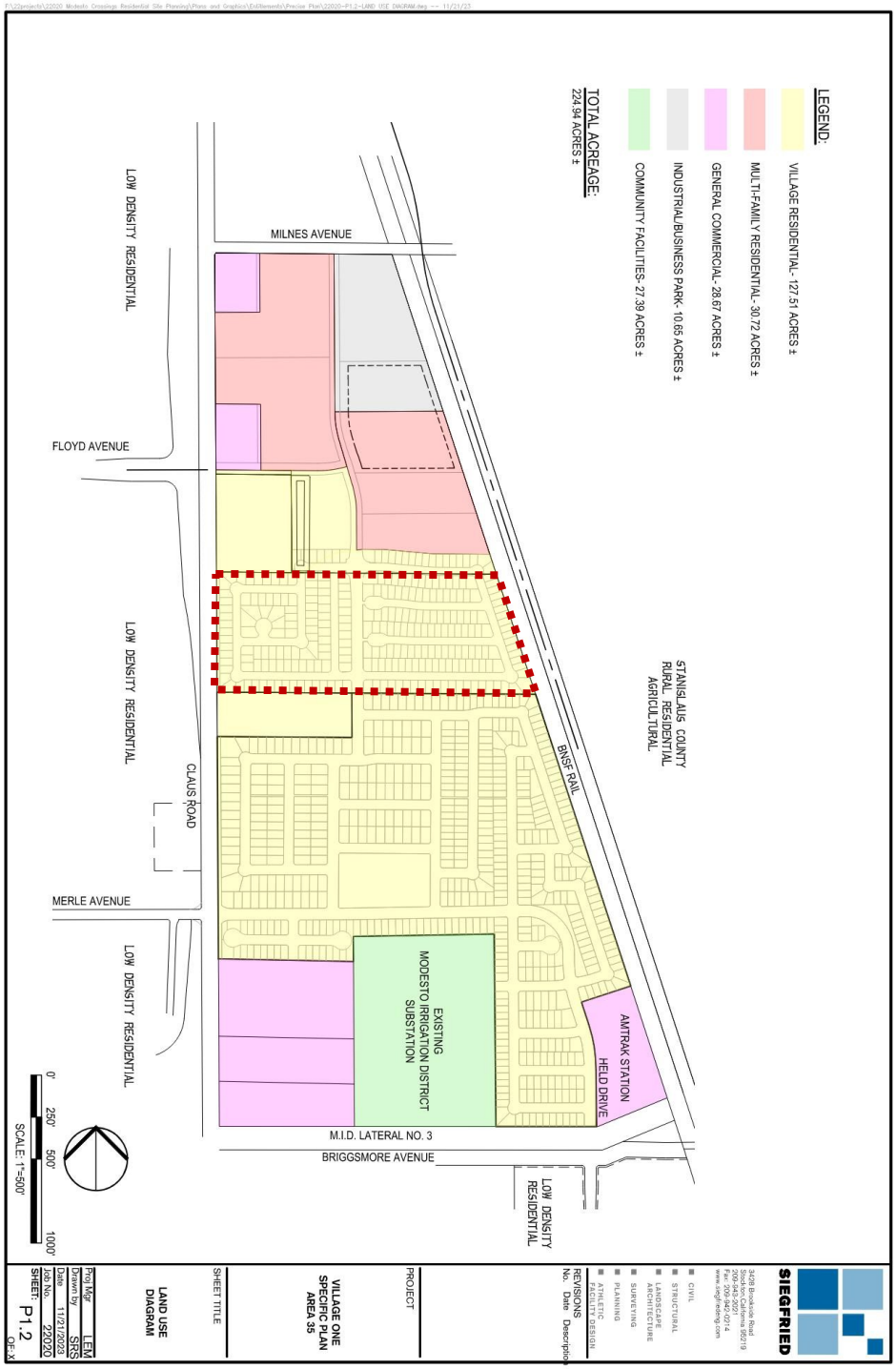


Figure 5: Project Site within Precise Plan No. 35 South



7. Description of Project

Vesting Tentative Subdivision Map "Boulevard Subdivision"

The proposed project involves the division of 29.2 acres into 148 low density single-family residential lots, a 3.25-acre community park/basin lot and one common area lot for a pedestrian and bicycle path connecting the site to future pedestrian sidewalk on the east side of Claus Road. The overall proposed density would be approximately 6.6 units per acre (net).

Figure 6: Proposed VTSM

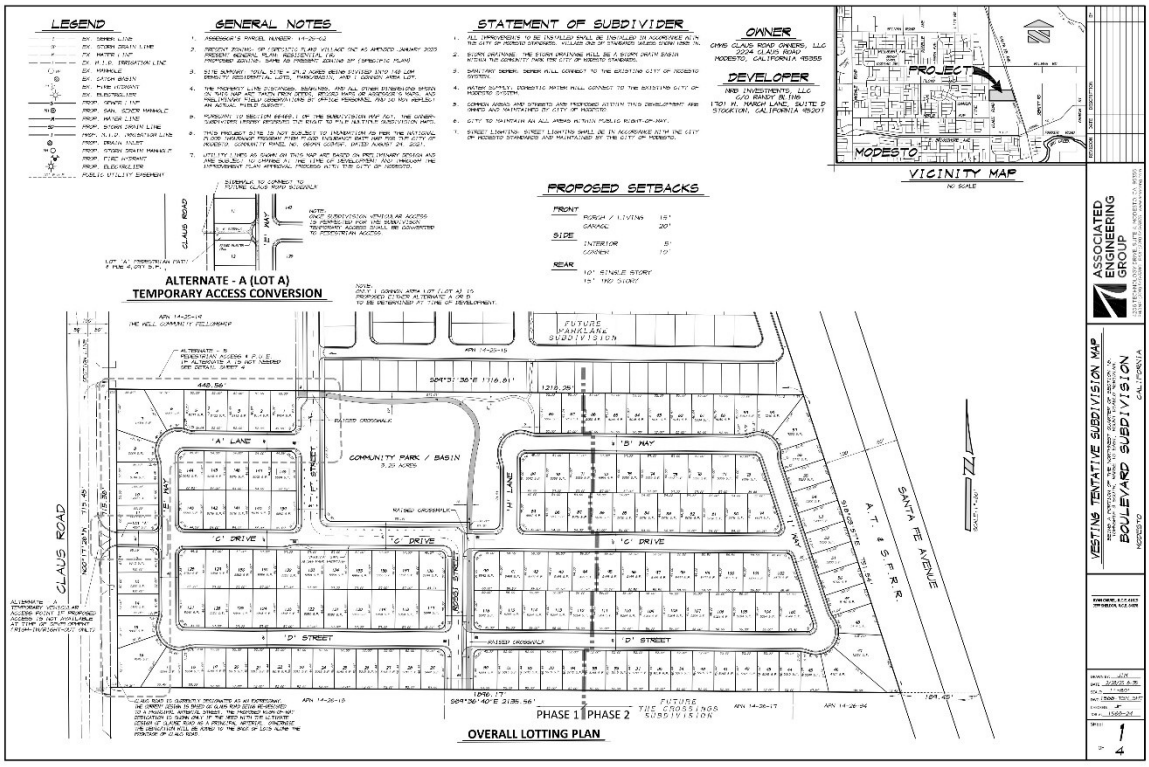
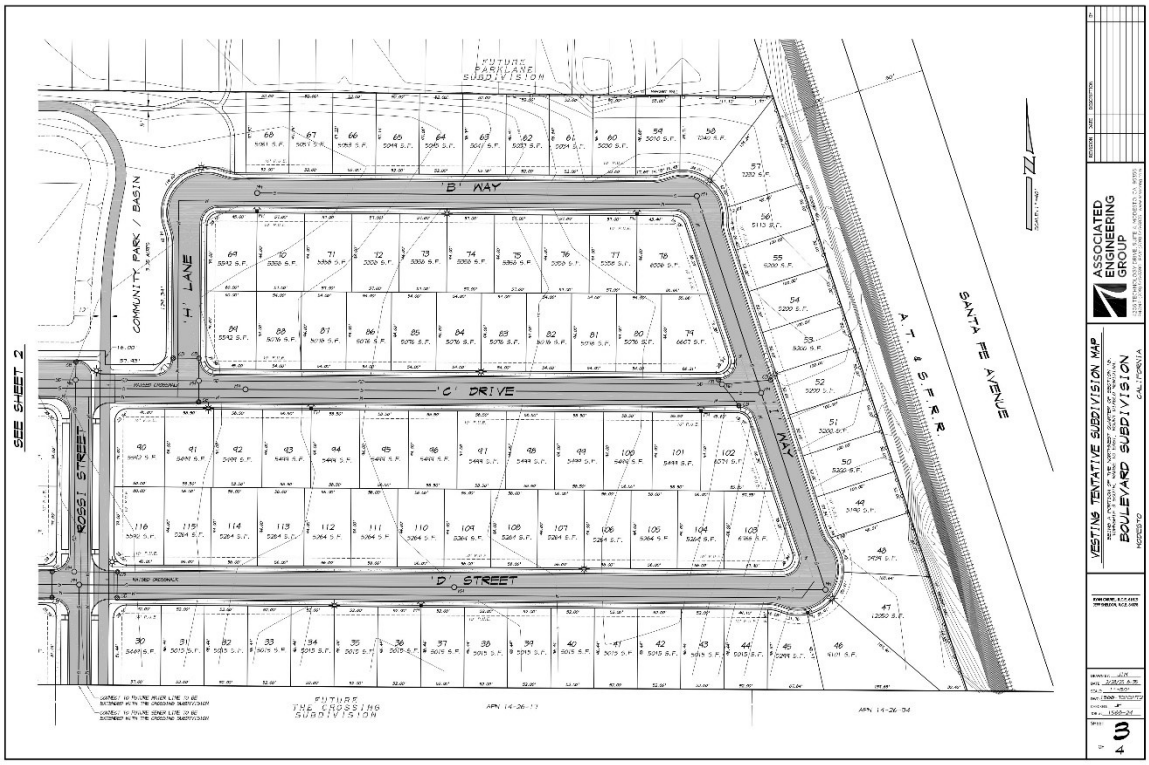


Figure 7: Proposed Utility Plan

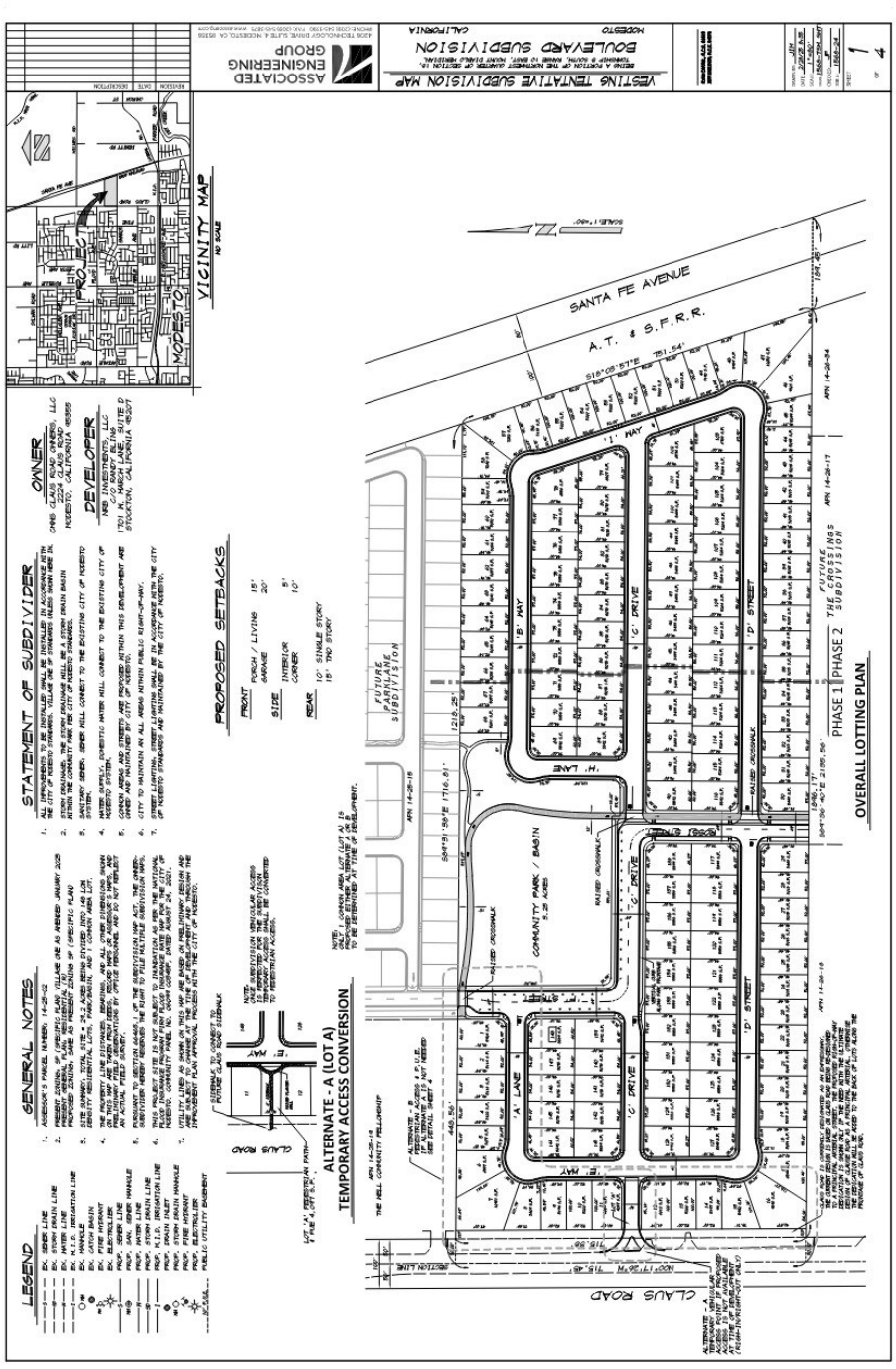


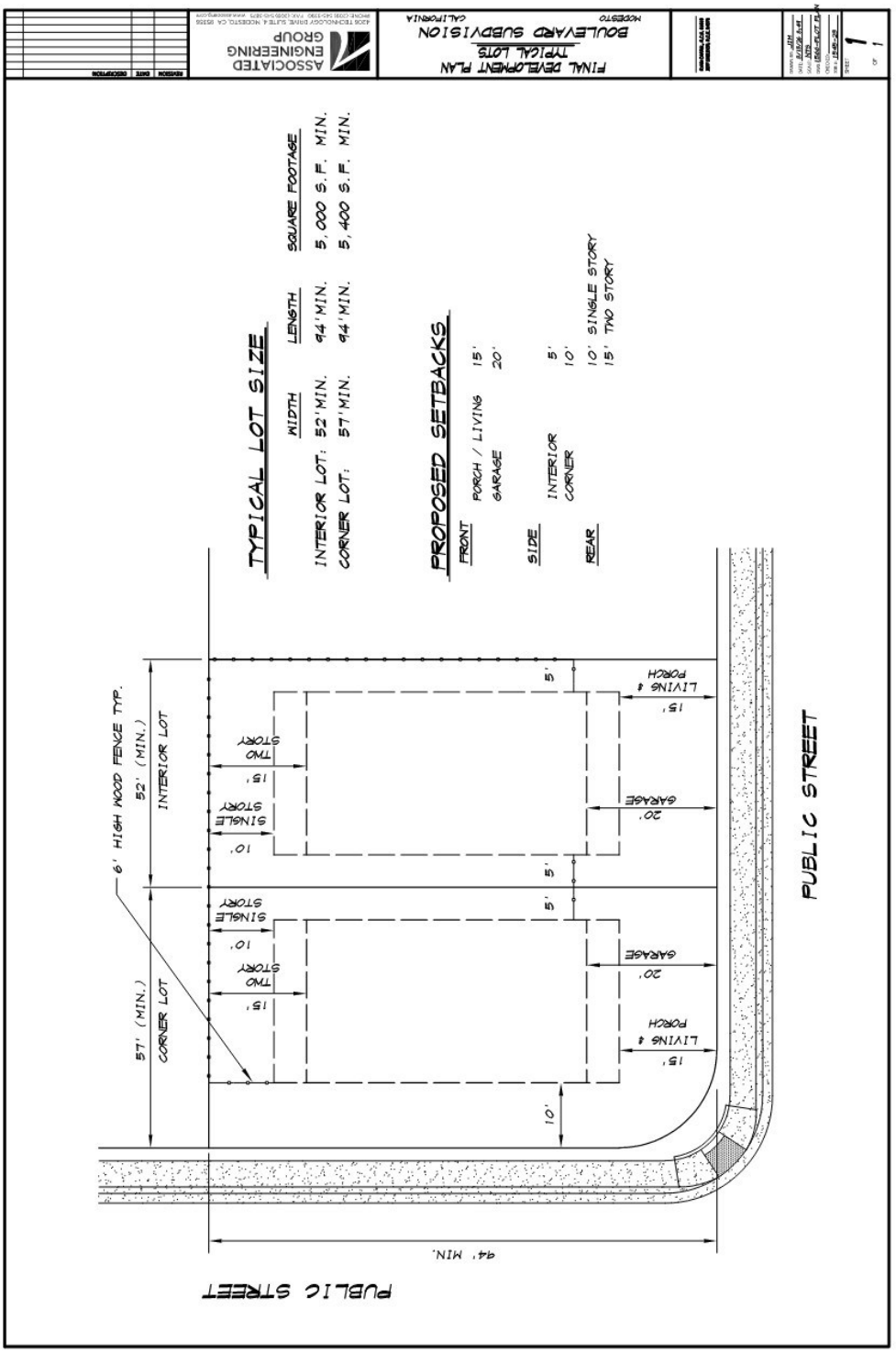


Final Development Plan "Boulevard"

The project also proposes a Final Development Plan (FDP) for setback standards of new residential development, and other development standards such as streetscape/landscaping, fences and walls.

Figure 8: Proposed FDP




FINAL DEVELOPMENT PLAN
TYPICAL LOTS
BOULEVARD SUBDIVISION
MODESTO CALIFORNIA
ASSOCIATED ENGINEERING GROUP
TYPICAL LOT SIZE
WIDTH LENGTH SQUARE FOOTAGE
INTERIOR LOT: 52' MIN. 94' MIN. 5,000 S.F. MIN.
CORNER LOT: 57' MIN. 94' MIN. 5,400 S.F. MIN.
PROPOSED SETBACKS
FRONT
PORCH / LIVING 15'
GARAGE 20'
SIDE
INTERIOR 5'
CORNER 10'
REAR
10' SINGLE STORY
15' TWO STORY
6' HIGH WOOD FENCE TYP.
52' (MIN.)
INTERIOR LOT
57' (MIN.)
CORNER LOT
LIVING & PORCH
GARAGE
TWO STORY
SINGLE STORY
PUBLIC STREET
94' MIN.

- Access and Circulation

Vehicle access would be provided via an extension of a new north-south collector street being constructed as part of The Crossings and The Crossings II subdivisions to the south, extended to "Street G" of the proposed Boulevard tentative map. The tentative map proposes streets "F", "G" and "C" Drive as collector streets of 69-feet in width. All other streets of the development are to be internal local residential streets of 48-feet in width. A secondary right-in/right-out vehicle access is to be provided from the Claus Road frontage until a second connection is available with future development of properties to the north of the subject site ("Lot A" of the tentative map). Upon availability of a future connection point, "Lot A" will be converted into a pedestrian access.

- Fencing

The project will be required to provide for a concrete masonry sound wall along the Claus Road frontage with curb, gutter, sidewalk and landscaping, and a concrete masonry sound wall along the BNSF railway.

- Utilities and Services

Electricity would be supplied by Modesto Irrigation District (MID), and natural gas would be supplied by Pacific Gas & Electric (PG&E). Water would be supplied by the City of Modesto, which would also collect and treat wastewater. The project would include a 3.25-acre community park/storm basin located at the center of the tentative map. The City of Modesto Fire Department (MFD) and the Modesto Police Department (MPD) would provide fire and police services to the project site. The project will be completing frontage improvements along Claus Road to comply with City of Modesto Right of Way (ROW) standards.

8. Project Approvals

The City of Modesto is the lead agency with responsibility for approving the project. The project would require the following discretionary approvals from the Planning Commission of the City of Modesto:

- Adoption of a Resolution approving the Vesting Tentative Subdivision Map of "Boulevard Subdivision"
- Adoption of a Resolution approving the Final Development Plan of "Boulevard"
- Adoption of the CEQA Exemption (Guidelines Section 15183).

The following agencies may be required to issue permits or approve certain aspects of the proposed Project:

- Central Valley Regional Water Quality Control Board (CVRWQCB) – Storm Water Pollution Prevention Plan (SWPPP) for construction activities pursuant 2009-0009-DWQ Construction general permit;

- San Joaquin Valley Air Pollution Control District (SJVAPCD) – Confirmation of compliance with applicable Air District rules, including Rule 9510 Indirect Source Review.

Environmental Factors Potentially Affected

This Project would potentially affect the environmental factors checked below as indicated by the checklist on the following pages.

□ Aesthetics	□ Agriculture and Forestry Resources	■ Air Quality
■ Biological Resources	□ Cultural Resources	□ Energy
□ Geology/Soils	□ Greenhouse Gas Emissions	□ Hazards & Hazardous Materials
□ Hydrology/Water Quality	□ Land Use/Planning	□ Mineral Resources
□ Noise	■ Population/Housing	□ Public Services
□ Recreation	□ Transportation	□ Tribal Cultural Resources
□ Utilities/Service Systems	□ Wildfire	■ Mandatory Findings of Significance

Determination

Based on this initial evaluation:

□ I find that the Proposed Project qualifies as a Residential Project pursuant to a Specific Plan I find that the Proposed Project qualifies as a Residential Project pursuant to a Specific Plan and is EXEMPT from CEQA in accordance with CEQA Guidelines Section 15182.

■ I find that pursuant with CEQA Guidelines Section 15183, the Proposed Project is a Project consistent with a Community Plan or Zoning, that there are no Project-specific significant effects which are peculiar to the Project or its site, and NO ADDITIONAL ENVIRONMENTAL REVIEW IS REQUIRED.

□ I find that the Proposed Project qualifies as an Infill Project that would result in new specific effects. However, these effects would be substantially mitigated under uniformly applicable development policies. NO FURTHER REVIEW required.

□ I find that the Proposed Project qualifies as an Infill Project but would result in new specific effects that would not be substantially mitigated under uniformly applicable development policies. A STREAMLINED MITIGATED NEGATIVE DECLARATION is recommended.

□ I find that the Proposed Project qualifies as an Infill Project but would result in new specific effects that would not be substantially mitigated under uniformly applicable development policies, and an ENVIRONMENTAL IMPACT REPORT is required.

Signature	Date
Katharine Martin	Senior Planner
Printed Name	Title

This report follows a checklist format that outlines performance standards for projects eligible for streamlined review under the California Environmental Quality Act (CEQA). A consistency checklist is prepared by a lead agency to streamline the environmental review process for eligible projects by limiting the topics subject to review at the project level where the effects of development have been addressed in a previous community plan. In accordance with *CEQA Guidelines* Section 15183, if the project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects are subject to CEQA. With respect to the effects that are subject to CEQA, the lead agency is to prepare an Environmental Impact Report (EIR) if the written checklist shows that the effects of the infill project would be potentially significant.

The checklist concludes that the project would not have any significant effects on the environment that either have not already been analyzed in a prior EIR or are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, such effects are exempt from CEQA regulations.

California Public Resources Code Section 21083.3 also limits the application of CEQA to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report when projects are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified (*CEQA Guidelines*, Section 15183[a], also Public Resources Code, Section 21083.3[b]: Exemption applies to "a development Project [that] is consistent with the general plan of a local agency [if] an environmental impact report was certified with respect to that general plan.).

This *CEQA Guidelines* Section 15183 Consistency Checklist has been prepared in accordance with Public Resources Code Section 21000 et seq. and the *CEQA Guidelines*, California Code of Regulations Section 15000 et seq.

Environmental Checklist

CEQA Guidelines Section 15183 Exemption

Pursuant to *CEQA Guidelines* Section 15183, CEQA mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified may not require additional review unless there may be project-specific effects that are peculiar to the project or site that were not adequately addressed in the EIR for the General Plan. In approving a project meeting the requirements of Section 15183 of the *CEQA Guidelines*, a public agency shall limit its examination of environmental effects to those the agency determines, in an Initial Study or other analysis:

1. Are peculiar to the project or the parcel on which the project would be located
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR

The purpose of this checklist is to assess consistency between the proposed project and General Plan and to compare the proposed project with the effects above to determine if additional environmental review is required under CEQA in accordance with *CEQA Guidelines* Section 15183.

Relationship of the Proposed Project to Previous EIR Analysis

The City of Modesto certified the current Modesto Urban Area General Plan (General Plan) on June 24, 2025. The General Plan includes goals and policies that convey the City's long-term vision and guide local decision-making to reach that vision. The Final EIR for the General Plan (State Clearinghouse [SCH] #2024091127) assessed impacts from implementation of the General Plan. This 15183 Consistency Checklist focuses on impacts within the Planned Urbanizing Area discussed in the General Plan EIR, since the proposed project is located entirely within the Village One Specific Plan area of the Planned Urbanizing Area (see Figure 3 of the General Plan EIR).

Consistency of the Project with Adopted City Plans and Ordinances

City of Modesto General Plan

The project site is located entirely in the General Plan's Planning Area. The General Plan is the fundamental document governing land use development and includes goals and policies relating to economic development, land use, transportation, public health, open space, conservation, safety, noise, public facilities, and utilities. The project would be required to abide by all applicable goals and policies in the adopted General Plan. The General Plan land use designation for the site is Residential (R). The General Plan allows for the development of residential uses including single-family residential uses of up to 10.9 units per gross acre within low density residential areas of the Residential designation.

City of Modesto Zoning Ordinance

The proposed project is consistent with the policies and standards of the Village One Specific Plan and the policies and standards of Precise Plan No. 35 South. Precise Plan No. 35 South allows single-family residential development as permitted by the Low Density Residential (R-1) Zone as defined by Title 10 of the Modesto Municipal Code. The project would be required to comply with applicable provisions of the City of Modesto Zoning Code and Precise Plan No. 35 South.

The R-1 zoning designation is intended to accommodate Low Density Residential development of up to 10.9 units per acre (gross). The proposed project is an allowable use for the R-1 zoning designation, and the project would comply with site development standards for the R-1 zoning designation, including building setbacks and height limits. The density proposed by the tentative map meets the requirement of the zone.

Project-Specific Environmental Review

The attached Environmental Checklist includes a discussion and analysis of any peculiar project- or site-specific environmental impacts associated with construction and operation of the proposed Project, as well as any off-site or cumulative impacts, such that the previously certified General Plan EIR would be inadequate for purposes of consideration and approval of the proposed Project. The Environmental Checklist identifies the applicable City of Modesto development standards and policies as well as other relevant standards and requirements that would apply to the proposed Project during both the construction and operational phases, and explains how the application of these uniformly applied standards and policies would ensure that no peculiar project- or site-specific environmental impacts would occur.

Conclusion

As described above, the proposed Project is consistent with the General Plan, for which an EIR was certified on June 24, 2025 (SCH#2020019010) (General Plan EIR). All impacts associated with development of the Project site with the contemplated uses and related development density, as well as off-site and cumulative impacts associated therewith, as proposed, were fully addressed in the General Plan EIR

(SCH# 2024091127), as detailed further herein. Since the proposed Project is consistent with the land use designation and development density established in the General Plan and analyzed in the General Plan EIR, implementation of the proposed Project would not result in any new significant environmental impacts or any increase in severity of previously identified significant impacts beyond those addressed in the General Plan EIR.

The analysis in this CEQA Environmental Checklist (and attached supporting materials) demonstrates that there is no peculiar project- or site-specific impacts associated with the proposed Project, and identifies uniformly applied standards and policies that would be applied as well as other Project Requirements to the proposed Project to ensure that no new significant impacts or an increase in previously identified significant impacts would occur. All Project Requirements identified in the attached Environmental Checklist shall be made enforceable conditions of project approval and shall be implemented within the timeframes identified.

1 Aesthetics

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Except as provided in Public Resources Code Section 21099, would the Project:					
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■	☐
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	■	☐	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	■	☐
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☐	■	☐

Analysis in Previous Environmental Documents

Impacts to aesthetics were analyzed on pages 3.1-7 through 3.1-9 of the General Plan EIR. Aesthetic impacts related to scenic vistas, scenic resources, visual character, and light and glare were determined to be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following General Plan policies would be applicable to the proposed project.

- **VR-1**. Provide at least one neighborhood park within each residential neighborhood. The neighborhood park should be centrally located within the neighborhood and have a service radius of one-half to three-quarters of a mile. The neighborhood park should have one collector street frontage, and the remaining sides should front on residential streets. The minimum size for a neighborhood park shall be seven acres or the total acreage based on one acre of park land per one thousand population within the neighborhood, whichever is greater. (UAGP Policy VI.H.12)

  Discussion: the project proposes 3.5 acres for a neighborhood park/storm basin, which in combination with the park acreage allocated by the previously approved Crossings subdivision maps located to the south, would meet the seven-acre requirement of the General Plan. No further mitigation is required.

Project-Specific Impacts

a. Would the project have a substantial adverse effect on a scenic vista?

There are no designated scenic vistas in the Planning Area, and thus no vistas would be visible from the project site. The impact of the proposed project to scenic vistas would be consistent with the findings of the General Plan EIR and would be less than significant.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the Project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No adopted State scenic highway is in the City of Modesto. One section of Interstate-5 in Stanislaus County is listed as a Designated Scenic Highway; however, this officially designated scenic highway does not provide views of Modesto or the

immediate surrounding areas, and there are no sections of highway in the Modesto vicinity eligible for Scenic Highway designation. The impacts of the proposed project to scenic resources within a state scenic highway would be consistent with the findings of the General Plan EIR and would be less than significant.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the Project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

As described in the General Plan EIR, the visual quality of the Planning Area is generally low to moderate. The Planned Urbanizing Area contains land that has either been built-out with new urban uses or is utilized as agricultural lands. The proposed project would involve development of 148 new residential dwelling units which per the standards of the R-1 Zone would be limited to 30-feet in height (two-stories). Surrounding land uses includes existing single-family residential uses to the west and future single-family development in process to the south as part of The Crossings Subdivision. Therefore, the proposed project would be consistent with the visual character of surrounding land uses. Accordingly, the project would not substantially degrade the existing visual character or quality of the site and its surroundings beyond what was analyzed in the General Plan EIR. The impact of the proposed project to visual character would be consistent with the findings of the General Plan EIR and would be less than significant.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the Project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Adoption of the Growth Strategy Diagram for the Planned Urbanizing Area, as presented in Chapter II of the General Plan, could lead to new development in areas that are currently vacant or used for agricultural purposes. This could lead to the introduction of light and glare in areas that are not illuminated currently. Additionally, proposed General Plan actions and policies that could lead to an expanded street system and enhanced transit system could increase light and glare in the planning area also. The City has adopted Guidelines for Small-Lot Single-Family Residential Developments and Design Guidelines for Commercial & Industrial Development that include standards for the design of outdoor lighting fixtures. These standards limit the size of fixtures and require that fixtures focus their light to avoid spilling onto nearby properties. This would reduce the potential for light and glare impacts from new development in the Planned Urbanizing Area to a less than significant level.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. Adherence with the development standards of the Village One Specific Plan, Precise Plan and the R-1 Zone would ensure that the project would result in less than significant aesthetic impacts. The project would have no new significant or substantially more severe or peculiar impacts to aesthetics and visual resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the previous environmental documents. Accordingly, no additional review is required.

2 Agricultural Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Convert areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses, impair the agricultural productivity of prime agricultural land, or result in substantial pesticide overspray, dust, or noise at urban uses?	☐	☐	☐	■	☐
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	■	☐	☐
c. Conflict with existing zoning for, or cause rezoning of, forest land or timberland?	☐	☐	■	☐	☐
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	■	☐	☐
e. Involve other changes to the environment that could result in conversion of farmland or forest land?	☐	☐	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR analyzes impacts on agricultural resources on pages 3.2-15 through 3.2-18. The General Plan EIR found that impacts related to conversion of Prime Farmland and conflict with existing zoning for agricultural use would be significant and unavoidable, that impacts related to other changes to the environment that could result in the conversion of farmland would be less than significant, and that no impacts to forest land would occur.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following General Plan policies would be applicable to the proposed project.

Baseline Developed Area

- None, project is located in the Planned Urbanizing Area.

Project-Specific Impacts

a. Would the project areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses, impair the agricultural productivity of prime agricultural land, or result in substantial pesticide overspray, dust, or noise at urban uses?

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land or timberland?

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

e. Would the project involve other changes to the environment that could result in conversion of farmland or forest land?

The project site is currently utilized as an almond orchard; however, there is no Williamson Act contract in effect on the property. The site is within the Village One Specific Plan and Precise Plan No. 35 North, all within the Planned Urbanizing Area of the City, and is zoned as Specific Plan (SP) with allowable uses as defined in the R-1 Zone of the Modesto Municipal Code. The project would not conflict with forest land or timberland; the site is flat and does not contain forest or timberland. The latest available data from the State of California's Department of Conservation Important Farmland Map designates the project site as "Unique Farmland" indicating lesser quality soils for ag production. On April 9, 2013 by Resolution No. 2013-129, the City Council approved that all land area within the then current city limits shall be exempt from any agricultural mitigation requirements. Therefore, there would be no impact. Impacts would not be more severe than those analyzed in the General Plan Master EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts on agriculture and forestry resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous

environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

3 Air Quality

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	■	☐
b. Violate any air quality standard or contribute substantially to existing or projected air quality violation?	☐	☐	☐	■	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	■	☐
d. Expose sensitive receptors to substantial pollutant concentrations	☐	☐	☐	■	☐
e. Create objectionable odors affecting a substantial number of people	☐	☐	☐	■	☐

Analysis in Previous Environmental Documents

Impacts to air quality were analyzed on pages 3.3-40 through 3.3-50 of the General Plan EIR. The General Plan EIR found that impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be significant and unavoidable, and that impacts related to conflict with implementation of an applicable air quality plan, violation of air quality standards, a cumulatively considerable net increase of criteria pollutants, or creation of objectionable odors would be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental

documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

Land Use Element Goals and Policies: None.

Transportation Element Goals and Policies: None.

Air Quality Element Goals and Policies

- **AQ-100.** Reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources. (Policy VII.H.2.jj)
- **AQ-103.** Effectively stabilize dust emissions using water, chemical stabilizer / suppressant, cover with a tarp or other suitable cover or vegetative ground cover, all disturbed areas, including storage piles, which are not being actively utilized for construction purposes. (Policy VII.H.2.mm)
- **AQ-104.** Effectively stabilize dust emissions using water or chemical stabilizer / suppressant, all onsite unpaved roads and off-site unpaved access roads. (Policy VII.H.2.nn)
- **AQ-105**. Effectively control fugitive dust emissions utilizing application of water or by presoaking all land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities. (Policy VII.H.2.oo)
- **AQ-107**. When materials are transported off site, cover all materials, or effectively wet them to limit visible dust emissions, and maintain at least six inches of freeboard from top of container. (Policy VII.H.2.qq)
- **AQ-108.** Limit operations or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) (Policy VII.H.2.rr)
- **AQ-109**. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles for fugitive dust emissions utilizing sufficient water or chemical stabilizer / suppressant. (Policy VII.H.2.ss)
- **AQ-110.** Within urban areas, immediately remove trackout when it extends 50 or more feet from the site and at the end of each workday. (Policy VII.H.2.tt)
- **AQ-111.** Prevent carryout and trackout for any site with 150 or more vehicle trips per day. (Policy VII.H.2.uu)

- **AQ-112.** Limit traffic speeds on unpaved roads to 15 mph. (Policy VII.H.2.vv)
- **AQ-113.** Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent (1%). (Policy VII.H.2.ww)
- **AQ-114.** Install wheel washers for all exiting trucks, or wash all trucks and equipment leaving the site. (Policy VII.H.2.xx)
- **AQ-115.** Install wind breaks at windward side(s) of construction areas. (Policy VII.H.2.yy)
- **AQ-116.** Suspend excavation and grading activity when winds exceed 20 mph (regardless of windspeed, an owner/operator must comply with Regulation VIII's 20 percent opacity limit). (Policy VII.H.2.zz)
- **AQ-117.** Limit the area subject to excavation, grading, and other construction activity at any one time. (Policy VII.H.2.aaa)

Project-Specific Impacts

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The San Joaquin Valley Air Pollution Control District (SJVAPCD) outlines goals and policies that general plans should adopt in their Air Quality Guidelines for General Plans. As discussed in the General Plan EIR, the General Plan would be consistent with the SJVACPD goals and policies. The proposed project would comply with policies AQ-85, AQ-87, AQ-100 and AQ-102 through AQ-117 of the General Plan which aim to reduce construction and operational emissions. Therefore, the project would not conflict with or obstruct the implementation of an applicable air quality plan. The impact of the proposed project involving conflict with an applicable air quality plan would be consistent with the findings of the General Plan EIR and would be less than significant.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment under an applicable federal or state ambient air quality standard (including emissions that exceed quantitative thresholds for ozone precursors).?

As discussed in the General Plan EIR, implementation of the General Plan and the proposed project would result in short-term emissions from construction activities, including site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. The SJVAPCD Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) emphasizes implementation of effective and comprehensive control measures rather than requiring a detailed quantification of construction emissions.

SJVAPCD adopted a set of PM_{10} fugitive dust rules collectively called Regulation VIII, which prohibits the emissions of visible dust (limited to 20 percent opacity) and requires that disturbed areas or soils be stabilized. The proposed project would be required to comply with Regulation VIII and would be required to submit a Dust Control Plan to the SJVAPCD prior to construction showing adherence to regulation requirements. Construction activities would not commence until SJVAPCD reviews and approves the Dust Control Plan.

In addition, the proposed project would be required to adhere to SJVAPCD's Indirect Source Review Rule (Rule 9510) which requires projects to reduce construction exhaust emissions by 20 percent for NO_x and 45 percent for PM_{10}. SJVAPCD encourages reductions through construction and operational measures that reduce NO_x and/or PM_{10} emissions.

The proposed project would involve construction processes that are temporary in nature, and would be required to operate in compliance with SJVAPCD rules. The permit process ensures that potentially stationary sources would be equipped with the required emission controls and that, individually, these sources would result in a less than significant impact.

Therefore, with implementation of SJVAPCD regulations, the impact of the proposed project involving a cumulatively considerable net increase of criteria pollutants would be consistent with the findings of the General Plan EIR and would be less than significant.

☑ **ANALYZED IN THE PRIOR EIR**

c. Violate any air quality standards or contribute substantially to an existing or projected air quality violation?

As discussed in the General Plan EIR, carbon monoxide (CO) is a localized air pollutant mainly from automobile traffic. Elevated concentrations, therefore, are usually only found near areas of high traffic volume and congestion. Emissions and ambient concentrations of CO have decreased greatly in recent years. These improvements are due largely to the introduction of cleaner burning motor vehicles and reformulated motor vehicle fuels. No exceedances of the State or federal CO standards have been recorded at any of San Joaquin Valley's monitoring stations and the San Joaquin Valley Air Basin has attained federal and State CO standards. Since the proposed project would be within buildout of the General Plan and was analyzed in the General Plan EIR, impacts related to CO would also be less than significant and would not be substantially greater than those identified in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

Construction activities for the proposed project would result in short-term emissions of diesel particulate matter (DPM), which is a toxic air contaminant (TAC). DPM is generated from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. Nonetheless, construction

activities would be temporary and would occur over a relatively large area. In addition, the proposed project would be required to comply with SJVACPD's Regulation VIII and Rule 9510 as well as General Plan policies AQ-100 through AQ-105, and AQ-107 through AQ-117, which would reduce fugitive dust and PM_{10} emissions during construction. Therefore, construction-related TAC impacts would be less than significant and would not be substantially greater than those identified in the General Plan EIR.

The SJVAPCD GAMAQI considers exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard, to be significant. For cancer risk, which is a concern with diesel particulate matter and other mobile-source TACs, the SJVAPCD considers an increased risk of contracting cancer that is 20 in one million chances or greater, to be significant risk for a single source. Non-cancer risk would be considered significant if the computed Hazard Index (HI) is greater than 1.0. The proposed project would include the development of single-family residential uses and would not include development of stationary sources of TACs such as gasoline dispensing stations or dry cleaners. In addition, the proposed project is adjacent to other residential uses and is not in proximity to sensitive receptors, and would satisfy the California Air Resources Board's (CARB) setback requirement of 1,000 feet from sensitive receptors. Therefore, operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant and would not be substantially greater than those identified in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

e. Would the project create objectionable odors affecting a substantial number of people?

During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust both during normal use and when idling. However, these odors would be temporary and transitory and would cease upon completion. Therefore, construction activities would not generate objectionable odors affecting a substantial number of people.

SJVAPCD includes odor screening distances for land uses with the potential to generate substantial odor complaints. Those uses include wastewater treatment facilities, landfills including composting operations, asphalt batch plants, fiberglass manufacturing, feed lots/dairy, food processing facilities, and chemical and rendering plants. The proposed project is residential in nature and does not propose odor-emitting uses and would not generate objectionable odors that would affect a substantial number of people. Therefore, the project would not substantially cause new sources of odors and would not significantly expose sensitive receptors to existing odors, and impacts would be less than significant. Overall, impacts would not be substantially greater than those identified in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to air quality, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, because of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

4 Biological Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	■	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree	☐	☐	☐	■	☐

		Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
	preservation policy or ordinance?					
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	■	☐	☐

Analysis in Previous Environmental Documents

The General Plan EIR analyzes biological resources impacts on pages 3.4-38 through 3.4-51. As discussed in the General Plan EIR, there is low potential for impacts on sensitive wildlife and plant habitats within the Baseline Developed Area, and impacts to special-status species, sensitive natural communities and riparian habitat, wetlands, wildlife movement, and conflict with biological resource ordinances or policies would be less than significant. The General Plan EIR also found there would be no impacts involving conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

- **SWPH-2:** For all lands within the Planned Urbanizing Area, site-specific surveys shall be conducted by a qualified biologist to determine whether any sensitive natural communities or species are present within the proposed development area. These studies shall particularly focus on proposed development within any lands included within a potential biological resource study area as delineated on Figure V-7-1 in the Final Program Environmental Impact Report (Riparian Corridor Diagram). Prior to considering development applications, the City shall coordinate with the USFWS and CDFW regarding listed species and potential for impacts. The City shall employ the measures recommended by the USFWS and/or CDFW to avoid an incidental take.

  Conduct surveys at the appropriate season to best determine the likelihood of occurrence and should employ accepted methodologies as determined by CDFW and the USFWS. The results of such surveys should be recorded onto the City's existing biological resources map for future planning purposes. (UAGP Policy VII-E.3[a])

- **SWPH-3.** Avoid and preserve all areas occupied or potentially occupied by special-status species, where feasible. Protect areas that can be avoided by fencing, signage, or establishment of buffer zones appropriate to the species and/or habitat involved. Design fencing to allow passage of small mammals and avoid impacts to wildlife movement or dispersal.

  Generally, a minimum 100-foot buffer of undeveloped land from identified sensitive resources would be necessary. Improve this buffer area through sustainable habitat restoration. Require protected habitat to be managed to contribute to the long-term conservation of the species and ecosystems on which they depend.

  Where it is determined that state and/or federally listed species are present, consult with the CDFW and/or USFWS in accordance with the California and/or federal Endangered Species Acts to determine mitigation measures to avoid and minimize impacts to those species. If other special-status species are determined to be present and cannot be avoided, implement species-specific mitigation measures to minimize impacts to those species through informal consultation with CDFW and/or USFWS. Incorporate the mitigation measures and other recommendations of these agencies into the development plan. (UAGP Policy VII-E.3[b])

- **SWPH-4.** Additional measures to protect sensitive habitats may be implemented. Potential measures to be implemented may include measures listed in Table 3.4-4.

Table 3.4-4: Policies For Sensitive Biological Habitats

a. Avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas would include

implementing a no-disturbance buffer of at least 100 feet from the high-water mark of channels that have no riparian vegetation and 250 feet from the outermost high-water edge of the marsh wetlands, vernal pools, and swales. Riparian vegetation shall be protected with a 200-foot wide no- disturbance buffer delineated from the high water mark of the surface water body. If complete avoidance is not possible, the disturbance to wetland areas shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. The topsoil within the wetland shall be removed and kept separate from other spoils to be used in restoration. New vegetation should consist of similar native species to those removed. Activities with the potential to impact wetlands shall occur only under permit (either individual or nationwide) from the U.S. Army Corps of Engineers. Prior to development, wetland areas shall be delineated by a qualified biologist in accordance with the delineation standards of the Corps.
b. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided in accordance with the requirements of the applicable federal or state agency. The replacement habitat should be substantially equivalent to the nature of the habitat lost and should be provided at a ratio suitable to assure that, at a minimum, there is no net loss of habitat acreage or value. The replacement habitat shall be set aside in perpetuity for habitat use. Typically, the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and California Department of Fish and Wildlife require a minimum of two replacement acres for every one acre of riparian or wetland habitat lost.
c. Confine work in or near streams, wetlands, and vernal pools to the dry season between May 1 and October 15. Minimize road widths at stream or wetland crossings, and construct roads at right angles to reduce adverse impacts to riparian corridors.
d. Preserve existing and mature native trees to the extent feasible, except when such trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment should occur outside the drip lines of any trees to be preserved.
e. All areas within identified riparian corridors shall be maintained in a natural state, or limited to recreation and open space uses. Recreation should be limited to passive forms of recreation, with any facilities constructed to be non-intrusive to wildlife or sensitive species.
f. New landscaping within or immediately adjacent to the identified riparian corrid should employ native species ecologically consistent with natural riparian habita

g. Within the identified riparian corridors, environmentally sensitive habitat area shall be protected against any significant disruption of habitat values, and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing, habitat enhancement and protection).
h. In accordance with the MBTA and CFGC and to avoid disturbance to active bird nests, any tree or shrub removal shall occur during the nonbreeding season for birds (September through January). If construction activities or tree removal must occur during the breeding season (February through August), surveys for active nests shall be conducted by a qualified biologist no more than 30 days prior to the start of construction. A no- disturbance buffer determined by a qualified biologist and dependent upon species and nest location of up to 250 feet shall be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
i. The General Plan Area may contain elderberry shrubs. All projects within the General Plan Area should evaluate the project site conditions for the potential for removal of elderberry shrubs. If elderberry shrubs with one or more stems 1.0 inch or greater in diameter at ground level are present, appropriate mitigation should be discussed and prior to any subsequent project approvals, early consultation with USFWS is recommended. The removal and trimming of elderberry shrubs are regulated by the USFWS.
j. Burrowing owls are known to occur near the General Plan Area in agricultural and grassland habitats and vacant lots within developed habitats. Impacts to burrowing owls and their nest burrows must be avoided to comply with the Federal Migratory Bird Treaty Act (MBTA) and Department of Fish and Game Code Sections 3503, 3503.5, and 3513. Per CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012), if any ground- disturbing activities occur in potential burrowing owl habitat during the nesting (February 1 through August 31) or non-nesting season (September 1 through January 31), implementation of avoidance measures is required. A burrowing owl habitat assessment is recommended for areas containing potentially suitable habitat: agricultural, grassland, and vacant parcels if at least 2.5 acres in size or contiguous with undeveloped habitat of at least 2.5 acres in size. Agricultural habitat determined to be suitable includes pastureland, non-irrigated cropland, and ruderal or fallow fields; orchards, vineyards, and other active croplands with vegetation greater than 15 inches in height are not considered suitable habitat. Vacant or ruderal parcels are considered potentially suitable habitat if ground squirrels, debris piles, and/or pipes are present to provide burrows or burrow surrogates for burrowing owl to occupy. If burrowing owl habitat is confirmed present within a maximum of 500 feet of the project site, no visual barriers are present between the project site and the burrowing owl habitat, and no owls were observed to occupy the habitat at the time of the assessment, then one preconstruction site survey (take avoidance

survey) shall be conducted no more than 14 days prior to the onset of any ground-disturbing activities. Further, if the preconstruction survey determines that burrowing owls occupy the site and impacts to occupied burrows cannot be avoided, then passive relocation shall be conducted as described below during the non-nesting season or if the burrowing owl(s) are determined to not be actively nesting. Prior to passive relocation, a burrowing owl exclusion, mitigation, and monitoring plan will be prepared in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012) and submitted to the City for approval before any constructive activities can proceed that may impact the species.

The Staff Report on Burrowing Owl Mitigation (CDFG 2012) recommends that impacts to occupied burrows during the nesting season be avoided by implementation of a no-disturbance buffer zone of a minimum of 250 feet, unless a qualified biologist verifies through noninvasive methods that either: 1) the burrowing owls have not begun egg laying and incubation; or 2) that juveniles from the occupied nest are foraging independently and are capable of independent survival. Failure to implement this buffer zone could cause adult burrowing owls to abandon nests, cause eggs or young to be directly impacted (crushed), and/or result in reproductive failure.

Burrowing owls may be passively relocated if the burrowing owls have been determined not to be actively nesting and the burrowing owl exclusion, mitigation, and monitoring plan has been approved by the City and CDFW.

k. The State-threatened Swainson's hawk is known to nest within the General Plan Area in grassland, riparian, and agricultural habitats. Because of the loss of suitable foraging habitat and existing nesting habitat that may occur during area development, mitigation measures compensating for these potential losses of habitat shall be included. The CDFW considers the removal of known raptor nest trees, even outside of the nesting season, to be a significant impact under CEQA and, in the case of Swainson's hawk, could also result in "take" under the CESA. This is especially true in species such as Swainson's hawk, which exhibit high site fidelity to nest trees and nesting area year after year (CDFG 1994).

To avoid such impacts, surveys for nesting Swainson's hawk shall be conducted for projects within riparian, grassland, and agricultural habitats as mapped by Figures 3.4-2a through 3.4-2d or for projects within 0.25 mile of such habitats (see Figure V-7-2) and containing potential nest trees (trees greater than 20 feet in height). Surveys shall follow the methodology developed by the Swainson's Hawk Technical Advisory Committee (2000) and survey potential nest trees within 0.25 mile of disturbance activities.

If ground disturbance is initiated during the nesting season (March 15 – July 31), two pre-construction surveys shall be conducted with surveys not recommended between April 20 and June 10 because of difficulty in detecting active Swainson's hawk nests during the egg incubation period. The first survey may be conducted

up to two months prior to initial activities. The second survey shall occur within 14 days of project initiation.

If an active nest is observed, a no-disturbance buffer zone shall be established in coordination with CDFW. No-disturbance buffers for new and intensive disturbances are typically 0.25 mile surrounding the nest location until the nest has been determined to no longer be active by a qualified biologist; however, the buffer may be reduced in consultation with CDFW and is dependent upon nest location, existing disturbance barriers, and baseline disturbance levels.

- No surveys are required if ground disturbance is initiated outside of the nesting season; however, impacts to known nest trees should be avoided at all times of year. If avoidance of a known nest tree (documented nest site within the previous five years) is not feasible, consultation with the CDFW is warranted prior to taking any action, and a determination of "take" potential under CESA or under Fish and Game Code Sections 3503.5 and 3513 will be made. Project-related "take" (as defined in Section 86 of the Fish and Game Code) of Swainson's hawk must be completely avoided or a State Incidental Take Permit, pursuant to Section 2081 of the Fish and Game Code, would be warranted.

In addition, the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California (CDFG 1994) recommends that for projects impacting foraging habitat within one mile of an active nest tree, habitat be protected in perpetuity at a 1:1 ratio for each acre of Swainson's hawk foraging habitat impacted; for projects greater than one mile but within five miles of an active nest tree, 0.75 acre of habitat should be protected in perpetuity for every acre of foraging habitat impacted (0.75:1); and for projects greater than 5 miles but within ten miles of an active nest tree, 0.5 acre of habitat should be protected in perpetuity for every acre of foraging habitat impacted (0.5:1). Per the Staff Report (CDFG 1994), suitable foraging habitat includes annual grasslands, pasturelands, alfalfa and cereal cropland, fallow fields, and beet, tomato, and other low-growing row or field crops. Vineyards, orchards, and cotton fields are considered unsuitable foraging habitat because of vegetation height and/or density (CDFG 1994). The project sponsor should provide funding of a sufficient long-term endowment for the management of the protected properties.

Comprehensive Planning Districts in Riparian Corridors: None. The project site is not in proximity to a riparian corridor.

Project-Specific Impacts

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

c. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project site is currently an almond orchard and does not include sensitive species, riparian habitats, wetlands, or migratory wildlife corridors. Consistent with General Plan Policy SWPH-1, a California Natural Diversity Database (CNDDB) search was performed in July 2025 to determine the level of assessment warranted for special-status species. A CNDDB search revealed documented occurrences of three special status animal species within approximately 5 miles of the project site, including two invertebrate species and one fish species. Within the boundary of the project site, the two invertebrate species are identified within a 5-mile accuracy polygon. Each are discussed below:

- **Valley Elderberry Longhorn Beetle (VELB):** The VELB is federally listed as threatened and is a California special-status invertebrate. This species is found in riparian and wetland habitats below 3,000 feet on their host blue elderberry shrubs. Populations of this beetle are known to occur in Stanislaus County (CDFW 2024). As verified by a biological survey of the project site in July 2025, the project site does not contain blue elderberry, and does not support this species.
- **Crotch's bumble bee (CBB):** The CBB is state candidate for Endangered. This species is found in association with the its food plant genera including Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum. As verified by a biological survey of the project site in July 2025, the project site does not contain these food plants, and does not support this species.
- **Steelhead:** Steelhead is federally listed as threatened. However, the project site does not contain aquatic habitat and thus cannot support this species.

Since the project site does not include sensitive habitat, or potential habitat for special-status species, no further biological study is warranted. Therefore, impacts would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The City of Modesto is not located within an approved local, regional, or State habitat conservation plan. There would be no impact. Impacts would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to biological resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, because of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

5 Cultural and Tribal Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the Project:					
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	■	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☐	■	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	■	☐
d. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☐	☐	■	☐
A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?					

Analysis in Previous Environmental Documents

The General Plan EIR analyzes cultural and tribal cultural resources impacts on pages 3.5-28 through 3.5-31. As discussed in the General Plan EIR, areas of high probability for archaeological resources are located within the riparian corridors along the Tuolumne River, Dry Creek, and the Stanislaus River. Development in these areas would be subject to environmental analysis and mitigation measures and impacts were found to be less than significant. The General Plan EIR determined that areas outside of riparian corridors where soils have been excavated have low probability for archaeological resources, and impacts were found to be less than significant with implementation of General Plan policies. The General Plan EIR found that demolition of a historically significant building would be significant and unavoidable, and that impacts related to human remains and tribal cultural resources would be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policy is applicable to the proposed project:

- **AH-18.** Any project that involves earth-disturbing activities within previously undisturbed soils in an area determined to be archaeologically or culturally sensitive by the City of Modesto through consultation with Native American tribes or bands and a qualified archaeologist should be required to carry out the following mitigation measures, at a minimum:
    - If prehistoric archaeological remains are discovered during project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist should be retained by the project sponsor to investigate the find, and make recommendations as to treatment and mitigation. In the event of the discovery of a burial, human bone, or suspected human bone all excavation or grading in the vicinity of the find should halt immediately and the area of the find should be protected and the project applicant immediately should notify the County Coroner of the find and comply with the provisions of California Health and Safety Code Section 7050.5, including California Public Resources Code Section 5097.98, if applicable. If human remains are identified, the project sponsor should also retain a Native American monitor;
    - A qualified archaeological monitor should be present and should have the authority to stop and redirect grading activities, in consultation with the Native Americans and their designated monitors, to evaluate the significance of any Native American archaeological resources discovered on the property;

- Native American monitors from the appropriate Native American Tribes, as determined by the NAHC should be allowed to monitor all groundbreaking activities, including all archaeological testing and data recovery excavations that are likely to affect Native American resources, as determined by a qualified archaeologist. The project proponent should be responsible for compensating Native American monitors. If human remains are discovered, the NAHC should assign a Most Likely Descendent (MLD); and,
- The landowner agrees to relinquish ownership of all Native American human remains and associated burial artifacts that are found within the project area, to the appropriate Native American MLD, as assigned by the NAHC, for proper treatment and disposition. The MLD will decide whether or not standard archaeological analysis will be allowed on human remains and associated artifacts from burials.
- If paleontological resources are discovered during earth-moving activities, the construction crew shall immediately cease work in the vicinity of the find, and the City's Planning Manager shall be notified. A qualified paleontologist shall evaluate the resource and prepare a proposed mitigation plan in accordance with Society of Vertebrate Paleontology guidelines. The proposed mitigation plan may include a field survey of additional construction areas, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. (UAGP Policy VII.F.3[c])

The site is currently in almond orchard production and thus has been disturbed in the process of planting of the orchard. The project was referred to local Tribal leaders who indicated no concerns with the project. However, the above mitigation measure would apply in the event of inadvertent discovery of cultural, archeological or paleontological resources at the site.

Project-Specific Impacts

a. Would the project result cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

The project area is currently in almond orchard production and would not result in the change in significance or demolition of an eligible historic resource, or have an adverse effect on any structure more than 50 years old determined to have historical significance, and is not known to have been the location of a formal cemetery. As discussed in the General Plan EIR, the project site is not located within a riparian corridor and therefore has low probability for archaeological resources. Nonetheless,

the project would be required to comply with General Plan policy AH-18, which outlines guidance for the unanticipated discovery of archaeological resources and human remains. In addition, the proposed project would be required to comply with the California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e) (CEQA), which state the mandated procedures of conduct following the discovery of human remains. Therefore, impacts related to historical resources, archaeological resources, and human remains would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

The proposed project would include construction activities such as grading and excavation which could potentially lead to the unanticipated discovery of tribal cultural resources. However, the proposed project would be required to comply with policy AH-18, which outlines guidance for the unanticipated discovery of tribal cultural resources. Therefore, compliance with General Plan policies would ensure a less than significant impact related to the potential discovery or disturbance of tribal cultural resources accidentally unearthed during construction activities. This impact would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to cultural and tribal cultural resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, because of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

6 Geology, Soils, and Mineral Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	■	☐
2. Strong seismic ground shaking?	☐	☐	☐	■	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	☐	■	☐
4. Landslides?	☐	☐	☐	■	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	■	☐
d. Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	■	☐	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■	☐
g. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■	☐
h. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR discusses geology, soils, and mineral resources impacts on pages 3.6-13 through 3.6-19. The General Plan EIR found that impacts related to exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides would be less than significant. The General Plan EIR also found that impacts related to substantial soil erosion or the loss of topsoil, unstable soils, expansive soils, soil adequacy for wastewater disposal systems, paleontological resources, and mineral resources would be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

- **GSM-1.** Continue to use building codes as the primary tool for reducing seismic risk in structures. The current version of the California Building Code, as adopted by the City of Modesto, is intended to ensure that buildings resist major earthquakes of the intensity or severity of the strongest experience in California, without collapse, but with some structural as well as nonstructural damage. In most structures, it is expected that structural damage could be limited to repairable damage, even in a major earthquake. (UAGP Policy VII.K[a])
- **GSM-2.** Require all new buildings in the City to be built to the seismic requirements of the current adopted California Building Code. (UAGP Policy VII.K[b])
- **GSM-3.** Continue to explore measures to induce building owners to upgrade and retrofit structures to render them seismically safe. (UAGP Policy VII.K[c])
- **GSM-4.** Enforce provisions of the Alquist-Priolo Earthquake Fault Zoning Act. (UAGP Policy VII.K[d])
- **GSM-5.** Any construction that occurs as a result of the General Plan must conform to the current California Building Code regulations, which address seismic safety of new structures and slope requirements. As appropriate, require a geotechnical analysis prior to tentative map approval in order to ascertain site-specific subsurface information necessary to estimate foundation conditions. These geotechnical studies should reference and make use of the most recent regional geologic maps available from the California Department of Conservation Division of Mines and Geology. (UAGP Policy VII.N[a])

- **GSM-6.** Discourage development on lands that are subject to landslides. (UAGP Policy VII.N[b])
- **GSM-7.** New public roads in areas subject to landslides should be designed to minimize landslide risks. (UAGP Policy VII.N[c])
- **GSM-8.** All building permits should be reviewed to ensure compliance with the current adopted edition of the California Fire Code, California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, Title 19, Title 24, and the City of Modesto Municipal Code. (UAGP Policy VII.N[d])
- **GSM-9.** Include "best management practices" in the erosion control program, as appropriate, given the specific circumstances of the site and/or project. Table 9-2 in the Program Environmental Impact Report presents examples of best management practices. (UAGP Policy VII.N.[f])
- **GSM-10.** Design sediment control basins to capture eroded sediments and contain them on the project sites shall be designed consistent with the criteria outlined in Table 9-3 in the Program Environmental Impact Report. (UAGP Policy VII.N[g])
- **GSM-11:** Promote public awareness of the following local routes for the public's use in evacuating the City in the event of an emergency.
    - State Highways 99, 132, 219, and 108
    - Briggsmore Avenue
    - Claus Road
    - Standiford/Sylvan Avenue
    - Scenic Drive
    - Pelandale Avenue
    - Ninth Street
    - Paradise Road
    - Carpenter Road (UAGP Policy VII.N[h])
- **GSM-12:** City plans and policies shall not interfere with any emergency evacuation and response plans. This would include the continued maintenance of adequate police and fire services, and identified emergency evacuation routes (UAGP Figure VII-3). (UAGP Policy VII.N[i])
- **GSM-13.** Ensure the provision of adequate and accessible evacuation routes. (UAGP Policy VII.N[j])

Project-Specific Impacts

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

No faults known to be active or zoned as active by the State of California under the Alquist-Priolo Act are within the Planning Area. Consequently, the risk of surface fault rupture in Modesto and at the project site is considered low. Implementation of General Plan Policies GSM-1 through GSM-6 and GSM-10 would commit the City to enforcing building standards and carrying out its enforcement responsibilities under the Alquist-Priolo Act such that earthquake risks to new development, including the proposed project, would be low. These policies also require all new structures to be designed and constructed to meet or exceed relevant building code requirements. The project site is in a generally flat area and not surrounded by substantial slopes. Therefore, impacts related to risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, liquefaction, or landslide, as well as unstable soils would be less than significant. No impacts beyond those analyzed previously in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project result in substantial soil erosion or the loss of topsoil?

Construction of the proposed project would involve construction activities such as stockpiling, grading, excavation, paving, and other earth-disturbing activities. Loose and disturbed soils are more prone to erosion and loss of topsoil by wind and water. However, construction of the proposed project would adhere to General Plan Policies GSM-9 and GSM-10, which call for implementation of industry-standard best practices relative to erosion control and sediment containment, would minimize the potential for loss of topsoil due to grading and other earthwork activities. Additionally, a Stormwater Pollution Prevention Plan (SWPPP) would be required under the National Pollutant Discharge Elimination System (NPDES) program. The SWPPP would contain Best Management Practices (BMPs) to control sediment and reduce erosion during construction. Therefore, impacts related to

substantial soil erosion or the loss of topsoil would be less than significant. No impacts beyond those analyzed previously in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

The General Plan EIR analyzes the potential for expansive soils to create risks to life and property and finds this impact to be less than significant with implementation of General Plan Policy GSM-1, which requires conformance with Universal Building Code standards. All new development, including the project, would be required to comply with General Plan Policy GSM-1, which would ensure that expansive soils are remediated or that foundations and structures are engineered to withstand the forces of expansive soil. In cases where soil remediation is not feasible, the Universal Building Code requires structural reinforcement of foundations to resist the forces of expansive soils. Therefore, impacts related to expansive soils would be less than significant. No impacts beyond those analyzed previously in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The proposed project does not include a septic tank or alternative wastewater disposal system. Therefore, no impacts beyond those identified in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The proposed project would have the potential to unearth paleontological resources during ground disturbance associated with project construction. However, the project would be required to comply with General Plan policy AH-18 which outline guidance for the unanticipated discovery of paleontological resources. Compliance with these policies would ensure impacts to paleontological resources remain less than significant. No impacts beyond those analyzed previously in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

g. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

h. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The Modesto Planning Area has been classified by the California State Geologist as MRZ-3a for sand and gravel resources, which indicates the presence of resources of unknown significance. There are no other known mineral deposits or resources within the Modesto Planning Area that are of significant value to the region or the state. Therefore, the proposed project would have no impact to mineral resources. No impacts beyond those analyzed previously in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to geology, soils, or mineral resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, because of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

7 Greenhouse Gases, Climate Change, and Energy

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	☐	☐	☐	■	☐
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases	☐	☐	☐	■	☐
c. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation	☐	☐	☐	■	☐
d. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency	☐	☐	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR discusses greenhouse gas (GHG) and energy impacts on pages 3.7-35 through 3.7-42. The General Plan EIR found impacts related to generation of greenhouse gases and conflict with a greenhouse gas reduction plan to be significant and unavoidable. The General Plan EIR found impacts related to the wasteful, inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency, to be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental

documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

- **AQ-87**. Future development that includes sensitive receptors (such as schools, hospitals, daycare centers, or retirement homes) located within the setback distances from highways, railroads, local roadways, and stationary sources specified below shall require site-specific analysis to determine the level of TAC and PM2.5 exposure. This analysis shall be conducted following methodology and procedures recommended by SJVAPCD and OEHHA. If the site- specific analysis reveals significant exposures, such as cancer risk greater than 20 in one million or acute or chronic hazards with a Hazard Index greater than 1.0, additional measures (described below) shall be required to reduce the risk below the threshold. (Policy VII.H.2.w)

  Setback screening distances:

  - Gasoline dispensing facilities: 300 feet for large facilities (3.6 million gallons of throughput a year or more) and 50 feet for smaller facilities;
  - Dry cleaning facilities: 300 feet for facilities that emit Perchlorethylene;
  - Distribution centers: 1,000 feet;
  - Chrome platers: 1,000 feet;
  - Freeways, urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day or more: 500 feet;
  - BNSF rail line: 800 feet from 2020-2024, and 500 feet for 2025 and later; and,
  - UP rail line: 200 feet east of the rail line and 300 feet west of the rail line from 2020- 2024, and 100 feet east of the rail line and 200 feet west of the rail line for 2025 and later.

  Future non-residential developments containing potentially significant TAC sources would be evaluated in consultation with SJVAPCD to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 20 in one million, or acute or chronic hazards with a Hazard Index greater than 1.0. This analysis shall be conducted following methodology and procedures recommended by SJVAPCD and OEHHA. If the site-specific analysis reveals significant exposures, additional measures shall be required as described below to reduce the risk to below the threshold.

  If the analysis shows the cancer risk exposure is significant, then the project sponsor shall submit performance specifications and design details to demonstrate that lifetime residential exposures would be reduced to a level of

less-than-significant under the applicable threshold subject to approval by the City. The specifications or design standards may include the following or other comparable measures:

- Install air filtration systems rated MERV-13 or higher and a maintenance plan for the air filtration system shall be implemented.
- Plant trees and/or vegetation between sensitive receptors and pollution sources, if feasible. Trees that are best suited to trapping particulate matter shall be planted, including the following: Pine (Pinus nigra var. maritime), Cypress (X Cupressocyparis leylandii), Hybrid popular (Populus deltoids X trichocarpa), and Redwoods (Sequoia sempervirens).
- Design sites to locate sensitive receptors as far as possible from any freeways, roadways, diesel generators, distribution centers, and rail lines.
- Locate operable windows, balconies, and building air intakes as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.

- **AQ-100**. Reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man- made) fugitive dust sources. (Policy VII.H.2.jj)
- **AQ-102**. Reduce PM10 emissions from City–maintained roads to the maximum extent feasible. (Policy VII.H.2.ll)
- **AQ-103.** Effectively stabilize dust emissions using water, chemical stabilizer / suppressant, cover with a tarp or other suitable cover or vegetative ground cover, all disturbed areas, including storage piles, which are not being actively utilized for construction purposes. (Policy VII.H.2.mm)
- **AQ-104.** Effectively stabilize dust emissions using water or chemical stabilizer / suppressant, all onsite unpaved roads and off-site unpaved access roads. (Policy VII.H.2.nn)
- **AQ-105.** Effectively control fugitive dust emissions utilizing application of water or by presoaking all land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities. (Policy VII.H.2.oo)
- **AQ-107**. When materials are transported off site, cover all materials, or effectively wet them to limit visible dust emissions, and maintain at least six inches of freeboard from top of container. (Policy VII.H.2.qq)

- **AQ-108**. Limit operations or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) (Policy VII.H.2.rr)
- **AQ-109**. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles for fugitive dust emissions utilizing sufficient water or chemical stabilizer / suppressant. (Policy VII.H.2.ss)
- **AQ-110**. Within urban areas, immediately remove trackout when it extends 50 or more feet from the site and at the end of each workday. (Policy VII.H.2.tt)
- **AQ-111**. Prevent carryout and trackout for any site with 150 or more vehicle trips per day. (Policy VII.H.2.uu)
- **AQ-112**. Limit traffic speeds on unpaved roads to 15 mph. (Policy VII.H.2.vv)
- **AQ-113**. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent (1%). (Policy VII.H.2.ww)
- **AQ-114**. Install wheel washers for all exiting trucks, or wash all trucks and equipment leaving the site. (Policy VII.H.2.xx)
- **AQ-115**. Install wind breaks at windward side(s) of construction areas. (Policy VII.H.2.yy)
- **AQ-116**. Suspend excavation and grading activity when winds exceed 20 mph (regardless of windspeed, an owner/operator must comply with Regulation VIII's 20 percent opacity limit). (Policy VII.H.2.zz)
- **AQ-117**. Limit the area subject to excavation, grading, and other construction activity at any one time. (Policy VII.H.2.aaa)

Project-Specific Impacts

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The proposed project is residential in nature and is within the buildout envisioned in the General Plan EIR. According to the General Plan EIR, even with implementation of the goals, policies, and actions contained in the General Plan, there is no guarantee that the General Plan alone would be sufficient to limit GHGs to the extent required by federal and state regulations.

The General Plan EIR does not establish a regional quantitative threshold of significance to perform a quantitative GHG emission analysis, and states that such an analysis at the program level is not feasible. Instead, the General Plan EIR qualitatively evaluates policies related to GHGs that are adopted to avoid, minimize, or mitigate significant effects (Policies AQ-1 through AQ-64). These policies address

GHGs, efficient land use design, and transportation efficiency and transportation mode choice. However, the General Plan EIR concludes that impacts involving the generation of GHG emissions would be significant and unavoidable even with the implementation of these policies.

As discussed under Threshold (b), the project, including the off-site improvements, would be consistent with the plans, policies, regulations, and GHG emissions reduction actions/strategies outlined in the General Plan, California Air Resources Board's 2022 Scoping Plan Update, and the Stanislaus County Council of Governments'(StanCOG) 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Furthermore, because the project is consistent and does not conflict with these plans, policies, and regulations, the project's incremental increase in GHG emissions would not result in a new significant impact or in a substantially greater impact than the General Plan EIR projected for buildout of the project site.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As discussed in the General Plan EIR, the General Plan would result in significant impacts if it were to conflict with Assembly Bill 32, Senate Bill 375, and Senate Bill 32, and implementation of the General Plan would generate greenhouse gas emissions that could conflict with these abovementioned regulations.

Several plans and policies have been adopted to reduce GHG emissions in the San Joaquin Valley region, including the City's General Plan, California Air Resources Board's 2022 Scoping Plan Update, and StanCOG's 2022 RTP/SCS, as described in the below subsections.

City of Modesto Urban Area General Plan

The City's General Plan includes policies designed to address GHGs, efficient land use design, and transportation efficiency and transportation mode choice. Table 1 provides a consistency analysis of the proposed project with applicable General Plan policies.

Table 1 Project Consistency with General Plan Policies

Policy	Policy Summary	Consistency Analysis
AQ-1	Promote complete, sustainable, high-quality development	**Consistent.** The project would support infill development, enhance economic activity, and utilize existing infrastructure, contributing to a complete and sustainable urban environment.
AQ-2	Facilitate infill development with infrastructure and incentives	**Consistent.** The project would use existing services and infrastructure, reducing sprawl and supporting compact growth.
AQ-3	Prioritize development within city limits	**Consistent.** Located on vacant land within City limits, the project would maximize infrastructure efficiency.

Policy	Policy Summary	Consistency Analysis
AQ-30	Locate employment uses near transportation access	**Not applicable.** The project is residential in nature and appropriately sited within the Village One Specific Plan and Precise Plan No. 35 South of the Specific Plan, which allows for residential uses.
AQ-31	Design employment centers for walkability and environmental quality	**Not applicable.** The project is residential in nature and appropriately sited within the Village One Specific Plan and Precise Plan No. 35 South of the Specific Plan, which allows for residential uses. The project would include walkable site design, landscaping, buffers, and environmental controls to meet the Specific Plan's design criteria.
AQ-32	Provide multimodal transportation choices	**Consistent.** The project site would support transit, pedestrian, and bicycle access, reducing reliance on single-occupancy vehicles.
AQ-33	Close gaps in pedestrian and bicycle systems	**Consistent.** The project would contribute to pedestrian infrastructure along its frontage and within the site.
AQ-76	Separate pollution sources from sensitive receptors	**Not applicable.** The proposed project is residential in nature and would not be a substantial source of pollution.
AQ-77	Mitigate construction air quality impacts	**Consistent.** Dust and construction emissions would be controlled per SJVAPCD guidelines, including watering and equipment standards.
AQ-85	Comply with SJVAPCD Rule 9510 (Indirect Source Review)	**Consistent.** The project would comply with Rule 9510, incorporating emission-reducing design features.
AQ-89	Integrate air quality into land use and transportation planning	**Consistent.** The project would support air quality goals through infill development and multimodal access.
AQ-100–AQ-105	Control fugitive dust and particulate emissions	**Consistent.** The construction contractor would implement dust control measures during construction and use appropriate paving materials to minimize emissions.
AQ-107	Cover or wet materials during off-site transport	**Consistent.** The construction contractor would require covered or wetted loads with proper freeboard.
AQ-109	Stabilize outdoor storage piles	**Consistent.** The construction contractor would stabilize piles using water or chemical suppressants.
AQ-110	Remove trackout extending 50+ feet	**Consistent.** The construction contractor would remove trackout immediately and at end of each workday.
AQ-111	Prevent carryout/trackout for 150+ trips/day	**Consistent.** The construction contractor would implement trackout control measures as required.
AQ-112	Limit speeds on unpaved roads to 15 mph	**Consistent.** The construction contractor would enforce speed limits on unpaved surfaces.
AQ-113	Prevent silt runoff from sloped sites	**Consistent.** The construction contractor would install erosion control measures like sandbags.
AQ-114	Install wheel washers or wash trucks	**Consistent.** The construction contractor would install wheel washers or wash stations for exiting vehicles.
AQ-115	Install wind breaks at construction sites	**Consistent.** The construction contractor would install wind breaks on windward sides of active areas.

Policy	Policy Summary	Consistency Analysis
AQ-116	Suspend grading when winds exceed 20 mph	**Consistent.** The construction contractor would suspend activities during high winds and comply with opacity limits.
AQ-117	Limit active grading area	**Consistent.** The construction contractor would phase grading to limit disturbed area at any one time.

California Air Resources Board's 2022 Scoping Plan Update

The 2022 Scoping Plan Update provides a strategy that can reach the Executive Order S-3-05 and SB 32 emissions targets if the measures included in the plan are implemented and achieve reductions within the ranges expected. Under the Scoping Plan Update, local government plays a supporting role through its land use authority and control over local transportation infrastructure. Table 2 provides a consistency analysis of the proposed project with applicable 2022 Scoping Plan Update measures.

Table 2 Project Consistency with 2022 Scoping Plan Update

Scoping Plan Measure	Consistency Analysis
SCAQMD Rule 445 (Wood Burning Devices): Restricts the installation of wood-burning devices in new development.	No Conflict -Mandatory Compliance. The project would not include hearths (woodstove and fireplaces) as mandated by this rule.
California Renewables Portfolio Standard, Senate Bill 350 (SB 350) and Senate Bill 100 (SB 100): Increases the proportion of electricity from renewable sources to 33 percent renewable power by 2020. SB 350 requires 50 percent by 2030. SB 100 requires 44 percent by 2024, 52 percent by 2027, and 60 percent by 2030. It also requires the State Energy Resources Conservation and Development Commission to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation.	No Conflict -Mandatory Compliance. The project would utilize electricity provided by Modesto Irrigation District (MID), which is required to meet the 2030, 2045, and 2050 performance standards. In 2022, 48 percent of MID's electricity came from renewable resources. By 2030 MID plans to achieve over 60 percent carbon-free energy.
All Electric Appliances for New Residential and Commercial Buildings (AB 197): All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030.	No Conflict -Mandatory Compliance. The proposed project would be consistent with this requirement.
California Code of Regulations, Title 24, Building Standards Code: Requires compliance with energy efficiency standards for residential and nonresidential buildings.	No Conflict -Mandatory Compliance. The project would be required to meet the applicable requirements of the 2022 Title 24 Building Energy Efficiency Standards (or better).
California Green Building Standards (CALGreen) Code Requirements: All bathroom exhaust fans are required to be ENERGY STAR compliant.	No Conflict -Mandatory Compliance. Project-specific construction plans would be required to demonstrate that energy efficiency appliances, including bathroom exhaust fans, and equipment are ENERGY STAR compliant.
California Green Building Standards (CALGreen) Code Requirements: HVAC system designs are required to meet American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards.	No Conflict -Mandatory Compliance. Project-specific construction plans would be required to demonstrate that the HVAC system meets the ASHRAE standards.

Scoping Plan Measure	Consistency Analysis
California Green Building Standards (CALGreen) Code Requirements: Air filtration systems are required to meet a minimum efficiency reporting value (MERV) 8 or higher.	No Conflict -Mandatory Compliance. The project would be required to install air filtration systems (MERV 8 or higher) as part of its compliance with the 2022 Title 24 Building Energy Efficiency Standards.
California Green Building Standards (CALGreen) Code Requirements: Refrigerants used in newly installed HVAC systems shall not contain any chlorofluorocarbons.	No Conflict -Mandatory Compliance. The project would be required to meet this requirement as part of its compliance with the CALGreen Code.
California Green Building Standards (CALGreen) Code Requirements: Parking spaces shall be designed for carpool or alternative fueled vehicles. Up to eight percent of total parking spaces is required for such vehicles, based on the land use.	No Conflict -Mandatory Compliance. The proposed Project would be consistent with this requirement.
Mobile Source Strategy (Cleaner Technology and Fuels): Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems, and reduction of vehicle miles traveled.	Consistent. The project would be consistent with this strategy by supporting the use of zero-emission and low-emission vehicles through site design and infrastructure; refer to CALGreen Code discussion above.
Senate Bill (SB) 375: SB 375 establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. Under SB 375, CARB is required, in consultation with the State's Metropolitan Planning Organizations, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035.	Consistent. As demonstrated in Table 3, the project would comply with the StanCOG 2022 RTP/SCS, and therefore, the project would be consistent with SB 375.
CCR, Title 24, Building Standards Code: Title 24 includes water efficiency requirements for new residential and non- residential uses.	No Conflict -Mandatory Compliance. Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above.
Water Conservation Act of 2009 (Senate Bill X7-7): The Water Conservation Act of 2009 sets an overall goal of reducing per capita urban water use by 20 percent by December 31, 2020. Each urban retail water supplier shall develop water use targets to meet this goal. This is an implementing measure of the Water Sector of the AB 32 Scoping Plan. Reduction in water consumption directly reduces the energy necessary and the associated emissions to convene, treat, and distribute the water; it also reduces emissions from wastewater treatment.	No Conflict -Mandatory Compliance. Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above.
California Integrated Waste Management Act (IWMA) of 1989 and Assembly Bill (AB) 341: The IWMA mandates that State agencies develop and implement an integrated waste management plan which outlines the steps to divert at least 50 percent of solid waste from disposal facilities. AB 341 directs the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling and sets a Statewide goal for 75 percent disposal reduction by the year 2020.	No Conflict -Mandatory Compliance. The project would be required to comply with AB 341 which requires commercial recycling services. This would reduce the overall amount of solid waste disposed at landfills. The decrease in solid waste would in return decrease the amount of methane released from decomposing solid waste.

Source: California Air Resources Board 2022

StanCOG's 2022 RTP/SCS

With the passage of SB 375 in 2008, Metropolitan Planning Organizations were required to develop an SCS, which must demonstrate an achievable approach to how land use development and transportation can work together to meet GHG emission reduction targets for cars and light trucks. These targets, set by the California Air Resources Board, call for the region to reduce per capita emissions. SB 375 and AB 32 are implemented with the StanCOG 2022 RTP/SCS. The 2022 RTP/SCS envisions an increase in development density that would encourage fewer and shorter trips and more trips by transit, walking, and bicycling in amounts sufficient to achieve the SB 375 targets. Table 3 provides a consistency analysis of the proposed project with applicable 2022 RTP/SCS measures.

Table 3 Project Consistency with StanCOG's 2022 RTP/SCS

Scoping Plan Measure	Consistency Analysis
Goal 1: Mobility and Accessibility	**Consistent.** The proposed project would provide pedestrian facilities that link the project site and other nearby developments.
Goal 2: Social Equity	**Consistent.** The proposed project would new housing opportunities for residents, which is consistent with social equity directives aimed at creating opportunities for local residents.
Goal 3: Economic and Community Vitality	**Consistent**. The proposed project would provide for new housing opportunities, thereby promoting economic and community vitality.
Goal 4: Sustainable Development Pattern	**Consistent**. The project site is located on infill land within an urbanized area, reducing pressure on agricultural and open space lands and supporting compact development.
Goal 5: Environmental Quality	**Consistent**. The project would implement SJVAPCD-compliant dust and emissions controls to reduce GHG emissions.
Goal 6: Safety and Health	**Consistent**. There are no geometric safety concerns with the circulation system. The system includes pedestrian facilities which is consistent with the health policy directives aimed at active transportation.
Goal 7: System Preservation	**Consistent**. The proposed project would connect to a larger network of roadways, bicycle lanes, trails, and sidewalks.
Goal 8: Smart Infrastructure	**Consistent**. The project would incorporate infrastructure to support new residential development.
Goal 9: Resiliency and Reliability	**Consistent.** The project would include resilient design features such as stormwater management, heat-resilient landscaping, and durable materials to adapt to changing climate conditions.
Goal 10: Congestion Management	**Consistent.** The project site's location near a major arterial street supports efficient travel and can reduce congestion by minimizing trips through the urban core.

Source: StanCOG 2022

Conclusion

The proposed project would be constructed in conformance with the most recent iteration of CALGreen and Title 24, which would reduce greenhouse gas emissions associated with project operation. As described in Table 1, Table 2, and Table 3, the proposed project would be consistent with policies and measures within the City's General Plan, the California Air Resources Board's 2022 Scoping Plan Update, and StanCOG's 2022 RTP/SCS. Therefore, the proposed project would not generate a significant impact involving GHGs. The proposed project would not generate GHG emissions that would have a significant impact on the environment or conflict with any applicable plans, policies, or regulations. Impacts would not be substantially greater than those identified in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

d. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The project would involve the use of energy during construction and operation, including fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting; temporary grid power; permanent grid connections for electricity and natural gas; and fuel consumption from increased vehicle trips associated with potential development. The proposed project is consistent with the General Plan buildout, and therefore, energy conclusions from the General Plan EIR apply to the project.

Construction

All construction equipment and operation thereof would be regulated pursuant to the CARB In-Use Off-Road Diesel Vehicle Regulation, which imposes limits on idling, requires all vehicles to be reported to CARB, restricts the addition of older vehicles into fleets, and requires fleets to reduce emissions by retiring, replacing, or repowering older engines, or installing exhaust retrofits. Compliance with the Regulation would improve fuel efficiency of construction vehicles.

Construction equipment would be subject to the USEPA Construction Equipment Fuel Efficiency Standard, which would minimize inefficient fuel consumption. These construction equipment standards are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Electrical power would be consumed during construction activities, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the region.

Based on the above, the temporary increase in energy use during construction of the project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. The project would be required to comply with all applicable regulations related to energy conservation

and fuel efficiency, which would help to reduce the temporary increase in demand. Furthermore, the project would be consistent with the site's existing General Plan land use designation of Residential (R); thus, there would be no new or substantially more severe impacts than what was analyzed in the General Plan EIR, and further analysis is not warranted.

Operation

Operation of the project would contribute to regional energy demand by consuming electricity and natural gas, and gasoline/diesel for motor vehicles. Electricity would be used for lighting, appliances, and water and wastewater conveyance, among other purposes. Gasoline and diesel consumption would be associated with vehicle trips generated by residents and visitors. Natural gas could be utilized for heating and cooling systems, and other purposes.

The project would be subject to all relevant provisions of the most recent update of the California Building Standards Code, including the CalGreen standards, which would ensure that proposed structure would consume energy efficiently. Through compliance with the State's Building Standards Code, as well as applicable General Plan policies, the project would implement all necessary energy efficiency regulations. There would be no new or substantially more severe impacts than what was analyzed in the General Plan EIR, and further analysis is not warranted.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to greenhouse gas emissions or energy, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

8 Hazards and Hazardous Materials

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	■	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	■	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	■	☐
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	■	■	☐
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	■	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR discusses hazardous materials impacts on pages 3.8-38 through 3.8-45. The General Plan EIR found impacts involving the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials, to be less than significant. Impacts related to the handling of hazardous materials within 0.25 mile of a school and the location of development on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962 were also found to be less than significant. The General Plan EIR found less than significant impacts involving airport safety hazards, interference with an adopted emergency response or emergency evacuation plan, and wildland fires.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental

documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

- **HM-5.** In the event that site inspection or construction activities uncover chemical contamination, underground storage tanks, abandoned drums, or other hazardous materials or wastes at a parcel, the inspection report preparer shall so notify the City. The City shall notify the County Health Services Department. Under the direction of these agencies, a site remediation plan would be prepared by the project applicant.

  The plan would (1) specify measures to be taken to protect workers and the public from exposure to potential site hazards and (2) certify that the proposed remediation measures would clean up the wastes, dispose the wastes, and protect public health in accordance with federal, state, and local requirements.

  Permitting or work in the areas of potential hazard shall not proceed until the site remediation plan is on file with the City.

  If a parcel is found to be contaminated to a level that prohibits the proposed use, the potential for reduction of the hazard should be evaluated. Site remediation is theoretically capable of removing hazards to levels sufficiently low to allow any use at the site. In practice, both the technical feasibility of the remediation and its cost (financial feasibility) should be evaluated in order to determine the overall feasibility of locating a specific use on a specific site. In some cases, it may require restriction to industrial use or a use that involves complete paving and covering of the parcel.

  In accordance with OSHA requirements, any activity performed at a contaminated site shall be preceded by preparation of a separate site health and safety plan (prepared by the project applicant and filed with the City) for the protection of workers and the public. All reports, plans, and other documentation shall be added to the administrative record. (UAGP Policy VI.M.3)

- **HM-8.** Applicants for building permits should determine that a site containing or formerly containing residences or farm buildings / structures has been fully investigated for the presence of hazardous materials or wastes prior to issuance of the permit. Investigation should consist of, at minimum, a Phase I environmental site assessment and a Phase II site assessment, if found necessary as a result of the Phase I assessment. The findings of the site assessment should be reported to the City and the County's Department of Environmental Resources. The appropriate remediation should occur prior to final occupancy of the approved development. (UAGP Policy VI.M.6)

Project-Specific Impacts

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

Potentially hazardous materials such as fuels, lubricants, and solvents would be used by heavy machinery during construction of the project. However, the project would comply with goals and policies in the General Plan to eliminate potential significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project would also be required to adhere to federal, state, and local regulations regarding hazardous materials. During grading and construction activities, it is anticipated that limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, would be brought onto the site. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws. Additionally, the construction SWPPP would include BMPs to control accidental spills of equipment fluids and measures for cleanup. Adherence to these regulatory requirements and the SWPPP would ensure that this impact is less than significant.

The proposed project is residential in nature and would not produce or transport hazardous materials. The nearest schools to the project site is Mary Ann Sanders Elementary School located approximately 0.75 miles to the northeast and Freedom Elementary School 0.30 miles to the west from the site. Exposure of people to hazardous materials could occur in the following ways: improper handling or use of hazardous materials or hazardous waste during construction or operation of future developments, particularly by untrained personnel; transportation accident; environmentally unsound disposal methods; or fire, explosion, or other emergencies. However, the project would be required to comply with the regulations, standards, and guidelines established by the USEPA, State, and City of Modesto related to storage, use, and disposal of hazardous materials, as included in the General Plan EIR. Therefore, with compliance with state, federal, and local regulations as well as General Plan policies, no impacts beyond those identified in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The site is not listed on a state hazardous material sites (Envirostor https://www.envirostor.dtsc.ca.gov/public/map). No new or more severe environmental impacts would occur beyond those identified in the General Plan EIR, and the project would not result in significant impacts related to hazardous materials. No impacts beyond those identified in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The nearest airport is the Modesto City-County Airport approximately 3.7 miles southwest of the project site. The project site is located within the Modesto City-County Airport's Airport Influence Area but outside of the noise contours and safety zones (Stanislaus County Airport Land Use Commission n.d.). Therefore, the proposed project would not result in a safety hazard or excessive noise for people working in the project area. No impacts beyond those identified in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project would not remove or impede any established evacuation routes within the City or region and would not conflict with adopted emergency response or evacuation plans. The project would not alter travel lanes on roadways carrying emergency vehicles. Emergency vehicles would have access to the project site via two driveways along Graphics Drive. Therefore, construction and operation of the project would not directly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation. The project would not block access or permanently constrain evacuation routes adopted in an emergency response plan or emergency evaluation plan. No impacts beyond those identified in the General Plan EIR would occur.

☑ **ANALYZED IN THE PRIOR EIR**

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The project site is not within or near State Responsibility Areas (SRA) or lands classified as very high fire hazard severity zones (VHFHSZ). The project site is generally flat and surrounded by numerous firebreaks such as roads and urban development. Therefore, the risk of wildfire on the project site would be low. No impact would occur, and the proposed project would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to hazards and hazardous materials, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified

significant effects that were not discussed in the prior environmental documents. Further, there are no previously identified significant effects which, as a result of substantial new information not known at the time of the previous environmental review, have been determined to have a more severe adverse impact than those discussed in the previous environmental documents. Accordingly, no additional review is required.

9 Hydrology and Water Quality

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	□	□	□	■	□
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	□	□	□	■	□
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) Result in substantial erosion or siltation on- or off-site;	□	□	□	■	□
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;					
(iii) Create or contribute runoff water which would					

		Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
	exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or					
	(iv) Impede or redirect flood flows?					
d.	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	□	□	■	□	□
e.	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	□	□	□	■	□

Analysis in Previous Environmental Documents

The General Plan EIR analyzes impacts on hydrology and water quality on pages 3.9-28 through 3.9-39. The General Plan EIR found that impacts related to violation of water quality standards, groundwater supply and recharge, alteration of existing drainage patterns, release of pollutants due to inundation, and conflict with water quality or groundwater plans would be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

- **FWQ-11.** Construction activities shall comply with the requirements of the City's Storm Water Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (UAGP Policy VI.G.3)
- **FWQ-13.** Ensure that new development complies with the City of Modesto's Stormwater Management Program: Guidance Manual for New Development Stormwater Quality Control Measures. (UAGP Policy VI.G.5)
- **FWQ-14.** Require new development to implement an appropriate selection of permanent pollution control measures in accordance with the City's implementation policies for the municipal NPDES stormwater permit. (UAGP Policy VI.G.6)
- **FWQ-16.** Integrate Low Impact Development principles into proposed development projects' design. Low Impact Development is a storm water management and land development strategy that promotes conservation and use of natural on-site features combined with engineered small-scale hydrologic devices. In designing development projects, minimize the amount of impervious surface in order to maximize on-site infiltration of stormwater runoff and minimize the potential for storm water runoff from the site. (UAGP Policy VI.G.8)

Project-Specific Impacts

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The proposed project could adversely affect surface water quality and groundwater quality through short-term construction-related discharges of wastes, long-term soil erosion from construction and increased discharges of stormwater to drainage channels, and increased long-term discharges of urban pollutants. Nonetheless, as discussed in the General Plan EIR, General Plan policies FWQ-11, FWQ-13, FWQ-14 and FWQ-16 would minimize discharges of urban pollutants to natural waterways and require new development to prepare drainage plans and implement urban runoff control measures. In addition, General Plan policy FWQ-14 would require implementation of permanent pollution control measures such as seeding and planting vegetation for new cut-and-fill slopes, directing runoff through vegetation, and reducing offsite discharge of particulates and sediment to control offsite discharge of urban pollutants. Therefore, impacts on surface water quality and groundwater quality would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The General Plan EIR concluded that implementation and future buildout of the proposed General Plan would not appreciably add to the volume of imperious surfaces in Modesto, when compared to the overall size of the regional groundwater basin recharge area, and that there are adequate water supplies (including groundwater) to serve the projected buildout demand of the General Plan. Development under the project would not include installation of new groundwater wells or use of groundwater from existing wells. Although the project may increase impervious surfaces on the site, development of the project site was anticipated under the General Plan and the project would not use water or prevent recharge at a rate beyond that anticipated in the General Plan. Therefore, the project would have no impacts beyond those previously identified in the prior environmental document, and would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

The project site is currently in active almond orchard production. The proposed project involves the subdivision of the site into 148 low density single-family residential lots and one 3.5 acre park/basin lot, which would increase the rate and amount of surface runoff. Nonetheless, the proposed project would include construction of curbs and gutters along Claus Road as well as the abovementioned park/basin lot to reduce surface runoff and retain/treat stormwater in accordance to City Standards. In addition, the proposed project would be required to comply with General Plan policies outlined above which would require compliance with the City's Stormwater Management Program and Construction General Permit requirements; installation of stormwater drainage facilities; incorporation of Low Impact Development design measures that restrict the amount of post-development runoff from exceeding pre-development conditions; and implementation of post-construction erosion control and stormwater control measures. Therefore, with

implementation of General Plan policies, impacts would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The project site is not located in a tsunami inundation area, nor is there a water body near the project site capable of seiche. The proposed project would be located outside of the 100-year floodplain and would not expose people or structures to a significant risk of loss, injury, or death involving flooding. There would be no impact. Impacts would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The City of Modesto is under the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB requires permits for projects that may affect surface waters and groundwater locally and is responsible for preparing the Water Quality Control Plan for the Sacramento-San Joaquin River Basins (Basin Plan). The Basin Plan designates beneficial uses of water in the region and establishes narrative and numerical water quality objectives. The Basin Plan serves as the basis for the Central Valley RWQCB's regulatory programs and incorporates an implementation plan for achieving water quality objectives. The proposed project would not interfere with the objectives and goals in the Basin Plan. Impacts would be less than significant, and the proposed project would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts on hydrology and water quality, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

10 Land Use, Population, and Housing

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Physically divide an established community?	☐	☐	☐	■	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	■	☐
c. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	■	☐
d. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR addresses impacts to land use, population, and housing on pages 3.10-11 through 3.10-19. The General Plan EIR found that impacts involving physical division of an established community, conflict with an applicable land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect, substantial population growth, and displacement of people or housing would be less than significant.

The following describes the analysis included in the General Plan EIR and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative

impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project: none.

Project-Specific Impacts

a. Would the project physically divide an established community?

The project would not result in new obstructions or divisions between established communities. The project would be limited to the project site and would not include linear or other features that could impede access between or within neighborhoods. Therefore, the proposed project would have no impact and would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The project is consistent with the Village One Specific Plan and Precise Plan No. 35 South allowing for Low Density Residential (R-1) development and would be required to comply with applicable provisions of the Specific Plan and the City of Modesto Zoning Ordinance. Therefore, the proposed project would have a less than significant impact involving conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed project is residential in nature, resulting in 148 new single-family residential lots on 29.2 acres (gross). The adopted Village One Specific Plan as amended allows for low density residential development as provided by the Low Density (R-1) Zone of the Modesto Municipal Code. The 2023-2031 Housing Element of the General Plan documents that the Regional Housing Needs Allocation (RHNA) of the City is 11,248 additional dwelling units, and the project would work towards meeting the needs of RHNA. The project would pose no substantial impacts and would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

"Substantial" displacement would occur if the proposed project would displace more residences than would be accommodated through growth facilitated by the project. The project site is currently in active almond orchard production and contains no existing residences. Therefore, construction and development of the site would not displace people or residences. The project would have no impact and would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to land use, population and housing, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects that were not discussed in the prior environmental documents. Further, there are no previously identified significant effects which, as a result of substantial new information not known at the time of the previous environmental review, have been determined to have a more severe adverse impact than those discussed in the previous environmental documents. Accordingly, no additional review is required.

11 Noise

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	■	☐	☐	☐
b. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	■	☐
c. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	■	☐
d. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels within two miles of a public airport or public use airport?	☐	☐	■	☐	☐
e. For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels?	☐	☐	■	☐	☐

Analysis in Previous Environmental Documents

The General Plan EIR analyzes noise impacts on pages 3.11-17 through 3.11-28. The General Plan EIR found that impacts involving the generation of traffic noise, exposure to railroad noise and groundborne vibration, generation of excessive stationary noise sources, and increases in construction noise and vibration would be significant and unavoidable.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

- **Noise-1.** Construction activities are to comply with Modesto Municipal Code Title 4, Chapter 9.
- **Noise-2.** Implement noise-reducing construction practices as conditions of approval where substantial construction-related noise impacts would be likely to occur, such as with extended periods of pile driving, or where construction is expected to continue or where sensitive receptors would be affected by construction noise. Conditions of approval may include, but are not limited to:
    - Require construction equipment, including air compressors and pneumatic equipment to have properly maintained mufflers;
    - Require impact tools to be equipped with shrouds or shields;
    - Require that the quietest equipment available be used; and,
    - Require selection of haul routes that affect the fewest number of people. (UAGP Policy VII-G.3.b)
- **Noise-5:** Incorporate construction practices and acoustic treatment in new residential construction to reduce typical indoor noise levels to 45 dB. Developers of residential buildings within the 65 dBA contours shown in the General Plan Program EIR shall demonstrate that interior noise has been reduced to 45 dB. Other types of development should be protected against noise intrusion at least to the levels indicated on UAGP Table VII-2. (UAGP Policy VII-G.3.e)
- **Noise-12:** For new residential development proposed in areas within 200 feet of the center of the near mainline of active rail lines where single-event noise from trains is of concern, demonstrate that the proposed development will incorporate measures to reduce maximum noise levels generated during train passbys to 50

dBA Lmax or less inside bedrooms and to *55* dBA Lmax or less inside other noise sensitive occupied areas. (UAGP Policy VII-G.3.l)

- **Noise-13:** For new residential and vibration sensitive commercial development (including but not limited to lodging facilities, hospitals and similar uses) located within 200 feet of the center of the near mainline of active rail lines, demonstrate that the proposed development will incorporate measures to reduce vibration levels generated during train passby events to meet the FTA vibration criteria as shown in Program EIR Table V-3-6. (UAGP Policy VII-G.3.m)

City of Modesto Municipal Code Noise Ordinance

- Generally, the Modesto Municipal Code prohibits any noise that can be deemed "loud and raucous." Determining what noises are "loud and raucous" depends on several factors, such as its volume and duration, whether the nature of the noise is usual or unusual, when the noise occurs, and whether it is recurrent, intermittent, or constant. The Municipal Code prohibits "loud and raucous" construction-related noise before 7:00 am or after 9:00 pm daily. It also forbids the loud and raucous operation of many specific types of construction equipment. For example, it prohibits loud and raucous noise from exhaust of any stationary internal combustion engine.

Project-Specific Impacts

a. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

A Noise and Vibration Assessment was prepared for the proposed project by Illingworth & Rodkin, Inc on October 17, 2024, attached as Appendix A. The study assesses noise and vibration for three separate areas identified as the "Greenlaw Site", "Parklane Site" and "Naraghi Site". The area of the Boulevard VTSM and FDP project is shown as the "Greenlaw" site.

The site is bordered by Claus Road to the west and the BNSF Railway to the east. As shown on the VTSM, the easternmost residential lots would be 50-feet from the centerline of the 100-foot wide BNSF ROW. The Noise and Vibration Assessment recommends mitigation measures (Measure 1a of the Assessment) of noise barriers shown on Figure 4 of the Assessment, as follows:

- Noise barrier walls with minimum top of wall elevation of 8 feet as referenced to the yard grades will be needed along the lot lines backing onto (parallel with) Claus Road, with this 8-foot-tall noise barrier extended approximately 425 feet along the rear property lines of the residential lots on the northern site edged which share a property line with the 'Church Site' to the north.

- Assuming that the Parklane and Greenlaw sites are constructed concurrently or consecutively, noise barrier walls with minimum top of wall elevation of 10 feet as referenced to the yard grades will be needed along the lot lines backing onto and parallel to the BNSF rail line. If the Parklane and Greenlaw

sites are not constructed concurrently or consecutively (i.e. if there is one year or more between the occupation of one of these sites and the construction of the rail line noise barrier for the other), then the noise barrier parallel with the rail line should be continued along the rear property line of the lots at the southern edge of the project site within 400 feet of the rail centerline. This wall should be built to a height of at a height of 10 feet above yard grade closest to the rail line and can be tapered to a height of 6 feet above yard grade at approximately 400 feet for the rail centerline.

Additionally, the assessment recommends mitigation measures (Measure 1b of the Assessment) of acoustical treatment for homes adjacent to Claus Road and the BNSF railroad to reduce interior noise levels, as follows:

- Homes adjacent to Claus Road: with the installation of the noise barriers on Naraghi, Parklane and Greenlaw sites as prescribed in Mitigation Measure 1a (above), the first-floor facades of homes on these project sites adjacent to Claus Road will be exposed to average exterior noise levels of 65 dBA Ldn or less. However, the upper floor residential facades of homes adjacent to this roadway, which cannot be acoustically protected by a ground level barrier, will have a clear view of the roadway traffic will be exposed to average exterior noise levels of up to 77 dBA Ldn at the Naraghi Site, and 76 dBA Ldn at the Parklane and Greenlaw sites.

  Mitigation 1b.1: Interior Noise reduction for homes adjacent to Claus and Milnes Roads:

  a. To achieve the necessary noise reduction required to meet the requirements of the City General Plan standards, some form of forced air mechanical ventilation, satisfactory to the local building official, would be required in all residences with partial or full line of sight to Claus Road traffic.

  b. Given the anticipated exterior noise levels along Claus Road, it may also be necessary to provide sound-rated windows and doors at upper floor residences facing or perpendicular to the roadway to maintain interior noise levels at or below 45 dBA Ldn. The degree of sound mitigation needed to achieve an interior CNEL of 45 dBA or less would vary depending on the final design of the building (relative window area to wall area) and the design of the exterior wall assemblies. However, based on the future exterior noise levels and typical residential construction, we would expect that windows and doors facing or with a view of Claus Road may require Sound Transmission Class (STC) ratings of between 30 and 36.

  c. The specific determination of exterior wall assemblies and window/door STC ratings should be conducted on a unit-by-unit basis during the project design. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to issuance of a building permit.

  Mitigation 1b.2: Interior Noise reduction for homes adjacent to the BNSF rail line:

a. To achieve the necessary noise reduction required to meet the requirements of the City General Plan standards, some form of forced air mechanical ventilation, satisfactory to the local building official, would be required in all residences with partial or full line of sight to trains passing on the BNSF rail line.

b. Given the anticipated exterior noise levels along the BNSF rail line, it will also be necessary to provide sound-rated windows and doors at lower and upper floor residences facing or perpendicular to the rail line to reduce maximum recurring noise levels from train passbys to at or below the 50 dBA bedrooms/55dBA other rooms Lmax30 interior level standards. The degree of sound mitigation needed to achieve these interior noise standards would vary depending on the final design of the homes (relative window/door areas to wall area) and the design of the exterior wall assemblies. However, with the exception of the homes on the lots at the northeastern corner of the Parklane site and the southeastern corner of the Naraghi site near the at-grade crossing, based on typical window/door to wall percentages we expect that sound-rated windows and doors with STC ratings of 28 to 34 may be needed at the first floor facades facing and perpendicular to the rail line, and depending on the STC rating of the exterior walls, windows with STC ratings of 38 to 45 may be needed at the second floor facades facing and perpendicular to the rail line to control maximum instantaneous noise levels to 50 dBA Lmax in bedrooms, 55 dBA Lmax in other habitable rooms. The homes on the lots at the northeastern corner of the Parklane site and the southeastern corner of the Naraghi site near the at-grade crossing will be exposed to Lmax30 levels of up to 97 and 106 dBA and are therefore expected to require additional acoustic design and sound control measures to meet the 50 dBA bedrooms/55dBA other rooms Lmax30 interior level standards.

c. Additional treatments may include, but are not limited to, sound-rated exterior wall construction, acoustical caulking, insulation, acoustical vents, etc. Design measures to limit exterior to interior noise intrusion could also include orienting large windows and doors away from the railroad where possible, locating bedrooms away from the railroad frontage, eliminating all exterior windows and doors from the railroad frontage, and locating single story only homes within close proximity to the rail line.

d. The specific determination of exterior wall assemblies and window/door STC ratings should be conducted on a unit-by-unit basis during the project design. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to issuance of a building permit.

Implementation of the above recommended measures from the Assessment would ensure compliance with General Plan policies Noise-5, Noise-12 and Noise-13, outlined above. Implementation of the recommended measures as conditions of approval for the project would thereby reduce impacts to less than significant.

A Noise and Vibration Assessment was prepared for the proposed project by Illingworth & Rodkin, Inc on October 17, 2024, attached as Appendix A. The study

assesses noise and vibration for three separate areas identified as the "Greenlaw Site", "Parklane Site" and "Naraghi Site". The area of the Boulevard VTSM and FDP project is shown as the "Greenlaw" site.

The site is bordered by Claus Road to the west and the BNSF Railway to the east. As shown on the VTSM, the easternmost residential lots would be 50-feet from the centerline of the 100-foot wide BNSF ROW. The Noise and Vibration Assessment recommends mitigation measures (Measure 1a of the Assessment) of noise barriers shown on Figure 4 of the Assessment, as follows:

- Noise barrier walls with minimum top of wall elevation of 8 feet as referenced to the yard grades will be needed along the lot lines backing onto (parallel with) Claus Road, with this 8-foot-tall noise barrier extended approximately 425 feet along the rear property lines of the residential lots on the northern site edged which share a property line with the 'Church Site' to the north.

- Assuming that the Parklane and Greenlaw sites are constructed concurrently or consecutively, noise barrier walls with minimum top of wall elevation of 10 feet as referenced to the yard grades will be needed along the lot lines backing onto and parallel to the BNSF rail line. If the Parklane and Greenlaw sites are not constructed concurrently or consecutively (i.e. if there is one year or more between the occupation of one of these sites and the construction of the rail line noise barrier for the other), then the noise barrier parallel with the rail line should be continued along the rear property line of the lots at the southern edge of the project site within 400 feet of the rail centerline. This wall should be built to a height of at a height of 10 feet above yard grade closest to the rail line and can be tapered to a height of 6 feet above yard grade at approximately 400 feet for the rail centerline.

Additionally, the assessment recommends mitigation measures (Measure 1b of the Assessment) of acoustical treatment for homes adjacent to Claus Road and the BNSF railroad to reduce interior noise levels, as follows:

- Homes adjacent to Claus Road: with the installation of the noise barriers on Naraghi, Parklane and Greenlaw sites as prescribed in Mitigation Measure 1a (above), the first-floor facades of homes on these project sites adjacent to Claus Road will be exposed to average exterior noise levels of 65 dBA Ldn or less. However, the upper floor residential facades of homes adjacent to this roadway, which cannot be acoustically protected by a ground level barrier, will have a clear view of the roadway traffic will be exposed to average exterior noise levels of up to 77 dBA Ldn at the Naraghi Site, and 76 dBA Ldn at the Parklane and Greenlaw sites.

  <u>Mitigation 1b.1: Interior Noise reduction for homes adjacent to Claus and Milnes Roads:</u>

  a. To achieve the necessary noise reduction required to meet the requirements of the City General Plan standards, some form of forced air mechanical ventilation, satisfactory to the local building official, would be required in all residences with partial or full line of sight to Claus Road traffic.

b. Given the anticipated exterior noise levels along Claus Road, it may also be necessary to provide sound-rated windows and doors at upper floor residences facing or perpendicular to the roadway to maintain interior noise levels at or below 45 dBA Ldn. The degree of sound mitigation needed to achieve an interior CNEL of 45 dBA or less would vary depending on the final design of the building (relative window area to wall area) and the design of the exterior wall assemblies. However, based on the future exterior noise levels and typical residential construction, we would expect that windows and doors facing or with a view of Claus Road may require Sound Transmission Class (STC) ratings of between 30 and 36.

c. The specific determination of exterior wall assemblies and window/door STC ratings should be conducted on a unit-by-unit basis during the project design. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to issuance of a building permit.

Mitigation 1b.2: Interior Noise reduction for homes adjacent to the BNSF rail line:

a. To achieve the necessary noise reduction required to meet the requirements of the City General Plan standards, some form of forced air mechanical ventilation, satisfactory to the local building official, would be required in all residences with partial or full line of sight to trains passing on the BNSF rail line.

b. Given the anticipated exterior noise levels along the BNSF rail line, it will also be necessary to provide sound-rated windows and doors at lower and upper floor residences facing or perpendicular to the rail line to reduce maximum recurring noise levels from train passbys to at or below the 50 dBA bedrooms/55dBA other rooms Lmax30 interior level standards. The degree of sound mitigation needed to achieve these interior noise standards would vary depending on the final design of the homes (relative window/door areas to wall area) and the design of the exterior wall assemblies. However, with the exception of the homes on the lots at the northeastern corner of the Parklane site and the southeastern corner of the Naraghi site near the at-grade crossing, based on typical window/door to wall percentages we expect that sound-rated windows and doors with STC ratings of 28 to 34 may be needed at the first floor facades facing and perpendicular to the rail line, and depending on the STC rating of the exterior walls, windows with STC ratings of 38 to 45 may be needed at the second floor facades facing and perpendicular to the rail line to control maximum instantaneous noise levels to 50 dBA Lmax in bedrooms, 55 dBA Lmax in other habitable rooms. The homes on the lots at the northeastern corner of the Parklane site and the southeastern corner of the Naraghi site near the at-grade crossing will be exposed to Lmax30 levels of up to 97 and 106 dBA and are therefore expected to require additional acoustic design and sound control measures to meet the 50 dBA bedrooms/55dBA other rooms Lmax30 interior level standards.

c. Additional treatments may include, but are not limited to, sound-rated exterior wall construction, acoustical caulking, insulation, acoustical vents, etc. Design measures to limit exterior to interior noise intrusion could also include orienting large windows and doors away from the railroad where possible, locating bedrooms away from the railroad frontage, eliminating all exterior windows and doors from the railroad frontage, and locating single story only homes within close proximity to the rail line.

d. The specific determination of exterior wall assemblies and window/door STC ratings should be conducted on a unit-by-unit basis during the project design. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to issuance of a building permit.

Implementation of the above recommended measures from the Assessment would ensure compliance with General Plan policies Noise-5, Noise-12 and Noise-13, outlined above. Implementation of the recommended measures as conditions of approval for the project would thereby reduce impacts to less than significant.

☒ **LESS THAN SIGNIFICANT OR LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED**

b. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

c. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

The project is residential in nature and would not itself generate excessive noise or lead to a permanent increase in ambient noise levels. Any increase in ambient noise would be construction-related and temporary, and less than significant with mitigation measures from the General Plan Program EIR applied.

☑ **ANALYZED IN THE PRIOR EIR**

d. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

e. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The project site is located 3.7 miles northeast of the Modesto City-County Airport, and approximately 300 feet west of the northerly end of the airstrip operated by the Eastside Mosquito Abatement District. The District utilizes a single prop airplane for mosquito abatement operations. Therefore, the project would not expose people to excessive noise levels from airports or airstrips. No impact would occur.

☑ **NO IMPACT**

Conclusion

With recommended mitigation measures from the Noise and Vibration Assessment applied to ensure compliance with General Plan policies Noise-5, Noise-12 and Noise-13, the proposed project would be consistent with the General Plan and the analysis in the General Plan EIR. The project would not create new significant or substantially more severe or peculiar impacts involving noise, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects that were not discussed in the Assessment or prior environmental document. Further, there are no previously identified significant effects which, because of substantial new information not known at the time of the previous environmental review, have been determined to have a more severe adverse impact than those discussed in the previous environmental documents. Accordingly, no additional review is required.

12 Public Services and Recreation

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
1 Fire protection?	☐	☐	☐	■	☐
2 Police protection?	☐	☐	☐	■	☐
3 Schools?	☐	☐	☐	■	☐
4 Parks?	☐	☐	☐	■	☐
5 Other public facilities?	☐	☐	☐	■	☐
b. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	■	☐
c. Does the project include recreational facilities or require the construction or expansion of	☐	☐	☐	☐	■

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
recreational facilities which might have an adverse physical effect on the environment?					

Analysis in Previous Environmental Documents

The General Plan EIR analyzes impacts to public services and recreation on pages 3.12-22 through 3.12-27. The General Plan EIR found that impacts to public services and recreational facilities would be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

Fire

- **FS-1.** Maintain adequate fire flows in relation to structure size, design, and requirements for construction and/or built-in fire protection systems in accordance with the California Fire Code and adopted local ordinances. Determination of adequate fire flows includes factors such as storage capacity, system gridding, hydrant spacing, and spacing and sizing of water mains. (UAGP Policy VI.K.1)
- **FS-2.** Ensure adequate ingress and egress to all structures for firefighting and rescue purposes independent of privately owned and maintained driveways. Provide protection of life and property through the use of engineered fire protection systems, including roof systems. (UAGP Policy VI.K.2)

Police

The following UAGP policies apply in the Baseline Developed Area and, where relevant, in the Planned Urbanizing Area. In general, however, the Modesto Police Department is only authorized to provide services within the incorporated Modesto city limits.

- **PS-2:** Maintain an adequate personnel level to organize patrol areas, and provide investigative responses to achieve a comfortable and safe community climate

conducive to a high quality of life. To the maximum economic extent feasible, police operations should include proactive law enforcement and administrative efforts, all to be expanded as the City's population grows. (UAGP Policy VI.J.1)

- **PS-3:** Strive to reduce the level of crime below levels of other progressive departments with comparable populations and demographics. (UAGP Policy VI.J.2)
- **PS-4:** Provide sworn officers in sufficient numbers to support basic police services consistent with other progressive departments with comparable populations and demographic statistics. The recommended long-term police staffing goal is a ratio of 1.85 sworn officers per one thousand residents. (UAGP Policy VI.J.3)
- **PS-5:** Strive to provide civilian staff in sufficient numbers to support sworn staff and to support continuing civilianization of services such as Crime Prevention, Investigative Support, Crime Scene Investigation, Accident Reports, and other documentation of incidents and other forms of clerical support. (UAGP Policy VI.J.4)
- **PS-6:** Maintain efforts to educate the public about crime deterrence through programs like the Neighborhood Watch Program within residential neighborhoods, Traffic Watch Program on residential streets, and the Business Watch Program within commercial and industrial areas. (UAGP Policy VI.J.5)
- **PS-7.** Review proposed projects in order to evaluate security features, encourage Crime Prevention Through Environmental Design (CPTED), and evaluate traffic flow with respect to speed and collision mitigation. Ensure that the following CPTED principles, as modified by periodic amendments thereto, are incorporated in specific sites and situations, including new development.
  - Territoriality is a design concept that clearly delineates private space from semi- public and public spaces and also creates a sense of ownership. Ownership thereby creates an environment where appearances of such strangers and intruders stand out and are more easily identified through:
    - The enhanced feeling of legitimate ownership by reinforcing existing natural surveillance and natural access control strategies with additional symbolic or social ones;
    - The design of space to allow for its continued use and intended purpose; and,
    - The use of pavement treatments, landscaping, art, signage, screening and fences define and outline ownership of space.
  - Natural surveillance is a design concept directed primarily at keeping intruders under observation. Provision of natural surveillance helps to create environments where there is sufficient opportunity for people engaged in their normal behavior to observe the space around them. Areas can be designed so they are more easily observed through:

- Design and placement of physical features to maximize visibility. This may include: building orientation, windows, entrances and exits, parking lots, refuse containers, walkways, guard gates, landscape trees and shrubs, use of wrought iron fences or walls, signage and other physical obstructions;

- Placement of persons or activities to maximize surveillance possibilities; and,

- Minimum maintained lighting standards that provide for nighttime illumination of parking lots, walkways, entrances, exits, and related areas to promote a safe environment.

▫ Access control is a design concept directed primarily at decreasing criminal accessibility. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas where they will not be easily observed. Intruders are more readily recognized through:

- The use of sidewalks, pavement, gates, lighting and landscaping to clearly guide the public to and from entrances and exits; and,

- The use of gates, fences, walls, landscaping and lighting to prevent or discourage public access to or from dark or unmonitored areas.

▫ Activity support is the presence of activity planned for the space, and involves placing activity where the individuals engaged in an activity will become part of the natural surveillance system. Examples include:

- Place safe activities in areas that will discourage would-be offenders, to increase the natural surveillance of these activities and the perception of safety for normal users, and the perception of risk for offenders;

- Place high-risk activities in safer locations to overcome the vulnerability of these activities by using natural surveillance and access control of the safe area;

- Locate gathering areas in locations that provide for natural surveillance and access control or in locations away from the view of would-be offenders; and,

- Improve the scheduling of space to allow for effective use and appropriate intensity of accepted behaviors.

▫ Proper maintenance of landscaping, lighting treatment, and other features can facilitate the principles of CPTED. Functions include:

- Proper maintenance of lighting fixtures to prescribed standards;

- Landscaping that is maintained at prescribed standards; and,

  - Minimizing the conflicts between surveillance and landscaping as groundcover, shrubs and trees mature. (UAGP Policy VI.J.6)

- Parks and Open Space Develop non-motorized connections as discussed in the Non-Motorized Transportation Plan such as multi-use paths or sidewalks and bike lanes, to ensure adequate connectivity from the surrounding neighborhoods. (UAGP Policy VI.H.5)

- **POS-9:** Provide at least one neighborhood park within each Park Planning Area. The neighborhood park should be centrally located within the Park Planning Area and have a service radius of one-half to three-quarters of a mile. The neighborhood park should have one collector street frontage and the remaining sides should front on residential streets. The minimum size for a neighborhood park shall be seven acres or the total acreage based on two acres of park land per one thousand population within the Park Planning Area, whichever is greater. (UAGP Policy VI.H.6)

- **POS-10:** The Community Park Service Area is that area within a radius of approximately one to one-and-one-half miles of the community park site. The community park should have major street frontage and the remaining sides may front on residential streets. The minimum size for a community park should be twenty-five acres or the total acreage based on one acre of park land per one thousand population within the Community Park Service Area, whichever is greater. (UAGP Policy VI.H.7)

- **POS-11:** The policies and standards for the development of the park system within the Planned Urbanizing Area differ in several respects from those in the Baseline Developed Area. These policies and standards will be implemented through each Specific Plan, in conjunction with the relevant Comprehensive Planning District policies presented in Chapter III [of the UAGP]. (UAGP Policy VI.H.8)

- **POS-12:** The acreage standards related to Neighborhood and Community Parks are considered minimums. Park acreage may be increased beyond the minimum standard acreage at the option of a developer with additional contiguous, clean and usable parkland, as long as the additional land is fully dedicated and design and construction are fully funded at no additional cost to the City or associated park development fee program. These acreage standards may be enhanced by additional open space to meet unique characteristics of the Specific Plans for each new Comprehensive Planning District. (UAGP Policy VI.H.9)

- **POS-13:** Where dual-use park / basin facilities exist, only acreage owned or otherwise controlled exclusively by the City in perpetuity will count toward minimum park acreage standards. Park acreage credit for dual-use facilities shall be calculated in accordance with the standards and criteria contained in the City of Modesto's Design Standards for Dual Use Flood Control/Recreation Facilities manual. In contrast to the Baseline Developed area, School District open space does NOT count towards minimum park acreage requirements within the Planned Urbanizing Area. (UAGP Policy VI.H.10)

- **POS-14:** Design and construct dual-use facilities in accordance with the standards and criteria contained in the "Design Standards for Dual use Flood Control / Recreation Facilities" manual. (UAGP Policy VI.H.11)
- **POS-15:** Provide at least one neighborhood park within each residential neighborhood. The neighborhood park should be centrally located within the neighborhood and have a service radius of one-half to three-quarters of a mile. The neighborhood park should have one collector street frontage, and the remaining sides should front on residential streets. The minimum size for a neighborhood park shall be seven acres or the total acreage based on one acre of park land per one thousand population within the neighborhood, whichever is greater. (UAGP Policy VI.H.12)
- **POS-16:** The Community Park Service Area is that area within a radius of approximately one to one-and-one-half miles of the community park site. The community park should have one major street frontage and the remaining sides may front on residential streets. Community parks should not back up to residential lots. The minimum size for a Community Park should be forty acres or the total acreage based on two acres of park land per one thousand population within the Community Park Service Area. (UAGP Policy VI.H.13)
- **POS-17:** Figure VI-D-1 [of the UAGP] presents the existing (2014) park system. Section VI.D.2 [of the UAGP] presents a variety of policies applying to parks within the Baseline Developed Area. (UAGP Policy VII-B.6[a]) POS-18: Within the Planned Urbanizing Area, development of new parkland and open space shall be accomplished through the application of specified performance standards presented in Section VI.D.3 [of the UAGP]. (UAGP Policy VII-B.6[b]) POS-19: The regional park systems for Dry Creek and the Stanislaus and Tuolumne Rivers are defined in Chapter III, as follows: the Stanislaus River Comprehensive Planning District; the Tuolumne River Comprehensive Planning District; and, the Dry Creek Comprehensive Planning District. (UAGP Policy VII-B.6[c])
- **POS-20:** Visual corridors of the river will be protected and enhanced. (UAGP Policy VII B.7[a]) POS-21: Visual corridors and access points on the riverfront will be recreated through redevelopment. (UAGP Policy VII-B.7[b])
- **POS-22:** Identifiable park entrances will be created. A comprehensive program of park signage and graphics will be developed. (UAGP Policy VII-B.7[c])
- **POS-23:** Adequate circulation throughout the park will be provided in order to accommodate pedestrians, bicyclists, and vehicles, as well as equestrians and boaters, if appropriate. Opportunities for park access via public transportation will be provided. (UAGP Policy VII-B.7[d])
- **POS-24:** Active and passive recreational areas with universal access will be created. (UAGP Policy VII-B.7[e])
- **POS-25:** Vehicular and pedestrian connections to the park that are direct and user-friendly will be provided. (UAGP Policy VII-B.7[f])
- **POS-26:** Adequate parking for park activities will be provided. (UAGP Policy VII-B.7[g])

- **POS-27:** A continuous trail linkage will be provided throughout the park that includes a range of experiences. (UAGP Policy VII-B.7[h])
- **POS-28:** Public access points and linear foot and bike paths will be incorporated into residential redevelopment as discussed in the Non-Motorized Transportation Master Plan. (UAGP Policy VII-B.7[i])
- **POS-29:** Riverfront vegetation will be consistent with riparian habitat zones. (UAGP Policy VII-B.7[j])
- **POS-30:** Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses dependent on such resources shall be allowed within such areas (e.g., nature education and research, fishing and habitat protection). (UAGP Policy VII-B.7[k])
- **POS-31.** Sensitive habitats and natural areas, including wetlands and riparian corridors, will be protected and enhanced, when feasible. (UAGP Policy VII-B.7[l])
- **POS-32.** Existing wildlife habitat areas will be protected and enhanced, when feasible. (UAGP Policy VII-B.7[m])
- **POS-33.** Aquatic species and habitat will be protected and enhanced, when feasible. (UAGP Policy VII-B.7[n])
- **POS-34:** The natural forces influencing the development of recreational areas, including potential flooding, prevailing winds, sun orientation, and topography will be considered during design. (UAGP Policy VII-B.7[o])
- **POS-35:** A flood management program that provides protection from catastrophic flooding and contributes to the ecological values of the river corridor will be promoted. (UAGP Policy VII-B.7[p])
- **POS-36:** The scenic resources of Public Trust lands and resources shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect scenic views associated with Public Trust lands and resources. (UAGP Policy VII-B.7[q])
- **POS-37:** Areas to accommodate multiple purposes and changes in recreational preferences over time will be developed. (UAGP Policy VII-B.7[r])
- **POS-38:** Park and trail systems will be expanded as land becomes available. (UAGP Policy VII-B.7[s])
- **POS-39:** Adequate support facilities for recreational activities will be developed. (UAGP Policy VII-B.7[t])
- **POS-40.** Historical and archaeological resources will be preserved and protected, when feasible. The locations of archaeological resources will not be disclosed to the public. (UAGP Policy VII-B.7[u])
- **POS-41:** Support the California State Parks Department's efforts to provide additional recreational opportunities within the City. (UAGP Policy VII-B.7[v])

- **POS-42:** Support the findings and recommendations discussed within the California State Parks' Central Valley Vision Report as well as subsequent studies that pertain to the city. (UAGP Policy VII-B.7[w])

Schools

An objective of the UAGP is to place a hierarchy of schools near the residential areas that they may serve, to maximize the opportunity for children to walk or bike to school, minimize the extent of busing, reduce the use of private vehicles, and maximize the use of adjoining school and park facilities.

The UAGP has the following policies relating to schools:

- **S-1:** Neighborhoods should contain sufficient K-12 schools necessary to serve them. Locate schools on Collector streets, preferably at or near the intersection of two Collector streets. Locate neighborhood parks (see Chapter VI for parks standards) adjacent to school sites. New schools and parks should be surrounded by streets on all sides wherever possible to encourage access by walking and bicycling. (UAGP Policy III-C.8)
- **S-2:** For families with young children, the proximity of schools within easy walking distance is a strong criterion in their evaluation of housing choices. School districts are encouraged to involve the City in deliberations regarding any contemplated school closures as early as possible. Consistent with state statutes, school districts are encouraged to include extensive community participation in the process to close any existing schools. (UAGP Policy VI.I.1)
- **S-3.** Continue to require that developers pay, prior to issuance of any building permit, the maximum residential, commercial, and industrial development school fees in effect. This requirement is in accordance with the provisions of State law. (UAGP Policy VI.I.2)
- **S-4:** Directly involve School Districts in the lead time for planning of infrastructure. (UAGP Policy VI.I.3)
- **S-5:** Public schools should be central to neighborhoods. Schools, placed conveniently to the residents to be served, will maximize opportunities for students to walk and bike to school. Opportunities should be explored for joint school / park development when planning new schools. The option for joint acquisition and development of school and park sites should be continued. (UAGP Policy VI.I.4)
- **S-6:** Land for new school facilities should generally meet the following minimum space requirements:
  - Elementary schools—ten (10) acres (gross)
  - Middle schools or junior high schools—20 acres (gross)
  - High schools—50 acres (gross). (UAGP Policy VI.I.5)
- **S-7:** All of the policies for "Public Schools – Baseline Developed Area" apply equally in the Planned Urbanizing Area. (UAGP Policy VI.I.6).

Project-Specific Impacts

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The proposed project is residential in nature with a proposed Vesting Tentative Subdivision Map to divide the 29.2-acre site into 148 single-family residential lots. New home construction would be required to comply with relevant California Fire Codes and would also be required to comply with General Plan policies FS-1 and FS-2, which require adequate fire flows and ingress/egress for fire protection vehicles for new development.

The closest fire station to the project site is Fire Station 9 located approximately 0.75 miles south of the site at 4025 Fara Biundo Drive. The proposed project would be consistent with the buildout assumed in the General Plan EIR and would be in an urbanized area already served by existing Modesto Fire Department facilities. The proposed project would not create excessive demand for fire services or introduce development to areas outside of normal service range that would necessitate new or substantially fire police protection facilities. Therefore, this impact would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The proposed project would involve the development of 148 new single-family residential lots. The closest police station to the project site is located approximately 5.5 miles southwest of the site at 600 10th Street. The proposed project would be consistent with the buildout assumed in the General Plan EIR and would be in an urbanized area already served by existing Modesto Police Department facilities. The proposed project would not create excessive demand for police services or introduce development to areas outside of normal service range that would necessitate new or substantially altered police protection facilities. Therefore, this impact would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The proposed project involves the development of 148 new residential lots and could potentially add students to the Sylvan School District and Modesto City Schools. As discussed in the General Plan EIR, existing schools could not sufficiently accommodate the increase in new students generated by development under the General Plan. However, future development, including the proposed project, would be required to pay school impact fees pursuant to Government Code Section 65995 to mitigate impacts to schools. Therefore, this impact would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Refer to thresholds b and c.

a.5. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?

The proposed project does not include and would not require new or physically altered governmental facilities. Therefore, this impact would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed project involves the development of 148 new residential lots and would induce population growth that could substantially increase the use of existing recreational facilities, or require the construction or expansion of recreational facilities. As part of the project, a 3.5-acre community park/storm basin is to be developed in the center of the tentative map area. Therefore, this impact would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to public services and recreation, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects that were not discussed in the prior environmental document. Further, there are no previously identified significant effects which, as a result of substantial new information not known at the time of the previous environmental review, have been determined to have a more severe adverse impact than those discussed in the previous environmental documents. Accordingly, no additional review is required.

13 Transportation and Circulation

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	■	☐
b. Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☐	■	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	■	☐
d. Result in inadequate emergency access?	☐	☐	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR discusses transportation and circulation impacts on pages 3.1-32 through 3.13-38. The General Plan EIR found impacts involving increases in VMT to be significant and unavoidable. The General Plan EIR found impacts involving conflict with a program, plan, policy, or ordinance addressing the circulation system, transportation hazards, and inadequate emergency access to be less than significant.

The following describes the analysis included in the General Plan EIR and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The purpose of Modesto's transportation system is to move people and goods safely, conveniently, and efficiently. The system should provide transportation choices that are safe, reliable, effective, and economical for all users to decrease household transportation costs, improve air quality, reduce greenhouse gas emissions, and promote public health. The following policies are applicable to the proposed project.

- Street Designations: The following describes policies related to general street designations.
- TC-14: Roadway Facilities. There are seven major roadway facility types in Modesto as shown on the UAGP Circulation diagram and listed below. (UAGP Policy V-H.1)
- Freeway. This classification defines the highest volume, total access-control highways with high design speeds (55-65 mph).
- State Highway. This classification applies to streets that are acquired, laid-out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization. This facility type can be designated a freeway, expressway, arterial, or other roadway classification,
- Expressway. The purpose of an expressway is to facilitate automobile and transit trips across town rapidly.
- Arterial Street. Arterials allow movement of people by all modes and provide safe and convenient access to businesses for people using any travel mode. Arterial streets may be classified either as principal or minor arterials. A principal arterial typically has six lanes, while a minor arterial has four lanes. All arterials should have on-street bicycle facilities. Driveway access from fronting properties should be designed according to the City's Standard Specifications.
- Collector Street. Collectors are primarily lined with residential development and serve a function similar to that of local streets, but with higher traffic volumes. Collector streets serve pedestrian and bicycle traffic, as well as automobiles and sometimes transit. Collectors may be classified either as "major" or "minor;" a major collector typically has four lanes, while a minor collector has two lanes. Driveway access from fronting properties should be designed according to the City's Standard Specifications.
- Local Street. The primary purpose of local streets is to connect people to their neighbors and neighborhood. Cars are not excluded, but they are not the focus of transportation. Driveway access from fronting properties should be designed according to the City's Standard Specifications.
- Downtown Street. All downtown streets are designated as collectors, and downtown collector streets function differently from collector streets in other parts of the city. All downtown streets are constrained and will not be widened except as noted in Policy V.A.8. Certain downtown streets are expected to carry through traffic. These include:
- D Street (State Route 132)

- G and H Streets
- K and L Streets (State Route 108)
- 9th Street (State Route 132)
- Paradise Road
- TC-15: Expressways. This classification defines high-volume, access-controlled roadways. Street Details in the City of Modesto's Standard Specifications illustrate the intersection cross-section requirements for expressway intersections with arterial and collector streets.
- This General Plan provides for a system of expressways throughout the City. The City will continue to include these expressways in its Circulation and Transportation plan and to implement them in cooperation with the development community according to applicable design standards.
- Regulate and limit the number and design of expressway access locations in order to ensure the overall operational viability of expressways in the community.
- Any consideration of access to expressways is contingent on the ability of an applicant to provide a properly designed solution consistent with the adopted City standard specifications for access to expressways. The City Engineer may approve variations and deviations from adopted standard specifications pursuant to Section 7-1.701(I)(2) of the Municipal Code.
- Any access to expressways from private parcels will be at the sole expense of the property owner, including any reconstruction of the expressway that may be necessitated.
- The City may allow expressway access to non-residential uses on a case-by-case basis per the following criteria:
- When an applicant demonstrates to the City Council's satisfaction that economic purposes are clearly restricted by denial of access to a particular parcel, and when the applicant demonstrates to the City Council's satisfaction that there are either no or only highly restrictive alternative access solutions available to a particular parcel under consideration; or,
- For infill site developments, when an applicant demonstrates to the City Council's satisfaction that the economic benefits derived from development of the remnant parcel override the need to limit access to that parcel; or,
- It is recognized that City of Modesto emergency facilities, such as police and fire stations, will be located from time to time on expressways and, further, that direct access is desirable. In these cases, direct access is allowed subject to approval by the City Engineer. Design of such access should have City Council approval prior to implementation.
- The City has adopted access management policies that include design standards for expressway access (General Plan Amendment 2001-02, August 28, 2001, modified by General Plan Amendment 2010-01). The purpose of the guidelines

and design standards is to provide safe ingress and egress to adjacent parcels while at the same time not degrading the carrying capacity, flow, and efficiency of the expressway. (UAGP Policy V-H.15)

- Circulation and Transportation Policies – Overall: The Citywide Transportation goal is to provide meaningful transportation choices, increase non-automobile mode share and facilitate the provision of complete streets. This will be accomplished through the provision of transportation choices that are safe, reliable, effective, and economical for all users with the goal to decrease household transportation costs, improve air quality, reduce greenhouse gas emissions, and promote public health. The transportation system will be robustly multi-modal, recognizing that adding capacity for automobiles is often the least cost-effective improvement. The following policies are aimed to achieve this goal.
- TC-17. Gap Closures: Identify gaps in the pedestrian and bicycle transportation systems and plan facilities to close those gaps. (UAGP Policy V.A.1)
- TC-18. Encourage Pedestrians and Bicycle Use. Streets, pedestrian paths, and bike paths contribute to a system of fully-connected routes to all destinations. Their designs encourage pedestrian and bicycle use when small and spatially defined by buildings, trees, and lighting, and when high-speed traffic is discouraged. (UAGP Policy V.A.2)
- TC-19: Transportation Improvement Program. Prepare and maintain a citywide transportation improvement program for all modes of travel, considering the development context when selecting which improvements should be included in the Capital Improvement Program. (UAGP Policy V.A.3)
- TC-20: Capital Facilities Fee Program. Update and maintain a Capital Facilities Fee program to contribute to multi-modal transportation improvement projects of local and regional significance. (UAGP Policy V.A.4)
- TC-21: Mediating Mode Conflicts. In the case of conflict between motorized and non-motorized transportation modes, roadway or right-of-way features may be added or altered to protect pedestrians and bicyclists, consistent with Urban Area General Plan goals. (UAGP Policy V.A.5)
- TC-22: Level of Service and Mitigating Travel Demand. Over time, improve both the Level of Service and Quality of Service (see Tables V-1 and V- 2, respectively) for all transportation modes (vehicle, transit, bicycle and pedestrian) on City roadways consistent with the financial resources reasonably available to the City and without unreasonably burdening property owners or developers. On roadways where the automobile LOS is expected to be level F, consider mitigation measures other than road widening, such as the addition of bicycle lanes, improved pedestrian access, improved transit service, and the establishment of walkable development patterns to improve the quality of service for all travel modes. (UAGP Policy V.A.6)
- TC-23: Complete Streets. Where traffic volumes, development types and access patterns provide opportunity, a four-lane street may be narrowed to a two-lane street, with a center turn lane, in order to better accommodate on-street parking,

bicycle facilities and other amenities. These types of complete street retrofit projects are generally intended to enhance facilities for non-motorized travel modes, within an existing right-of-way, without resulting in reduced functionality for the motoring public. Maintaining high-quality transit service is equally important. (UAGP Policy V.A.7)

- TC-24: Constrained Streets. Many streets in the built city are constrained from further widening by existing development, as shown in Table 3.13-3 For street segments identified in the table below right-of-way dedications in conjunction with any development will be limited to obtaining that necessary to close a gap in:
- The number of vehicle lanes;
- Bicycle lanes;
- Sidewalk/curb/gutter; or,
- Be a feasible mitigation measure that can't otherwise be achieved by means such as restriping within the existing right-of-way. Standard design specifications such as travel lane width or intersection design criteria may be waived or modified at the discretion of the City Engineer. Additional right-of-way may be needed at key arterial / arterial intersections to allow for turning lanes, if appropriate at any particular location(s). (UAGP Policy V.A.8)

Table 3.13-3. City of Modesto Constrained Streets

Constrained Streets	
Street	Segment
Briggsmore Avenue	Sisk Road to Oakdale Road
Coffee Road	Scenic Drive to Claratina Avenue
Dale Road	Standiford Avenue to Pelandale Avenue
Hatch Road	Carpenter Road to 7th Street / SR 99
Lakewood Avenue	Scenic Drive to Briggsmore Avenue
McHenry Avenue	Needham Street to Granger Avenue
Oakdale Road / El Vista Avenue	Sylvan Avenue to Yosemite Boulevard
Orangeburg Avenue	Evergreen Avenue to Coffee Road
Paradise Road	1st Street to Carpenter Road
Scenic Drive	Burney Street to Claus Road
Sisk Road	Briggsmore Avenue to Kiernan Avenue
Standiford Avenue / Sylvan Avenue	Dale Road to Oakdale Road
Tully Road	Pelandale Avenue to 9th Street
Yosemite Boulevard	D Street to general plan boundary
All downtown streets	

Source: City of Modesto.

The City also intends to reduce per capita automobile vehicle miles traveled and per capita automobile trips through the implementation of the following policies.

- TC-25: Street Grid. Design roadways and roadway connections to: provide a grid street system featuring short blocks and frequent connections to collectors and arterials to improve connectivity and accessibility for all modes; increase route choice; better accommodate public transit services; and, reduce trip lengths, traffic congestion, and pollution. To promote walking, limit block size to no more than 600 feet on a side, and provide internal access via alleys or walkways (any block-face less than 400 feet long need not have alleys or walkways). Cul-de-sacs are discouraged; when deemed necessary, cul-de-sacs should include pedestrian and bicycle connections to the greatest extent possible. (UAGP Policy V.B.1)
- TC-26: Intersection Density. Frequent multiple-leg intersections increase street connectivity and walkability, while reducing trip lengths. Intersection density will be used to measure the degree of walkability of an area where streets have not yet been laid out. LEED ND defines walkability as a minimum threshold of 140 intersections per square mile. Higher intersection density indicates that an area is more walkable. For reference, Modesto's one-square-mile downtown grid contains approximately 140 intersections. (UAGP Policy V.B.2)
- TC-27: Street or Alley Closures. Any street or alley closures or abandonments will be evaluated for their impact on walkability and vehicle miles traveled. (UAGP Policy V.B.3)
- As the City develops, revisions to the transportation system should be considered in a context-sensitive manner and the effects of new development and changes to the City's transportation infrastructure on all modes of travel (train, bus, car, bicycle, and walking) should be evaluated.
- TC-28: Transportation Study Thresholds. For CEQA purposes, the following are Modesto's thresholds for performing transportation studies.
- Downtown Area: This area is exempt from automobile Level of Service standards and no traffic impact analysis will be required for new development.
- Baseline Developed Area: If a proposal is consistent with the Urban Area General Plan, no traffic impact analysis will be required. If a general plan amendment is needed, a traffic impact analysis may be required if the proposal would result in at least 100 peak hour trips above and beyond what was assumed in the analysis for the Urban Area General Plan Master Environmental Impact Report, if determined to be necessary. LOS "D" is the significance threshold.
- Planned Urbanizing Area: In new specific plan areas that are outside city limits, a traffic study may be required if project-related traffic, as measured in Average Daily Trips, is expected to be at least ten percent (10%) greater than anticipated to result from the General Plan land use designations. The purpose of such a study would be to determine the amount of feasible automobile-oriented and non-auto-oriented mitigation associated with the project. Once a specific plan has been approved and the area annexed to the city, traffic study policies for the Baseline Developed Area will apply. LOS "D" is the significance threshold. (UAGP Policy V.C.1)
- TC-29: Traffic Study. If required, a Comprehensive Traffic Study should conform to the City of Modesto Traffic Impact Study Criteria. These Criteria will

be amended to reflect general plan goals and policies, including definition of metrics for all both motorized and non-motorized transportation modes. (UAGP Policy V.C.2)

- TC-30: Travel Mitigation Downtown. Streets and roads in the downtown area are constrained (see Policy V.A.6). Transportation mitigation may be applied to projects in that area to facilitate non-automobile travel through means such as sidewalk widening and adding bicycle lanes and increasing transit service. (UAGP Policy V.C.3)
- TC-31: Downtown Site Access Study. If it is determined that a site access study is needed to analyze proposed development in the downtown area, that study should evaluate movement conflicts across all modes (walking, bicycle, car, bus, train) with an emphasis on facilitating non- automobile travel. (UAGP Policy V.C.4)
- TC-32: Travel Mitigation Outside of Downtown. Outside of the downtown area, consider and balance the effects of automobile traffic mitigation on non-automobile travel – particularly in areas where the city is attempting to improve conditions that support non-automobile travel – when considering solutions to traffic circulation problems. (UAGP Policy V.C.5)
- TC-33: Prioritizing Transportation Investments. Strive to achieve high quality of service for each non-automobile travel mode appropriate to the location in the City.
- Downtown Area: Pedestrian and bus quality of service should be A/B. Bicycle quality of service should be C/D or better.
- Baseline Developed Area: Pedestrian quality of service should be C/D on arterial streets and A/B on local and collector streets. Bicycle quality of service should be A/B on local and collector streets, C/D on arterial streets, and E/F on expressways. Bus quality of service should range from C/D to E/F, depending upon boardings. Consider improving accessibility along impacted routes by implementing Transportation Demand Management strategies. (UAGP Policy V.C.6)
- TC-34: Corridor Studies. Prepare corridor planning studies for the following roads and other roadways as deemed appropriate (See also Policies III.C.1, C.2, and C.7) (UAGP Policy V.C.7):
- State Route 108/McHenry Avenue;
- Crows Landing Road;
- Paradise Road;
- State Route 132/Yosemite Boulevard; and,
- North 9th Street.
- Roadway: Specific roadway policies have the goal of improving the roadway network for safety and public health to support a healthy, safe Modesto by reducing trip lengths and vehicle miles traveled per capita, reducing collision

rates, supporting the increased use of alternative modes, and helping reduce greenhouse gas emissions and other air pollutants, while balancing the transportation needs of all travelers. Specific Policies to achieve these goals include:

- TC-35: Coordinate Planning Efforts. Coordinate the City's streets and highways system with Caltrans', the County's, and other jurisdictions' existing facilities and plans. (UAGP Policy V.H.3)
- TC-36: Transportation Demand Management. Prepare and maintain a Transportation Demand Management Plan that includes a focus on the Downtown area to reduce automobile trips and single-occupancy vehicle trips. (UAGP Policy V.H.4)
- TC-37: Driveway Consolidation. Consolidate driveways to reduce potential vehicle-pedestrian conflicts. (UAGP Policy V.H.5)
- TC-38: Advanced Technology. Coordinate with Caltrans to promote the application of advanced technology to help manage congestion and enhance roadway capacity and safety. (UAGP Policy V.H.6)
- TC-39: Roundabouts. The City of Modesto Roundabout Policies (City Council Resolution 2004-451 as amended) provide guidance that pertains to the development of the roundabouts. (UAGP Policy V.H.7)
- TC-40: Intersection Control. The type(s) of intersection control(s) (e.g. traffic signal, traffic circle, etc.) will be determined by the City Engineer at the time of project design. (UAGP Policy V.H.8)
- TC-41: Standard Specifications. The City's Standard Specifications Manual applies to the construction of new roadway facilities. More design detail is provided in the City's adopted Standard Specifications. Update the Standard Specifications to be consistent with the General Plan. (UAGP Policy V.H.9)
- TC-42: Transportation Priorities Near Downtown Multi-Modal Transportation Center. Evaluate the function and priorities of streets near the downtown multi-modal transportation center. (UAGP Policy V.H.12)
- TC-43: Truck Routes. Evaluate the need to identify new truck routes and the potential abandonment of existing truck routes due to increased truck traffic, increased size of trucks, and conflicts with pedestrian-oriented areas and noise-sensitive land uses. (UAGP Policy V.H.13)
- TC-44: Reduce Parking Demand Downtown. Reduce parking demand downtown through a Parking Management Plan that addresses pricing, on-street parking restrictions, smart meters, locations of public parking structures, carpool parking, car rental, car sharing, and electric vehicle parking. (UAGP Policy V.H.14)
- Bicycle: Overall goals for Bicycle use are to increase bicycle trips and reduce automobile trips by making bicycling easier and more convenient and by eliminating safety concerns as a barrier to the use of bicycles for transportation. This goal would be achieved thought the implementation of the following policies.

- TC-45: Bicycle Facility Types. The bicycle network consists of these facility types:
- Class I Bicycle Facility (Bike Path): A Class I facility is grade-separated from the road, is primarily for recreational purposes, and often has limited connectivity to the road network.
- Class II Bicycle Facility (Bike Lane): A Class II facility is delineated by a lane stripe and sometimes a buffer in the traveled roadway. It is used primarily for transportation, provides excellent connectivity with the road network, and convenient access to destinations.
- Where the traveled roadway isn't wide enough to accommodate a full Class II facility, a sharrow can be used if vehicle speeds don't exceed 25 mph. A sharrow is a shared lane marking that helps bicyclists and motorists with the lateral positioning of a bicycle in a travel lane.
- Class III Bicycle Facility (Bike Route): A Class III facility is a bike route with signage at the roadway edge that does not include striping. Class III facilities are typically located either on local streets or on other roadways to close a gap between sections of Class II Bike Lane.
- Class IV Bicycle Facility (Cycle Track): A Class IV facility is a two-way, dedicated cycle track that is physically separated from vehicle travel lanes. (UAGP Policy V.E.1)
- TC-46: Funding for Bicycle Facilities. Consider funding bicycle facilities as a priority in the Capital Improvement Program. (UAGP Policy V.E.2)
- TC-47: Opportunities to Add Bicycle Facilities. When streets are repaired or resurfaced, add bicycle facilities to those streets as appropriate with striping, stencils, and/or signage. (UAGP Policy V.E.3)
- TC-48: Increase Ridership. Increase bicycle ridership for transportation purposes through the addition of bicycle facilities, such as a bike-share program, and other system improvements. (UAGP Policy V.E.4)
- TC-49: Network Deficiencies. Identify deficiencies and take action to correct deficiencies in the bicycle transportation network. (UAGP Policy V.E.5)
- TC-50: Actively Plan New Facilities. Street projects should be evaluated to determine how the planned bicycle facilities can be accommodated. (UAGP Policy V.E.6)
- TC-21: Facilities on Constrained Streets. Where right-of-way constraints exist, a "sharrow" may be used to supplement Class II bicycle facilities where vehicle speeds do not exceed 25 mph. (UAGP Policy V.E.7)
- TC-52: Bicycles at Signalized Intersections. Protected intersection design features, bike boxes and bicycle detection systems may be used to delineate bicycle facilities, improve safety, and allow bicycle traffic to trigger the green phase of a traffic signal. In accordance with California Vehicle Code Section 21450.5, sensors that detect the presence of a waiting bicycle should be added to signalized intersections when signals are installed, upgraded and/or maintained.

Other markings and signage may be used as approved by the City Engineer. (UAGP Policy V.E.8)

- TC-53: Signal Timing. The green phase of traffic signals throughout Modesto should be timed to allow bicycle riders of all ages and abilities to cross the street safely. (UAGP Policy V.E.9)
- TC-54: Bicycle Circulation Near the Downtown Passenger Rail Station. Plan for the future multi-modal transportation center, by facilitating improved bicycle access and parking in and around downtown, to establish safe and convenient bicycle connections to and from the site. (UAGP Policy V.E.10)
- Pedestrian: The overall goal for Pedestrian activity is to ensure that pedestrians of all ages and abilities feel safe using pedestrian facilities to eliminate safety as a barrier to walking for transportation. This goal would be achieved thought the implementation of the following policies.
- TC-55: Median Refuges. Add median refuges along arterials and four-lane collectors in areas where pedestrian traffic is to be facilitated to give pedestrians a safe halfway point for street crossings. (UAGP Policy V.D.1)
- TC-56: Bulbouts. Add sidewalk bulbouts in areas where pedestrian traffic is to be facilitated to reduce crossing distance and improve visibility of pedestrians to other roadway users. (UAGP Policy V.D.2)
- TC-57. Network Deficiencies. Identify gaps, needs, and deficiencies in the pedestrian transportation network. (UAGP Policy V.D.3)
- TC-58: Signal Timing. The green phase of traffic signals citywide should be timed to allow pedestrians of all ages and abilities to safely cross the street. The Federal Highway Administration's Best Practices Design Guide for Designing Sidewalks and Trails for Access, suggests crossing times should allow for pedestrians traveling at 3.5 feet per second or slower. (UAGP Policy V.D.4)
- TC-59: ADA Compliance. Construct or modify curbramps and sidewalks to comply with the Americans with Disabilities Act. (UAGP Policy V.D.5)
- TC-60: Pedestrian Circulation Near the Downtown Multi-Modal Transportation Center. In planning for a future multi-modal transportation center, facilitate pedestrian access to and from the facility through curb extensions and generous sidewalks. (UAGP Policy V.D.6)
- TC-61: Street Trees. Plant and maintain large species trees along streets to separate pedestrians from moving traffic for safety and to create an inviting walking environment. (UAGP Policy V.D.7)

Transit

Overall goals for Transit are to increase transit use through higher-frequency service of at least 15-minute headways downtown and along major transportation corridors. Transit and land use will be interconnected to support increased ridership. This would be achieved thought the implementation of the following policies.

The following policies from the PEIR are not directly applicable to the project, however are being considered by the local transit agency as the area east of Claus Road develops:

- TC-67: Plans to Improve Service. Prepare feasibility studies and plans for the establishment of bus rapid transit and other local transit service to improve transit service in those areas where ridership is expected to increase. (UAGP Policy V.F.6)
- TC-68: Bus Pullouts. Consider Bus pullouts with new development in the Planned Urbanizing Area to support transit passenger loading and unloading. (UAGP Policy V.F.7)

Rail

Overall goals for Rail include policies related to freight and passenger rail. To support the provision of passenger rail, the overall goal is to strengthen Modesto's value as county seat and center of activity and transportation in Stanislaus County by building a passenger rail station in downtown, consistent with the California High Speed Rail Authority's service goals and with the Altamont Commuter Express' expansion plans.

- None from the PEIR apply to the project. While adjacent to an active rail line, mitigation measures will be incorporated into conditions of approval to reduce noise and vibration to less than significant impacts.

Modesto City-County Airport: The overall airport-related goal is to promote and improve general and commercial aviation facilities.

- None from the PEIR apply to the project. The site is residential in nature more than three miles from the City-County Airport. As a condition of approval, notice will be provided to prospective residents that the site is in proximity to the airstrip operated by the East Side Mosquito Abatement District, located approximately 300 feet to the southeast.

Project-Specific Impacts

a. Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

The project involves a Vesting Tentative Subdivision Map and Final Development Plan to divide the 29.2-acre site into 148 single-family residential lots. The project site would be accessed via Rossi Street from the adjacent approved tentative subdivision map project to the south (The Crossings), and via a temporary right-turn-in/right-turn-out vehicle access to Claus Road. Upon development of the property to the south of the Boulevard site and connection of Boulevard to that site northward to Milnes Avenue, the temporary access will be converted into a pedestrian access.

With development of this site and the site to the south (The Crossings), the local transit agency StanRTA is studying the area and the Claus Road alignment for

consideration of future bus route extensions. Currently, Route 25 has a stop at the Amtrak Rail Station located on Held Drive north of Briggsmore Avenue, approximately one mile from the project site. Therefore, impacts to transit facilities would be less than significant and would not be substantially greater than those identified in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

The General Plan EIR concluded that implementation of the General Plan would result in VMT that would be greater than 85 percent of baseline conditions; additionally, General Plan implementation would not cause the total VMT in the Planning Area to decrease. Therefore, impacts from implementation of the General Plan would be significant and unavoidable. The project involves a Vesting Tentative Subdivision Map and Final Development Plan to divide the 29.2-acre site into 148 single-family residential lots. The project was referred to Transportation Engineering Division who indicated no concerns with VMT. The project is residential in nature and would be consistent with the land use designation of Residential in the General Plan. Therefore, impacts involving VMT would not be substantially greater than those identified in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Direct vehicle access to the project site would be provided via Rossi Way from the south and a temporary right-turn-in/right-turn-out access onto Claus Road. The project was referred to Transportation Engineering Division and Modesto Fire Department, who provided comment and conditions of approval for the project. The proposed project would not substantially increase hazards due to a geometric design feature or incompatible use and impacts would be less than significant. Impacts would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project result in inadequate emergency access?

Emergency vehicles would have access to the project site via Rossi Way and Claus Road, which would accommodate fire access and waste trucks and would not obstruct emergency access. The project would not impair implementation of an emergency plan or physically interfere with an emergency access, nor would it result in the blockage of access routes or evacuation routes adopted within an emergency response plan or emergency evaluation plan. This impact is less than significant and impacts would not be more severe than those analyzed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts concerning transportation, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

14 Utilities and Service Systems

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Require or result in the relocation or construction of new or expanded water, wastewater, or stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	■	☐
b. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, single dry and multiple dry years?	☐	☐	☐	■	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	■	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and	☐	☐	☐	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
regulations related to solid waste?					

Analysis in Previous Environmental Documents

The General Plan EIR analyzes impacts to utilities and service systems on pages 3.14-19 through 3.14-22, 3.14-31 through 3.14-34; 3.14-46 through 3.14-48; and 3.14-56 and 3.14-57. The General Plan EIR found that impacts involving water supplies and water treatment facilities would be less than significant; impacts involving wastewater capacity and wastewater treatment facilities would be less than significant; impacts involving stormwater drainage facilities would be less than significant; and impacts involving solid waste would be less than significant.

The following describes the analysis included in the General Plan EIR and provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

City of Modesto Urban Area General Plan

The following policies are applicable to the proposed project.

Water

- **WS-14.** All new connections to the public water system are to have meters installed. In addition, on or before January 1, 2025, all existing municipal and industrial service connections are to have water meters installed. (UAGP Policy VI.A.3)

Wastewater

- None from the PEIR are applicable to the project. The project will adhere to all City codes and standards for the provision of sewer service to the site.

Storm Drainage

- **SD-10.** Construction activities shall comply with the requirements of the City's Stormwater Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (UAGP Policy VI.G.3)

- **SD-12.** Ensure that new development complies with the City of Modesto's Stormwater Management Program: Guidance Manual for New Development Stormwater Quality Control Measures. (UAGP Policy VI.G.5)
- **SD-13.** Require new development to implement an appropriate selection of permanent pollution control measures in accordance with the City's implementation policies for the municipal NPDES stormwater permit. (UAGP Policy VI.G.6)
- **SD-14.** Design development projects to preserve and, where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands and buffers. Minimize disturbance of natural water bodies or natural drainage systems that might result from development, including road construction. (UAGP Policy VI.G.7) SD-15: Integrate Low Impact Development principles into proposed development projects' design. Low Impact Development is a storm water management and land development strategy that promotes conservation and use of natural on-site features combined with engineered small-scale hydrologic devices. In designing development projects, minimize the amount of impervious surface in order to maximize on-site infiltration of stormwater runoff and minimize the potential for storm water runoff from the site. (UAGP Policy VI.G.8)

The following tables identify standards referenced in the UAGP that will apply to future development.

Table 3.14-13: Requirements for Drainage Plans

Order	Requirement
A	The plan shall be based on a drainage study prepared by a qualified engineer and shall be implemented in all construction projects where the drainage study indicates a need.
B	The drainage study shall identify 100-year flood elevations before and after development, location and available capacity of any existing drainage systems, and the volume and rate of water flows created by the proposed project during a 100-year storm.
C	The study shall also provide the location and capacity of retention/detention basins and/or drainage channels to accommodate the increment in water flows and siltation created by the project.
D	The plan shall include water quality control measures to ensure that minimal contaminants get discharged to surface streams or percolated into the ground.
E	The water quality control measures shall address both construction and operation periods.
F	The plan shall be implemented as part of a proposed project prior to occupancy permit issuance and during the life of the project.
G	Fluvial erosion related to construction is controlled by a construction erosion control program that shall be filed with the City Utilities Department and kept current throughout any site development phase.
H	The erosion control program shall include BMPs as appropriate, given the specific circumstances of the site and/or project. The City shall consult Table V-9-2 in the Master EIR for examples of BMPs.
I	Sediment control basins that capture and contain eroded sediments on project sites shall incorporate design criteria listed in Table V-9-3 in the Master EIR.
J	A stormwater management program (SWMP) shall be prepared for the operation of all proposed land development projects and shall be utilized to obtain an NPDES permit and be incorporated into the Drainage Plan. The SWMP shall utilize measures selected from Table V-9-4 in the Master EIR.

Notes: This table does not use the standard nomenclature found elsewhere in this document in order to be consistent with the reference contained in the UAGP.

Table 3.14-14: Examples of Construction Site Best Management Practices

Order	Requirement
A	Implement effective erosion control measures, such as minimizing long, unbroken flow paths by placing transverse gravel bag lines or installing transverse straw wattle lines across flow paths.
B	Make drainage swales broad and flat to reduce hydraulic efficiency.
C	Control offsite drainage and route it around disturbed areas, including newly graded areas.
D	Provide a system of berms along the tops of slopes, combined with properly designed swales or other conveyance measures, to prevent water from running uncontrolled down the slopes.
E	Collect the water in these berms and take it down the slopes in a non-erosive manner.
F	Provide energy dissipaters and erosion control pads at the bottom of downdrains.
G	Implement effective sediment control measures, such as directing site drainage into a sediment control basin before releasing it from the site.
H	Install permanent landscaping, as soon as practical, after the completion of grading.
I	Maintain facilities, including stormwater best management practices, in operable condition at all times.
J	Inspect facilities at the end of each workday to ensure they are ready for service.

Notes: This table does not use the standard nomenclature found elsewhere in this document in order to be consistent with the reference contained in the UAGP.

Table 3.14-15: Design Criteria for Sediment Control Basins

Order	Requirement
A	Provide 15 cubic yards of sediment storage per acre of tributary drainage area.
B	Provide an erosion-proof spillway from the basin to a protected outlet.
C	Do not provide a drain in the basin since this would allow some sediment to escape.
D	If site conditions permit, build an oversize basin so it will not have to be cleaned out during the life of the grading project.
E	Maintain and clean out basin as necessary.
F	Inspect the basin at end of each work day to assure it is in working order.

Notes: This table does not use the standard nomenclature found elsewhere in this document in order to be consistent with the reference contained in the UAGP.

Table 3.14-16: Measures That Can Be Incorporated into a SWMP

Order	Requirement
A	Educate the public regarding the problem of contaminants in urban runoff and solutions they can utilize to reduce the number of contaminants in urban runoff.
B	Design projects to direct runoff from impervious surfaces to areas of landscaping, where feasible.
C	Promote efficient and safe housekeeping practices when handling fertilizers, pesticides, cleaning solutions, paint products, automotive products, and swimming pool chemicals. These substances should be utilized and stored according to labels and instructions and should not be disposed of in a manner that will allow them to contaminate storm flows.
D	Minimize the use of and utilize the least harmful fertilizers, pesticides, cleaning solutions, automotive and paint products where alternatives exist.

E	Hazardous materials shall be stored as follows: in the minimum amount necessary; in designated areas; utilizing secondary containment; and shall be subject to regular inspections.
F	Employees and contractors shall be trained in appropriate storage methods and procedures for spill cleanup.
G	Discourage illegal dumping by identifying elements of the drainage system with a sign prohibiting dumping and indicating the reason for the sign.
H	Coordinate with private industry to establish used oil disposal facilities for recycling of bulk used oil.
I	Project operators shall ensure that vehicle maintenance occurs in appropriate facilities and that spills are reduced, contained, and cleaned up before they contaminate urban runoff.
J	Discharge of pollutants to storm water from above ground storage tanks shall be minimized by installation of secondary containment, regular inspections, and training in spill cleanup techniques.
K	Prevent unwarranted physical connections to the storm drain system from sanitary sewer, and floor drains through regulation, inspection, testing, and education.
L	Identify and repair sewer blockages, infiltration, inflow, and wet weather overflows from sanitary sewers to the stormwater drain system.
M	Reduce the discharges of pollutants from roadway and parking lot surfaces by conducting street cleaning on a regular basis.
N	Maintain catch basins and stormwater inlets on a regular basis to remove pollutants and restore basin sediment trapping capacity.
O	Regularly remove illegally dumped items and materials from storm drainage canals and creeks.
P	Identify low impact development facilities, such as bioretention areas, as facilities to utilize in drainage systems where conditions permit.
Q	Wet ponds (i.e., permanent water pools used to treat incoming stormwater) or constructed wetlands shall be utilized where warranted and conditions permit.
R	Vegetated channels and strips shall be incorporated into drainage plans.
S	Media filtration should be utilized where sediment is a problem and there is no other adequate alternative sediment-control method available.
T	Oil/water separators shall be installed and maintained in all facilities where automotive maintenance or industrial facilities result in oil release.
U	Vehicle fueling and washing facilities, including steam cleaning, shall utilize concrete floors, protected from the rain and drained to a sump to assure contaminants are contained.
V	Outdoor container storage of liquids and outdoor equipment shall include a dike to contain spills and storm water and be covered to minimize storm water in the area.
W	Outdoor storage shall be covered, have secondary equipment and be designed to prevent stormwater runoff.

Notes: This table does not use the standard nomenclature found elsewhere in this document in order to be consistent with the reference contained in the UAGP.

Solid Waste

- None from the PEIR. The project will adhere to all City Codes and standards for the provision of solid waste service to the project site upon development with new single-family residences.

Project-Specific Impacts

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater, or stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects?

b. Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, single dry and multiple dry years?

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Water

The proposed project is residential in nature and is comprised of 148 new single-family residential lots. The proposed project would not require or result in the construction or expansion of new water treatment facilities or exceed or require expansion of existing water supply entitlements. The project was referred to Land Development Engineering who indicated no concerns with water capacity. Impacts would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

Wastewater

The proposed project is residential in nature and is comprised of 148 new single-family residential lots. The proposed project would not require or result in the construction or expansion of new water treatment facilities or exceed or require expansion of existing water supply entitlements. The project was referred to Land Development Engineering who indicated no concerns with water capacity. Impacts would be less than significant and would not be more severe than those analyzed in the General Plan EIR.

Stormwater Drainage

The proposed project would includes development of a 3.25-acre community park and dual-use storm basin. As conditions of approval, the developer would be required to provide calculations and Stormwater Reports showing that applicable onsite storage and percolation is provided for 100-year 6-day storm events, of which 100-year 24-hour storm must be stored in basin or underground and must percolate within 48 hours. In addition, the proposed project would be required to comply with General Plan policies FWQ-11, -13, -14 and -16, which would require compliance with the City's Stormwater Management Program and Construction General Permit requirements; installation of stormwater drainage facilities; incorporation of Low Impact Development design measures that restrict the amount of post-development runoff from exceeding pre-development conditions; and implementation of post-construction erosion control and stormwater control measures. This impact would be less than significant and would be less than significant and would not be more severe than those analyzed in the General Plan Master EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Modesto's solid waste goes to the Flink Road Landfill and Forward Sanitary Landfill. According to the General Plan EIR, the solid waste capacity of these landfills is sufficient to meet the needs of projected growth. The General Plan EIR also finds that impacts would be less than significant, as projected population growth under the General Plan is not anticipated to generate significant additional solid waste demand. Furthermore, continued compliance with the City's General Plan policies, including SW-6 and SW-8 through SW-10, would ensure the project complies with federal, State, and local statutes and regulations related to solid waste and would lead to increased recycling and waste diversion. The project would have no impacts beyond those analyzed previously. The proposed project would be consistent with the findings of the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project is consistent with the General Plan and the analysis in the General Plan EIR. The project would have no new significant or substantially more severe or peculiar impacts to utilities and service systems, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, because of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

15 Mandatory Findings of Significance

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Does the project:					
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	■	☐
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	■	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	■	☐

Project-Specific Impacts

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Consistent with the findings of the General Plan EIR and as discussed in Environmental Checklist Section 4, *Biological Resources*, the project would not substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife species population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of a rare or endangered plant or animal.

As discussed in Environmental Checklist Section 5, *Cultural and Tribal Resources*, the project would not impact or eliminate important examples of the major periods of California history or prehistory, including archaeological resources. As such, the project would not result in impacts peculiar to the project beyond those identified in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Conformance with General Plan policies would ensure that potential impacts are individually limited and not cumulatively considerable in the context of impacts associated with other pending and planned development projects. As part of the General Plan EIR, cumulative impacts associated with buildout of the City were analyzed. The project is consistent with the General Plan EIR and land use designation of the site. The General Plan is a planning document that establishes a land use scenario and goals, policies, and objectives for development and growth throughout the City. Thus, the impact analyses in the General Plan EIR effectively constitute cumulative analyses of the approved land uses in the planning boundaries. The project would not result in significant impacts peculiar to the project area, as indicated in Sections 1 through 14 above. Nearby development would be required to be consistent with the local planning documents, or mitigation would be required to assess the impacts that were not addressed in the General Plan EIR. Therefore, the project's consistency with the General Plan and analysis above in Sections 1 through 14 indicate that the project would not result in significant cumulative impacts that were not addressed in the General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

In general, impacts to human beings are associated with air quality, hazards and hazardous materials, geology and soils, noise, and traffic safety. As detailed in the preceding responses, the project would not result, either directly or indirectly, in substantial adverse impacts related to these issue areas. The project's effects on regional air quality, hazards and hazardous materials, geology and soils, noise, and transportation/traffic would be less than significant or analyzed in prior environmental review documents. Therefore, the project would not have substantial direct or indirect adverse effects on human beings.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The proposed project would be consistent with the development density established by existing zoning, land use designation, and General Plan policies for which an EIR was certified. Accordingly, based on the assessments presented the environmental checklist, the project does not require additional environmental review as the impacts:

1. Are not peculiar to the project or the parcel on which the project would be located,
2. Were analyzed as significant effects in a prior EIR on the zoning action, general plan, and specific plan, with which the project is consistent where applicable,
3. Are not potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan and specific plan, and
4. Are not previously identified significant effects which, because of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Furthermore, impacts would be reduced by compliance with General Plan policies. Accordingly, implementation of the project complies with Section 15183 of the *CEQA Guidelines* and no further environmental review is required.

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List of Preparers

Add information regarding the individuals preparing the document. Include City staff, City Consultants, and any Consultants providing technical reports used in the analysis.

Appendices

NOISE AND VIBRATION ASSESSMENT

RESIDENTIAL DEVELOPMENT OF THE NARAGHI, PARKLANE & GREENLAW PROPERTIES

Modesto, California

October 17, 2024

♦ ♦ ♦

Prepared for:

FLORSHEIM HOMES
1701 W. March Lane, Suite D
Stockton, CA 95207

Prepared by:

Fred M. Svinth, INCE, Assoc. AIA
ILLINGWORTH & RODKIN, INC.
Acoustics • Air Quality
429 East Cotati Avenue
Cotati, CA 94931
(707) 794-0400

Job No.: 24-132

INTRODUCTION AND SUMMARY

This report presents the results of an environmental noise and vibration assessment completed for the single-family residential development projects proposed on the Naraghi, Parklane and Greenlaw properties in Modesto located west of the BNSF railroad line/Santa Fe Avenue frontage, east of Claus Road, and north of the future Crossings single family residential development (see Figure 1). The purpose for this noise assessment is to evaluate the compatibility of the development with respect to the environmental noise and vibration levels at the project site and evaluate noise impacts upon sensitive receptors in the area. The Setting Section of this report presents the fundamentals of environmental noise and vibration, describes regulatory criteria that are applicable in the project's assessment, and summarizes the results of a survey of the existing noise environment at the project site and vicinity.



Figure 1: Project Site, Vicinity and Measurement Locations

SETTING

FUNDAMENTALS OF ENVIRONMENTAL NOISE

Noise may be defined as unwanted sound. Noise is usually objectionable because it is disturbing or annoying. The objectionable nature of sound could be caused by its *pitch* or its loudness. *Pitch* is the height or depth of a tone or sound, depending on the relative rapidity (frequency) of the vibrations by which it is produced. Higher pitched signals sound louder to humans than sounds with a lower pitch. *Loudness* is intensity of sound waves combined with the reception

characteristics of the ear. Intensity may be compared with the height of an ocean wave in that it is a measure of the amplitude of the sound wave.

In addition to the concepts of pitch and loudness, there are several noise measurement scales, which are used to describe noise in a particular location. *A decibel (dB)* is a unit of measurement, which indicates the relative amplitude of a sound. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 decibels represents a ten-fold increase in acoustic energy, while 20 decibels is 100 times more intense, 30 decibels is 1,000 times more intense, etc. There is a relationship between the subjective noisiness or loudness of a sound and its intensity. Each 10-decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities. Technical terms are defined in Table 1.

Table 1: Definitions of Acoustical Terms Used in this Report

Term	Definitions
Decibel, dB	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure. The reference pressure for air is 20.
Sound Pressure Level	Sound pressure is the sound force per unit area, usually expressed in micro Pascals (or 20 micro Newtons per square meter), where 1 Pascal is the pressure resulting from a force of 1 Newton exerted over an area of 1 square meter. The sound pressure level is expressed in decibels as 20 times the logarithm to the base 10 of the ratio between the pressures exerted by the sound to a reference sound pressure (e.g., 20 micro Pascals). Sound pressure level is the quantity that is directly measured by a sound level meter.
Frequency, Hz	The number of complete pressure fluctuations per second above and below atmospheric pressure. Normal human hearing is between 20 Hz and 20,000 Hz. Infrasonic sound are below 20 Hz and Ultrasonic sounds are above 20,000 Hz.
A-Weighted Sound Level, dBA	The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
Equivalent Noise Level, L_{eq}	The average A-weighted noise level during the measurement period. The hourly Leq used for this report is denoted as dBA $L_{eq[h]}$.
Day-Night Level, L_{dn}	The equivalent noise level for a continuous 24-hour period with a 10-decibel penalty imposed during nighttime and morning hours (10:00 pm to 7:00 am).
Community Noise Exposure Level, CNEL	CNEL is the equivalent noise level for a continuous 24-hour period with a 5-decibel penalty imposed in the evening (7:00 pm to 10:00 pm) and a 10-decibel penalty imposed during nighttime and morning hours (10:00 pm to 7:00am)
L_1, L_{10}, L_{50}, L_{90}	The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

Source: Handbook of Acoustical Measurements and Noise Control, Harris, 1998.

There are several methods of characterizing sound. The most common in California is the *A-weighted sound level (dBA).* This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Representative outdoor and indoor noise levels in units of dBA are shown in Table 2. Because sound levels can vary markedly over a short period of time, a method for describing either the average character of the sound or the statistical behavior of the variations must be utilized. Environmental sounds are commonly described in terms of an average level that has the same acoustical energy as the summation of all the time-varying events. This *energy-equivalent sound/noise descriptor* is called L_{eq}.

Table 2: Typical Noise Levels in the Environment

Common Outdoor Noise Source	Noise Level (dBA)	Common Indoor Noise Source
	110 dBA	Rock band
Jet fly-over at 1,000 feet		
	100 dBA	
Gas lawn mower at 3 feet		
	90 dBA	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	80 dBA	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawn mower, 100 feet	70 dBA	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	60 dBA	
		Large business office
Quiet urban daytime	50 dBA	Dishwasher in next room
Quiet urban nighttime	40 dBA	Theater, large conference room
Quiet suburban nighttime		
	30 dBA	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	20 dBA	
		Broadcast/recording studio
	10 dBA	
	0 dBA	

Source: Technical Noise Supplement (TeNS), Caltrans, November 2009.

The scientific instrument used to measure noise is the sound level meter. Sound level meters can accurately measure environmental noise levels to within about plus or minus 1 dBA. Various computer models are used to predict environmental noise levels from sources, such as roadways and airports. The accuracy of the predicted models depends upon the distance the receptor is from the noise source. Close to the noise source, the models are accurate to within about plus or minus 1 to 2 dBA.

Since the sensitivity to noise increases during the evening and at night -- because excessive noise interferes with the ability to sleep - 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The *Day/Night Average Sound Level* (*DNL* or L_{dn}) is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

Effects of Noise

Sleep and Speech Interference. The thresholds for speech interference indoors are about 45 dBA if the noise is steady and above 55 dBA if the noise is fluctuating. Outdoors the thresholds are about 15 dBA higher. Steady noises of sufficient intensity (above 35 dBA) and fluctuating noise levels above about 45 dBA have been shown to affect sleep. Interior residential standards for multi-family dwellings are set by the State of California at 45 dBA L_{dn}. Typically, the highest steady traffic noise level during the daytime is about equal to the L_{dn} and nighttime levels are 10 dBA lower. The standard is designed for sleep and speech protection and most jurisdictions apply the same criterion for all residential uses. Typical structural attenuation is 12-17 dBA with open windows. With closed windows in good condition, the noise attenuation factor is around 20 dBA for an older structure and 25 dBA for a newer dwelling. Sleep and speech interference is therefore possible when exterior noise levels are about 57-62 dBA L_{dn} with open windows and 65-70 dBA L_{dn} if the windows are closed. Levels of 55-60 dBA are common along collector streets and secondary arterials, while 65-70 dBA is a typical value for a primary/major arterial. Levels of 75-80 dBA are normal noise levels at the first row of development outside a freeway right-of-way. In order to achieve an acceptable interior noise environment, bedrooms facing secondary roadways need to be able to have their windows closed, those facing major roadways and freeways typically need special glass windows.

Annoyance. Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that the causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The L_{dn} as a measure of noise has been found to provide a valid correlation of noise level and the percentage of people annoyed. People have been asked to judge the annoyance caused by aircraft noise and ground transportation noise. There continues to be disagreement about the relative annoyance of these different sources. When measuring the percentage of the population highly annoyed, the threshold for ground vehicle noise is about 50 dBA L_{dn}. At a L_{dn} of about 60 dBA, approximately 12 percent of the population is highly annoyed. When the L_{dn} increases to 70 dBA, the percentage of the population highly annoyed increases to about 25-30 percent of the population. There is, therefore, an increase of about 2 percent per dBA between a L_{dn} of 60-70 dBA. Between a L_{dn} of 70-80 dBA, each additional decibel increases the percentage of the population highly annoyed by about 3 percent. People appear to respond more adversely to aircraft noise. When the L_{dn} is 60 dBA, approximately 30-35 percent of the population is believed to be highly annoyed. Each decibel increase to 70 dBA adds about 3 percentage points to the number of people highly annoyed. Above 70 dBA, each decibel increase results in about a 4 percent increase in the percentage of the population which is highly annoyed.

FUNDAMENTALS OF GROUNDBORNE VIBRATION

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One is the Peak Particle Velocity (PPV) and another is the Root Mean Square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. The RMS velocity is defined as the average of the squared amplitude of the signal. The PPV is often used in monitoring of construction and other peak events since it is related to the stresses that are experienced by buildings. Though peak particle velocity is appropriate for evaluating the potential of building damage, it has not been shown to be as suitable for evaluating human response. The human body has been shown to respond to the average vibration amplitude, as it takes some time for the human body to respond to vibration signals. Because the net average of a vibration signal is zero, the root mean square (RMS) amplitude is used to describe the "smoothed" vibration amplitude. The root mean square of a signal is the square root of the average of the squared amplitude of the signal. The RMS amplitude is shown superimposed on the vibration signal in Figure 2. The RMS amplitude is always less than the PPV and is always positive. The ratio of crest PPV to maximum RMS amplitude is defined as the factor for the signal. The crest factor is always greater than 1.71, although a crest factor of 8 or more is not unusual for impulsive signals. For ground-borne vibration from trains, the crest factor is usually 4 to 5.

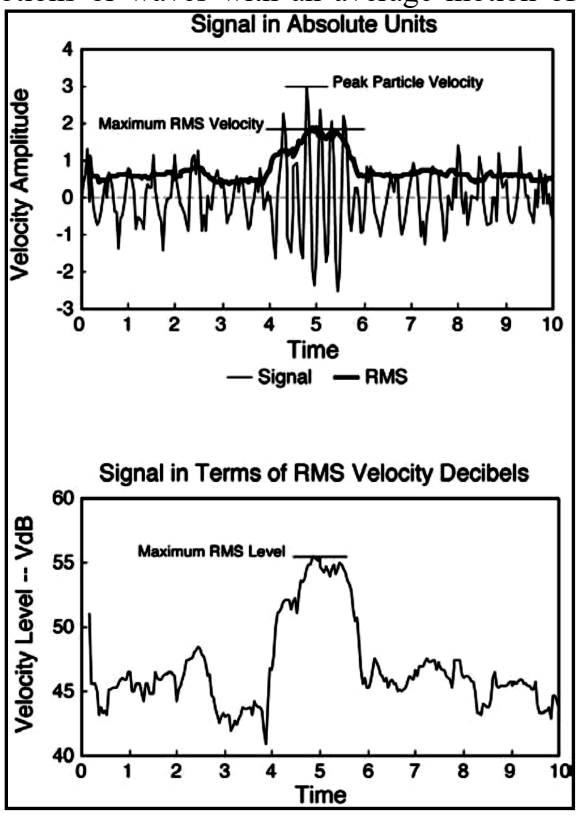


Figure 2: RMS vs. Signal (PPV) amplitudes

The reference velocity is 1 x 10-6 in./sec. RMS, which equals 0 VdB, and 1 in./sec. equals 120 VdB. Although not a universally accepted notation, the abbreviation “VdB” is used in this document for vibration decibels to reduce the potential for confusion with sound decibels. Typical background vibration levels in residential areas are usually 50 VdB or lower, well below the threshold of perception for most humans. Perceptible vibration levels inside residences are attributed to the operation of heating and air conditioning systems, door slams and foot traffic. Construction activities, train operations, and street traffic are some of the most common external sources of vibration that can be perceptible inside residences. Table 3 displays the reactions of people and the effects on buildings that continuous vibration levels produce. The annoyance levels shown in Table 3 should be interpreted with care since vibration may be found to be annoying at much lower levels than those shown, depending on the level of activity or the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying.

Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage. In high noise environments, which are more prevalent where groundborne vibration approaches perceptible

levels, this rattling phenomenon may also be produced by loud airborne environmental noise causing induced vibration in exterior doors and windows.

Table 3: Human Response to Different Levels of Ground-Borne Vibration

Vibration Level		
VdB	**PPV(in/sec)**	**Human Response**
65	0.002	Approximate threshold of perception for many humans.
75	0.006	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying.
85	0.018	Vibration acceptable only if there are an infrequent number of events per day.

Source: Transit Noise and Vibration Impact Assessment May 2018, FTA-VA-90-1003-06

Construction activities can cause vibration that varies in intensity depending on several factors. The use of pile driving and vibratory compaction equipment typically generate the highest construction related ground-borne vibration levels. Because of the impulsive nature of such activities, the use of the peak particle velocity descriptor (PPV) has been routinely used to measure and assess ground-borne vibration and almost exclusively to assess the potential of vibration to induce structural damage and the degree of annoyance for humans.

The two primary concerns with construction-induced vibration, the potential to damage a structure and the potential to interfere with the enjoyment of life are evaluated against different vibration limits. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 in/sec PPV. Human perception to vibration varies with the individual and is a function of physical setting and the type of vibration. Persons exposed to elevated ambient vibration levels such as people in an urban environment may tolerate a higher vibration level. Structural damage can be classified as cosmetic only, such as minor cracking of building elements, or may threaten the integrity of the building. Safe vibration limits that can be applied to assess the potential for damaging a structure vary by researcher and there is no general consensus as to what amount of vibration may pose a threat for structural damage to the building. Construction-induced vibration that can be detrimental to the building is very rare and has only been observed in instances where the structure is at a high state of disrepair and the construction activity occurs immediately adjacent to the structure.

Typical background vibration levels in residential areas are usually 50 VdB or lower, well below the threshold of perception for most humans. Perceptible vibration levels inside residences are attributed to the operation of heating and air conditioning systems, door slams and foot traffic. Construction activities, train operations, and street traffic are some of the most common external sources of vibration that can be perceptible inside residences. Table 4 illustrates some common sources of vibration and the association to human perception or the potential for structural damage.

TABLE 4 Typical Levels of Groundborne Vibration

Human/Structural Response	Velocity Level, VdB	Typical Events (50-foot setback)
Threshold, minor cosmetic damage	100	Blasting and pile driving during construction
		Bulldozers and other heavy tracked construction equipment
Difficulty with tasks such as reading a video or computer screen	90	
		Commuter rail, upper range
Residential annoyance, infrequent events	80	Rapid transit, upper range
Residential annoyance, occasional events		Commuter rail
		Bus or truck over bump
Residential annoyance, frequent events	70	Rapid transit, typical
Approximate human threshold of perception to vibration		Buses, trucks, and heavy street traffic
	60	
Lower limit for equipment ultra-sensitive to vibration	50	Background vibration in residential settings in the absence of activity

Source: Illingworth & Rodkin, Inc. and U.S. Department of Transportation, Federal Transit Administration, Transit Noise and Vibration Impact Assessment, May 2018, FTA-VA-90-1003-06

REGULATORY BACKGROUND

The State of California and the City of Modesto have established regulatory criteria that are applicable in this assessment. The State of California Environmental Quality Act (CEQA) Guidelines, Appendix G, are used to assess the potential significance of impacts pursuant to local General Plan policies, Zoning Code standards, or the applicable standards of other agencies. A summary of the applicable regulatory criteria is provided below.

State CEQA Guidelines.

CEQA contains guidelines to evaluate the significance of effects of environmental noise attributable to a proposed project. Under CEQA, noise impacts would be considered significant if the project would result in:

(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies,
(b) Generation of excessive groundborne vibration or groundborne noise levels,
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted within two miles of a public airport or public use airport, if the project would expose people residing or working in the project area to excessive noise levels.

CEQA does not define what noise level increase would be considered substantial. Typically, an increase in the L_{dn} noise level resulting from the project at noise sensitive land uses of 3 dBA or greater would be considered a significant impact when projected noise levels would exceed those

considered acceptable for the affected land use. An increase of 5 dBA L_{dn} or greater would be considered a significant impact when projected noise levels would remain within those considered acceptable for the affected land use.

City of Modesto Urban Area General Plan 2019

Section G in Chapter VII, *Environmental Resources, Open Space and Conservation,* of the City of Modesto General Plan includes the follow policies applicable to the proposed residential project:

a. Construction activities are to comply with Modesto Municipal Code Title 4, Chapter 9.
b. Implement noise-reducing construction practices as conditions of approval where substantial construction-related noise impacts would be likely to occur, such as with extended periods of pile driving, or where construction is expected to continue or where sensitive receptors would be affected by construction noise. Conditions of approval may include, but are not limited to:
   - Require construction equipment, including air compressors and pneumatic equipment to have properly maintained mufflers,
   - Require impact tools to be equipped with shrouds or shields,
   - Require that the quietest equipment available be used; and,
   - Require selection of haul routes that affect the fewest number of people.

e. Incorporate construction practices and acoustic treatment in new residential construction to reduce typical indoor noise levels to 45 dB. Developers of residential buildings within the 65 dBA contours shown in the General Plan Master EIR shall demonstrate that interior noise has been reduced to 45 dB. Other types of development should be protected against noise intrusion at least to the levels indicated on Table VII-2.
g. At noise-sensitive land uses, increases in noise should not exceed 3 dBA where any other noise threshold or standard would be exceeded, and/or 5 dBA where noise levels would otherwise fall within acceptable limits, for the existing conditions scenario as compared to the buildout scenario.
h. Additional study and/or mitigation for outdoor recreation areas will be required if:
   - For single-family dwellings, noise exceeds 65 dBA L_{dn} in one or more backyards,
   - For multi-family dwellings, noise exceeds 65 dBA L_{dn} at common recreation areas, such as swimming pools or play areas or at private patios and balconies, or
   - For other uses, noise exceeds the level considered "conditionally acceptable" as shown on Table VII-2.

l. For new residential development proposed in areas within 200 feet of the center of the near mainline of active rail lines where single-event noise from trains is of concern, demonstrate that the proposed development will incorporate measures to reduce maximum noise levels generated during train passbys to 50 dBA L_{max} or less inside bedrooms and to 55 dBA L_{max} or less inside other noise sensitive occupied areas.
m. For new residential and vibration sensitive commercial development (including but not limited to lodging facilities, hospitals and similar uses) located within 200 feet of the center of the near main line of active rail lines, demonstrate that the proposed development will incorporate measures to reduce vibration levels generated during train passby events to meet the FTA vibration criteria as shown in Master EIR Table V-3-6.

TABLE VII-2 Noise Compatibility Matrix

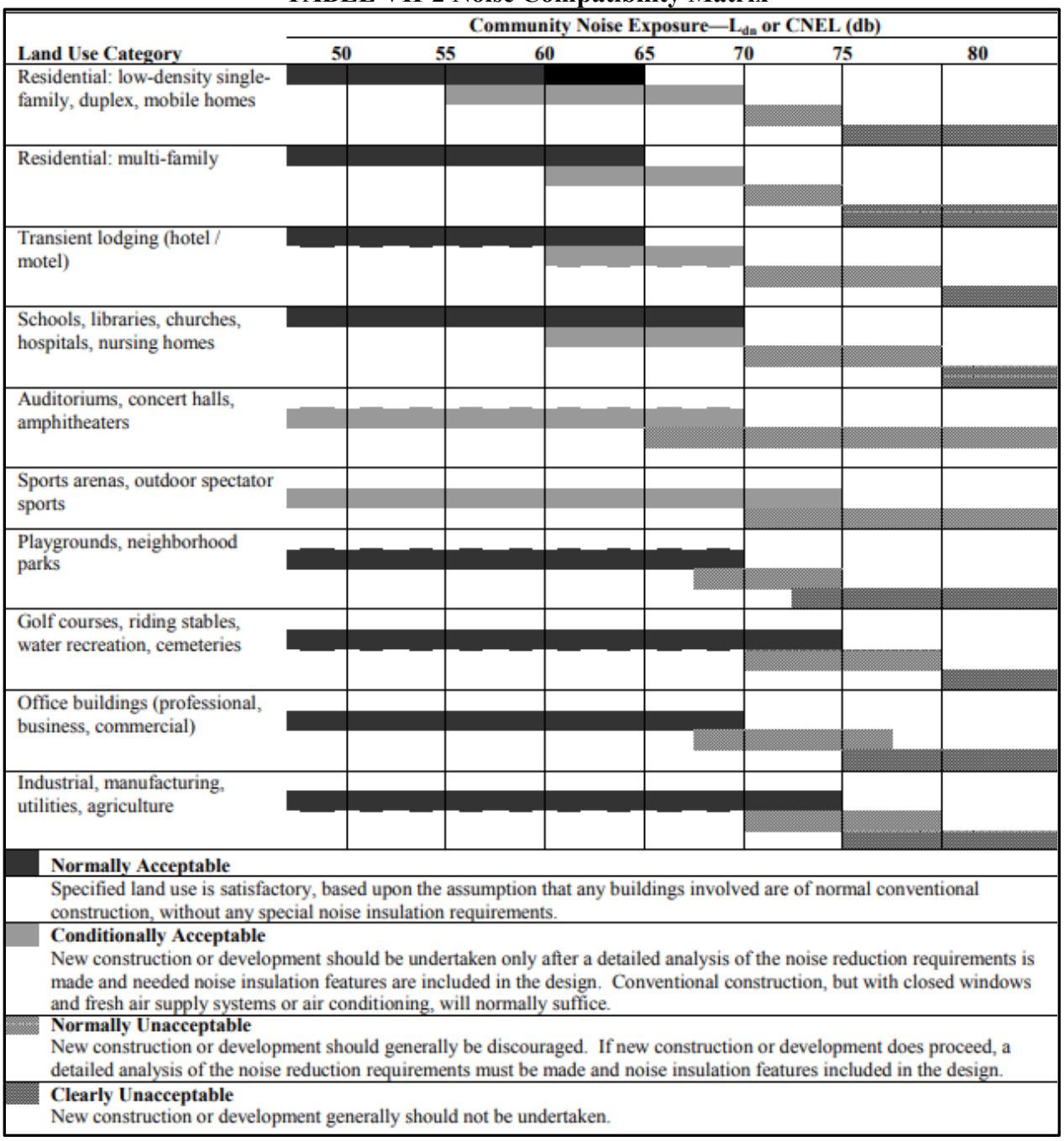


TABLE VII-3 Noise Exposure Thresholds - Non-Transportation Noise Sources

	Citywide, excluding Downtown		Downtown	
	Daytime (7:00am-10:00pm)	Nighttime (10:00pm-7:00am)	Daytime (7:00am-10:00pm)	Nighttime (10:00pm-7:00am)
Hourly Leq, dBA	55	45	60	50
Maximum level, dBA	75	65	80	70

* Each of the noise level standards shall be reduced by five (5) dBA for pure tone noises, noise consisting primarily of speech or music, or for recurring impulsive noises. Where measured ambient noise levels exceed the standards, the standards shall be increased to the ambient levels.

** If the existing ambient noise level at the receiving use exceeds the thresholds given in Table V.3.9, then the noise level standards shall be increased to account for the ambient noise level.

Groundborne Vibration

The FTA vibration criteria as shown in Master EIR Table V-3-6 which the General Plan identifies as that which needs to be met at developments within 200 feet of the center of the near mainline of active rail lines is as follows:

TABLE V.3.6 Railroad Train Ground-borne Vibration Thresholds

Land Use Category	Groundborne Vibration Impact Levels (VdB re: 1 µin./sec, RMS)		
	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]
Category 1: Buildings where low ambient is essential for interior operations	65 VdB[4]	65 VdB[4]	65 VdB[4]
Category 2: Residences and buildings where people normally sleep	72 VdB	75 VdB	80 VdB
Category 3: Institutional land uses with primarily daytime use	75 VdB	78 VdB	83 VdB

Notes:

1. "Frequent Events" is defined as more than 70 vibration events per day. Most rapid transit projects fall into this category.
2. "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations.
3. "Infrequent Events" is defined as fewer than 30 vibration events per day. This category includes most commuter rail systems.
4. This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. Vibration sensitive manufacturing or research should always require detailed evaluation to define the acceptable vibration levels. Ensuring low vibration levels in a building requires special design of HVAC systems and stiffened floors.

EXISTING NOISE ENVIRONMENT

The proposed project is located west of the BNSF railroad line/ Santa Fe Avenue frontage, east of Claus Road, and north of the future Crossings single family residential development. The project site is bordered by agricultural and residential uses to the west across Claus Road, existing agricultural and future residential uses to the south, agricultural uses to the east and industrial uses to the north. The existing noise environment at the project site results primarily from rail traffic on the BNSF line and vehicular traffic on area roadways. Other sources of noise in the area include area agricultural and industrial uses and overhead noise from general aviation aircraft using the Modesto City-County Airport.

Noise monitoring surveys were conducted on the site and surrounding areas between 9 am on Tuesday September 24th, and 10 am on Thursday September 26th, 2024, to quantify the existing noise environment on the project site. The noise monitoring survey included three long-term and noise measurements indicated as LT-1, LT-2, and LT-3 and three short-term noise measurements indicated as ST-1, ST-2, and ST-3 in Figure 1. The noise measurements were conducted with Larson Davis Laboratories (LDL) Type I Model LXT Sound Level Meters. All meters were equipped with ½-inch pre-polarized condenser microphones and windscreens and were calibrated with a Larson Davis Model CA250 precision acoustic calibrator prior to and following the measurement survey.

Long-term noise measurement, LT-1, was conducted at the northeast corner of the Parklane Site near the Milnes Road BNSF rail line at-grade crossing. For this measurement the noise monitor was installed on a utility pole at a height of approximately 12 feet above grade. The monitor was approximately 22 feet south of the Milnes Road centerline and 65 feet west of the BNSF rail line centerline. This measurement served to document the average and maximum noise levels produced Amtrack and Freight trains and the sounding of their horns at the Milnes Road at-grade crossing. The measured noise levels at this location, including the energy equivalent noise level (L_{eq}), maximum (L_{max}), minimum (L_{min}), and the noise levels exceeded 10, 50 and 90 percent of the time (indicated as L_{10}, L_{50} and L_{90}) are shown on Chart 1, following.

A review of Chart 1 indicates that the minimum (L_{min}), ambient (L_{90}) and median (L_{50}), noise levels at site LT-1 followed a diurnal pattern characteristic of traffic noise, and that the maximum (L_{max}) through energy average (L_{eq}) noise levels were primarily influenced by noise from trains passing on the BNSF rail line. During the measurement average hourly daytime noise levels ranging from 68 to 82 dBA L_{eq} and the average hourly nighttime noise levels ranging from 56 to 83 dBA L_{eq}. The overall Average Day/Night Noise Level for the 49-hour measurement period at position LT-1 was 84 dBA, with the full weekday measurement (Wednesday 9/25/24) at 85 dBA L_{dn}.

Though Amtrack trains on this rail line run on a schedule, freight train usage on the line does not follow a preset or any published schedule, so the actual number of trains passing the site cannot be determined by scheduling. However, train passing through the Milnes Road at-grade crossing are required to sound their horns, which produce noise levels of over 100 dBA at 65 feet. Because no other sources in the area are this loud, through a review of the noise measurement data it was determined that at least 65 trains passed the site over the 49-hour measurement period (an average of 32 trains per day) and that the recurring maximum noise (L_{max30})[1] from train passbys at the monitoring position (67 feet from the track centerline) was 105 dBA.

In addition to this long-term noise measurement, I&R also conducted a noise survey for the Crossings residential development in 2022 along the BNSF rail line approximately 850 feet south of the Greenlaw site in an area well removed from at-grade crossings. An average of 32.5 trains per day passed the site during this measurement, resulting in average day night noise level of 73 dBA L_{dn} and an L_{max30} of 90 dBA at 80 feet from the railroad centerline from engine and rail cars passbys with only distant noise from train horns.

Long-term noise measurement, LT-2, was made near the northwest corner of the Naraghi Site on a utility pole at a height of approximately 12 feet above grade and 47 feet from the centerline of Claus Road. The measured noise levels at this location, including the energy equivalent noise level (L_{eq}), maximum (L_{max}), minimum (L_{min}), and the noise levels exceeded 10, 50 and 90 percent of the time (indicated as L_{10}, L_{50} and L_{90}) are shown on Chart 2, following.

A review of Chart 2 indicates that the noise levels at site LT-2 follow a diurnal pattern characteristic of traffic noise influenced by loud local events, with the average hourly daytime noise levels ranging from 70 to 75 dBA L_{eq} and the average hourly nighttime noise levels ranging from 63 to 74 dBA L_{eq}. The overall Average Day/Night Noise Level (L_{dn}) for the 49-hour measurement period at position LT-1 was 78 dBA, with the full weekday measurement (Wednesday 9/25/24) also at 77 dBA L_{dn}.

Long-term noise measurement, LT-3, was made on the western side of the Parklane Site on a utility pole at a height of approximately 12 feet above grade and 44 feet from the centerline of Claus Road. The measured noise levels at this location, including the energy equivalent noise level (L_{eq}), maximum (L_{max}), minimum (L_{min}), and the noise levels exceeded 10, 50 and 90 percent of the time (indicated as L_{10}, L_{50} and L_{90}) are shown on Chart 2, following

A review of Chart 3 indicates that the noise levels at site LT-3 follow a diurnal pattern characteristic of traffic noise influenced by loud local events, with the average hourly daytime noise levels ranging from 70 to 76 dBA L_{eq} and the average hourly nighttime noise levels ranging from 64 to 74 dBA L_{eq}. The overall Average Day/Night Noise Level (L_{dn}) for the 49-hour measurement period at position LT-1 was 77 dBA, with the full weekday measurement (Wednesday 9/25/24) at 78 dBA L_{dn}.

[1] Greene, Rob, "Max Level Intrusive Noise Limit", 1982 National Conference on Environmental and Occupational Noise. The L_{max30} is obtained by logarithmically averaging the loudest 30% of maximum levels of rail passbys over a given time period.

Chart 1: Measured Noise Levels at LT-1

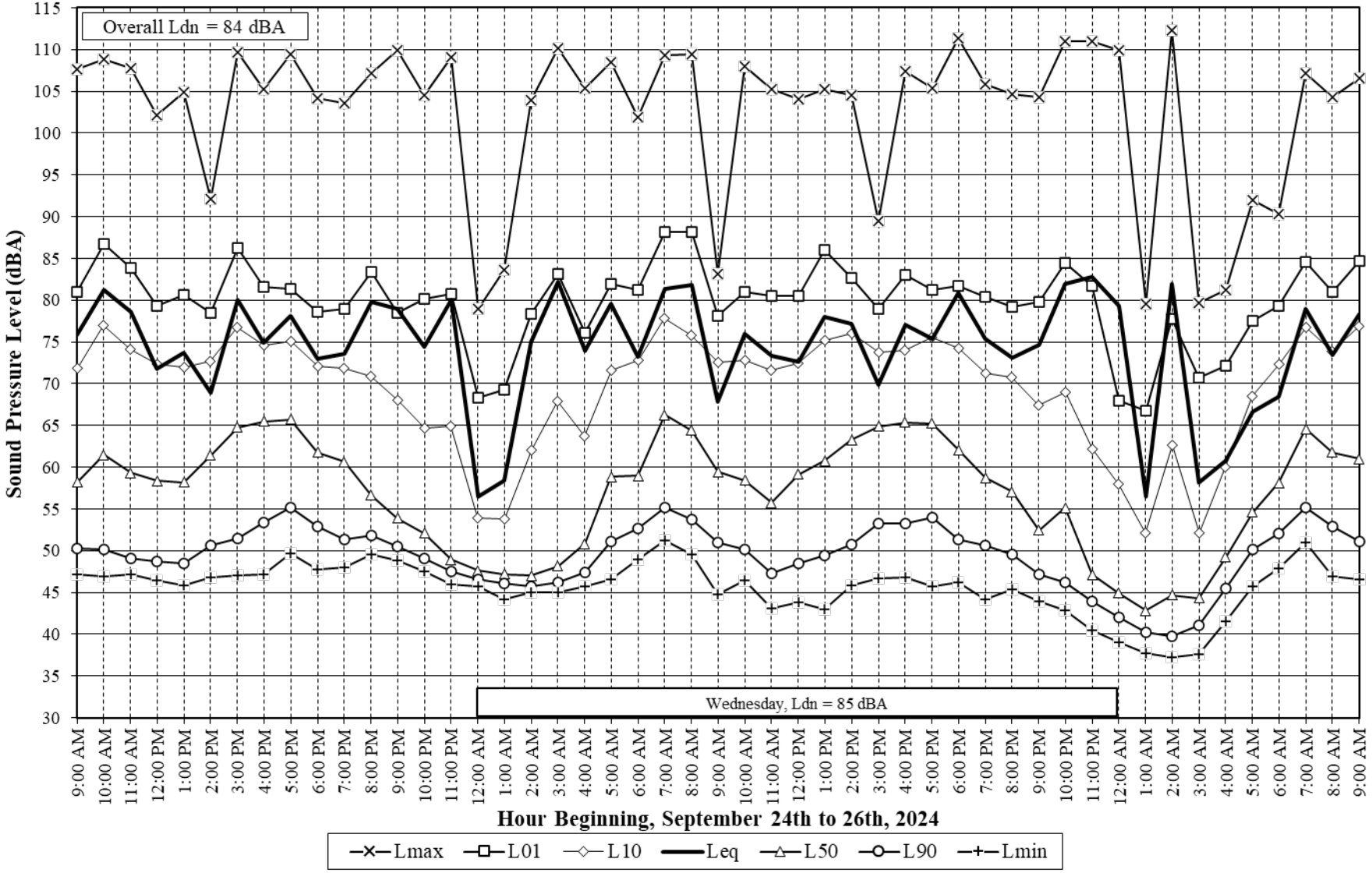


Chart 2: Measured Noise Levels at LT-2

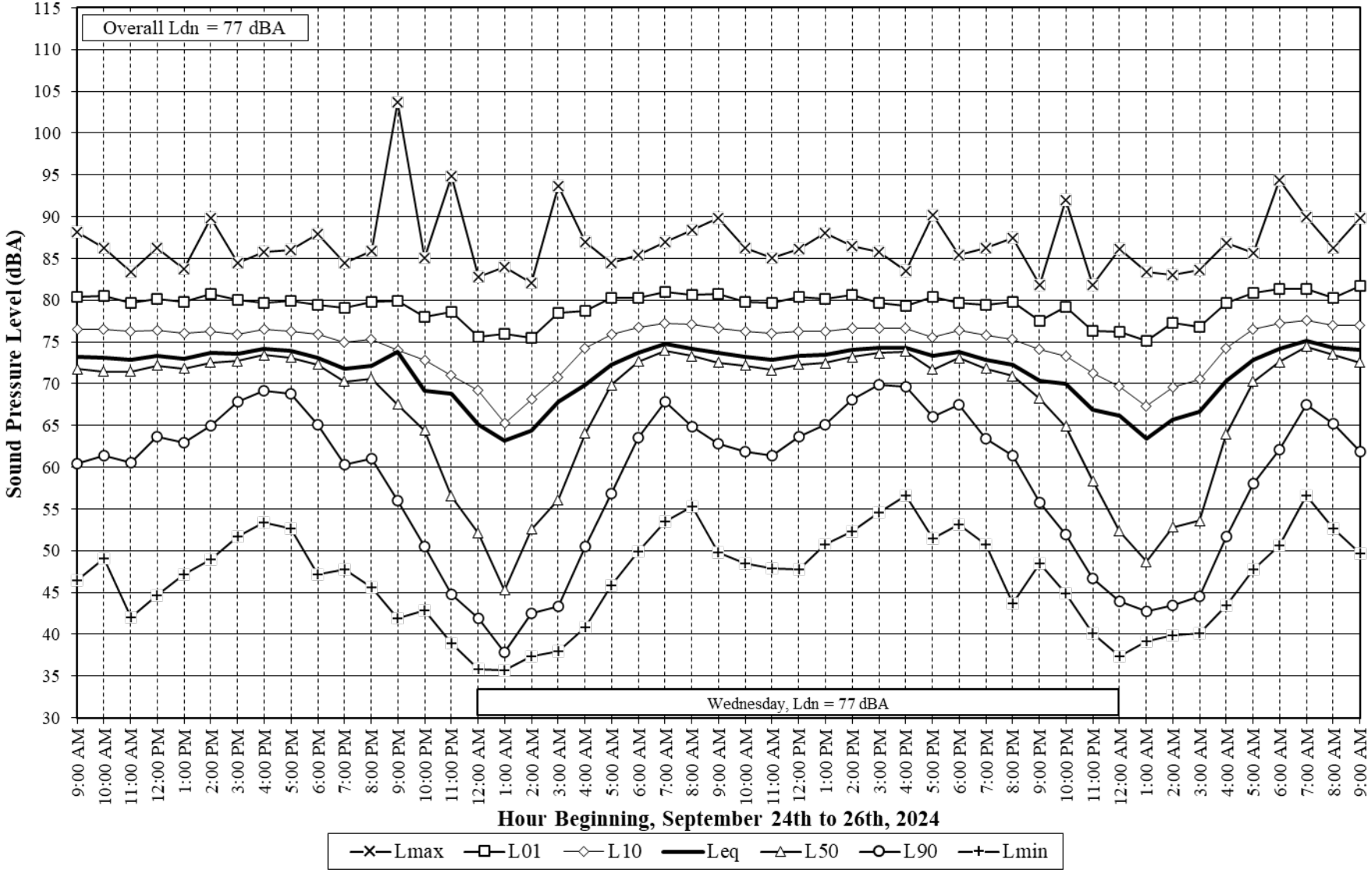
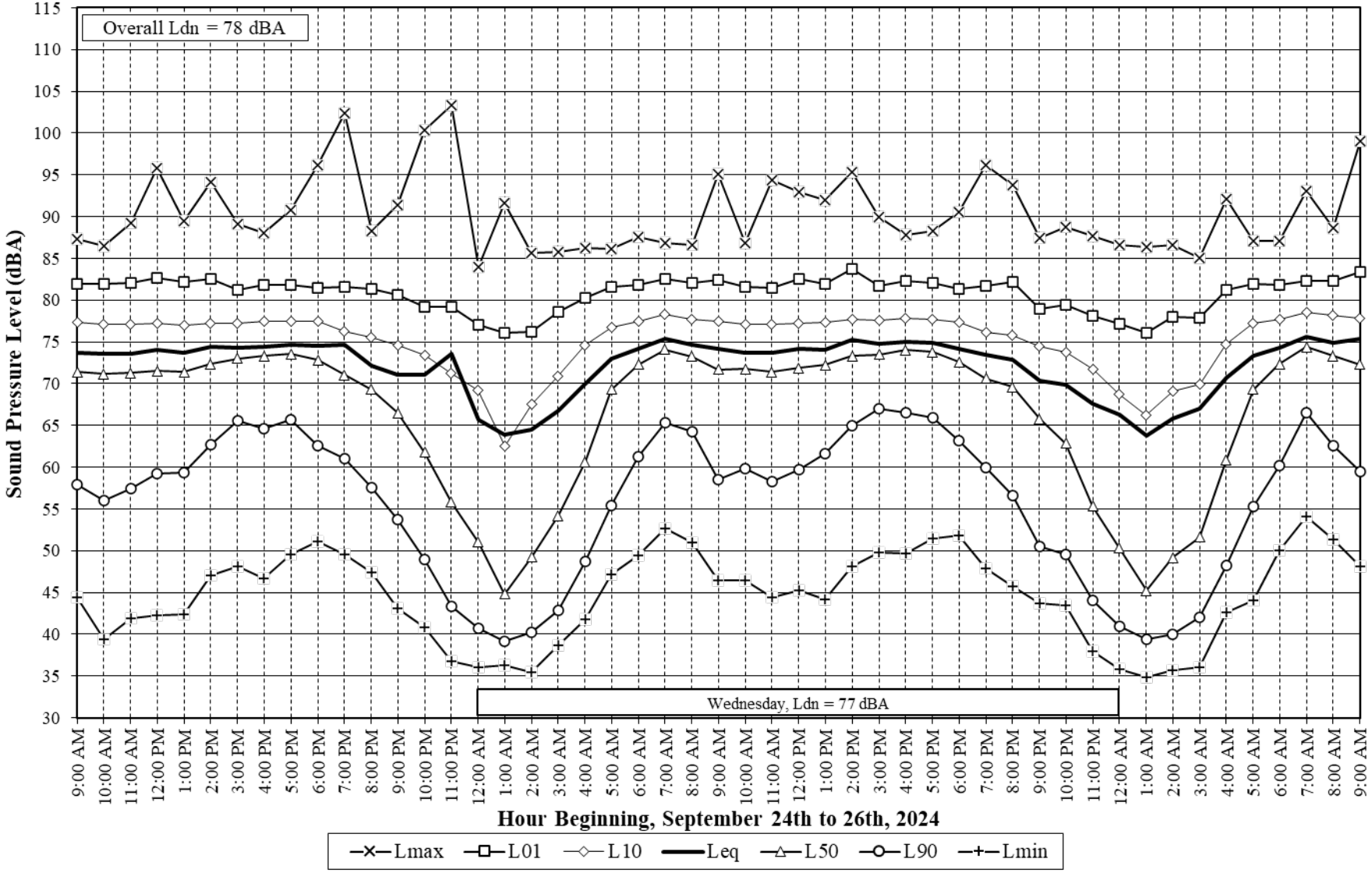


Chart 3: Measured Noise Levels at LT-3



The short-term measurements were made between 9:00 and 10:00 am on September 24th to evaluate the existing noise environment at the setbacks of the proposed residential property lines closest to Claus and Milnes Roads and along the BNSF rail line away from the Milnes Road at-grade crossing. These three short term noise measurements (ST-1, ST-2, and ST-3 in Figure 1) were made simultaneously with the long-term measurements. The locations of the measurements are discussed below, and summarized in Table 3, as follows:

- Short-term measurement one (ST-1) was conducted for a 20-minute period at location 550 feet south of the Milnes Road at-grade crossing and at a distance of approximately 45 feet from the track centerline, near the setback of the rear yards of residential lots backing up to the rail line.
- Short-term measurement two (ST-2) was conducted for a 10-minute period at approximately 40 feet from the Milnes Road centerline, which is the approximate residential property line setback from this roadway near the roadways approximate mid-point between Claus Road and the BNSF rail line.
- Short-term measurement three (ST-3) was conducted for a 10-minute period at approximately 100 feet from the centerline of Claus Road at the approximate residential property line setback from this roadway.

TABLE 3: Summary of Short-term Noise Measurement Data, dBA

Noise Measurement Location and Time Period	L_{max}	$L_{(1)}$	$L_{(10)}$	L_{eq}	$L_{(50)}$	$L_{(90)}$	L_{dn}
ST-1: ~550 ft. south of the Milnes Road at-grade crossing and ~45 feet from the BNSF rail centerline (9/25/24, 9:40 - 10:00 am)	89	80	48	65	42	40	74
ST-2: ~40 ft. from the Milnes Road centerline, ~equidistant from the rail line and Claus Road (9/25/24, 9:20 - 9:30 am)	73	68	64	59	51	44	67
ST-3: ~100 ft. from the Claus Road Centerline (9/25/24, 9:00 - 9:10 am)	73	71	67	64	62	54	67

Note: The L_{dn} at the short-term site is approximated by correlating data to that at the long-term site.

A review of the short-term measurement results in combination with the long-term measurements indicates that, under current conditions, the property lines of the homes which back up to Claus Road on all three sites will be exposed to an L_{dn} of 67 dBA and that the homes removed from the BNSF rail line on the Naraghi and Parklane sites will also be exposed to an L_{dn} of 67 dBA. The measurements also indicate that the L_{dn} at the property lines of the homes on the Parklane site closest to the Milnes Road at-grade BNSF railroad crossing will be 84 dBA L_{dn}, and that the lot lines of the homes backing up to the BNSF rail line over 500 feet from the rail line to be exposed to an L_{dn} of 74 dBA. The equivalent L_{max30} at ST-1 was found to be 86 dBA.

FUTURE NOISE ENVIRONMENT

Roadway Traffic Noise

The future noise environment on the roadway frontages would continue to result from traffic along the adjacent roadways. To assess the future noise environment, we have assumed that future traffic volumes would increase by about 1-2% per year as a result of general growth throughout the Area. Considering this traffic volume estimate, the future noise environment would be approximately 1 decibel higher than existing noise levels. A review of the current lot layouts and a consideration that the homes will have a minimum 10-foot rear yard setback, the rear property lines and facades of homes along Claus and Milnes Road would, respectively, be:

- Approximately 50 and 60 feet from the centerline of Claus Road and 35 and 45 feet from the centerline of Milnes Road on the Naraghi Site,
- Approximately 70 and 80 feet from the centerline of Claus Road and 40 and 50 feet from the centerline of Milnes Road on the Parklane Site and,
- Approximately 70 and 80 feet from the centerline of Claus Road on the Greenlaw Site,

Considering these distances and the standard distance attenuation factor for linear vehicular traffic noise of 3 dBA per doubling of distance, the exterior noise levels due to roadway traffic under future conditions at the rear property lines and facades of homes along Claus and Milnes Road would, be:

- 78 dBA L_{dn} at the rear property lines and 77 dBA L_{dn} at the rear facades of homes on lots abutting Claus Road on the Naraghi Site,
- 69 dBA L_{dn} at the rear property lines and 68 dBA L_{dn} at the rear facades of homes on lots abutting Milnes Road on the Naraghi Site, and
- 68 dBA L_{dn} at the rear property lines and 67 dBA L_{dn} at the rear facades of homes on lots abutting Milnes Road on the Parklane Site, and
- 77 dBA L_{dn} at the rear property lines and 76 dBA L_{dn} at the rear facades of homes on lots abutting Claus Road on the Greenlaw and Parklane Sites.

Railroad Noise

Under future conditions rail passbys are expected to continue to be the dominant noise source in the eastern portion of all three project sites. Though there are no available future projections for changes in Amtrack or freight usage on the BNSF rail line, considering existing frequent operations, we expect the average day/night and recurring maximum noise levels resulting rail usage to remain about the same under future conditions. Based on a review of the current lot layouts, and a consideration that the rear yards will be 10 feet deep, the residential property lines and home facades abutting the rail line on the Parklane and Greenlaw sites will, respectively, be as close as 50a and 60 feet from the BNSF track centerline and the residential property lines and home facades on the Naraghi site lots abutting the rail line will, respectively, be as close as 220 and 230 feet from the track centerline on the Naraghi site. Considering the noise measurement results discussed above and an attenuation rate of 4.5 dBA per doubling of distance for rail and transit sources,[2] the average day/night noise levels (L_{dn}) at the rear property lines and facades of the homes on the project sites would be:

- 76 dBA L_{dn} at the residential property lines and facades on the southeastern edge of the project site adjacent to the Milnes Road at-grade crossing and 68 dBA L_{dn} at the residential property lines and facades on the northeastern edge of the Naraghi site.
- 85 dBA L_{dn} at the residential property lines and 84 dBA L_{dn} at the residential facades on the northeastern edge of the Parklane site adjacent to the Milnes Road at-grade crossing and 75 dBA L_{dn} at the residential property lines and 74 dBA L_{dn} at the residential facades at the southeastern edge of the Parklane site, and
- 75 dBA L_{dn} at the residential property lines and 74 dBA L_{dn} at the residential facades on the Greenlaw site adjacent to the BNSF rail line.

[2] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, Sept. 2018, Page 49

This analysis also indicates that the facades of the homes on the lots adjacent to the BNSF rail line will be exposed to maximum recurring noise levels (L_{max30}) of:

- Up to 97 dBA L_{max30} at the southeastern edge of the Naraghi site adjacent to the BNSF rail line and up to 75 dBA L_{max30} at the northeastern edge of the Naraghi site adjacent to the rail line.
- Up to 106 dBA L_{max30} at the northeastern edge of the Parklane site adjacent to the BNSF rail line and up to 84 dBA L_{max30} at the southeastern edge of the Parklane site adjacent to the rail line, and
- Up to 84 dBA L_{max30} on the Greenlaw site adjacent to the BNSF rail line.

RAILROAD TRAIN PASSBY VIBRATION

Vibration measurements of individual Amtrack (passenger) and freight train passbys on the BNSF line were made in 2022 on the Crossings residential project site south of the Greenlaw site at distances of 30 and 60 feet from the railroad centerline. The BNSF rail line between the Crossings, Greenlaw, Parklane, and Naraghi sites is continuous, and the ground conditions are the same or very similar. Considering this, the ground vibration produced by trains passing on the rail line are considered to be the same at that Crossings and the Greenlaw, Parklane, and Naraghi sites.

The ground vibration resulting from three (3) passenger trains and one (1) freight trains on the rail line traveling at speeds of between 40 to 60 mph was measured at 60 feet from the rail track centerline. The measured RMS vibration levels due to these train passbys showed that the instantaneous maximum RMS vibration produced by trains passing the site at 60 feet from the track centerline in any octave band was limited to 75 VdB, and that the overall VdB levels ranged from ranged from 69 to 77 VdB with the average overall level of 72 VdB.

FUTURE RAILROAD INDUCED VIBRATION ENVIRONMENT

Based on the results of these vibration measurements and considering that trains of the same type are expected to continue to pass the site at the same frequency and speeds, we would expect vibration levels at the exterior of the homes to remain the same under future conditions. However, considering typical site grading along with the foundations and wood framed structures of the homes, we would expect ground to building coupling losses as the vibration propagates from the ground into the homes. Considering effect of these losses, and that the peak RMS vibration measurement at ground level was 77 VdB and the average peak RMS level was 72 VdB, we expect that the peak RMS vibration levels within the proposed residences closest to the rail line will not exceed the 75 VdB City (and FTA) impact significance criteria for occasional rail events at residences and buildings where people normally sleep.

SIGNIFICANCE CRITERIA

Appendix G of the CEQA Guidelines states that a project would normally be considered to result in significant noise impacts if noise levels conflict with adopted environmental standards or plans or if noise generated by the project would substantially increase existing noise levels at sensitive receivers over a permanent or temporary basis. A significant impact would be identified for a proposed land use if it would be exposed to noise levels exceeding established guidelines or standards for noise and land use compatibility. Considering the existing noise in the site vicinity, a substantial permanent noise increase would occur if noise resulting from the project would result in an increase in the L_{dn} level at noise sensitive land uses in the site vicinity of by 3 dBA or greater. A substantial temporary noise level increase would occur where noise from construction activities exceeds 60 dBA L_{eq} and the ambient noise environment by at least 5 dBA

L_{eq} at adjacent land uses in the project vicinity for a period of one year or more. Vibration levels generated during demolition or construction activities would be significant if they cause cosmetic or structural damage to adjacent buildings.

NOISE IMPACTS AND MITIGATION MEASURES

Impact 1a: Exterior Residential Noise and Land Use Compatibility. Residential uses developed at portions of the project site would be exposed to exterior noise levels exceeding 65 dBA L_{dn} and maximum train passby related noise levels may exceed 50 dBA in bedrooms and 55 dBA in other rooms with home on the railroad frontage without the use of noise mitigation.
This is a potentially significant impact.

Based on the results of our noise measurement survey and future noise projections, the homes on the eastern edge of the site (adjacent to the BNSF rail line) and homes adjacent to Claus and Milnes Roads will be exposed to exterior noise levels exceeding 65 dBA L_{dn}. We understand that all homes on the three project sites are planned to be of two-story construction and homes will be placed on lots with 10 feet deep (minimum) rear yards. Considering this the resulting future noise levels the rear yards and facades of the homes on the lots adjacent to the BNSF rail line, Claus Road, and Milnes Road for the three project sites are expected to be as follows:

Naraghi Site

- The rear yards of the homes on the eastern edge of the Naraghi site which back onto the rail line will be exposed to average day/night noise levels of between 66 and 76 dBA L_{dn} and the rail-oriented facades of the homes on these lots will be exposed to maximum recurring (L_{max30}) noise levels of between 75 and 97 dBA.
- The rear yards of the homes on the western edge of the Naraghi site, which back onto Claus Road, will be exposed to an average day/night noise level of up to 78 dBA L_{dn} and the rear facades of the homes on these lots will be exposed to levels of to up to 77 dBA L_{dn}.
- The rear yards of the homes on the southern edge of the Naraghi site, which back onto Milnes Road, will be exposed to an average day/night noise level of up to 69 dBA L_{dn} and the rear facades of the homes on these lots will be exposed to levels of to up to 68 dBA L_{dn}.

Parklane Site

- The rear yards of the homes on the eastern edge of the Parklane site which back onto the rail line will be exposed to average day/night noise levels of between 74 and 85 dBA L_{dn} and the rail-oriented facades of the homes on these lots will be exposed to maximum recurring (L_{max30}) noise levels of between 84 and 106 dBA.
- The rear yards of the homes on the western edge of the Parklane site, which back onto Claus Road, will be exposed to an average day/night noise level of up to 77 dBA L_{dn} and the rear facades of the homes on these lots will be exposed to levels of up to 76 dBA L_{dn}.
- The rear yards of the homes on the northern edge of the Parklane site, which back onto Milnes Road, will be exposed to an average day/night noise level of up to 68 dBA L_{dn} and the rear facades of the homes on these lots will be exposed to levels of up to 67 dBA L_{dn}.

Greenlaw Site

- The rear yards of the homes on the eastern edge of the Greenlaw site which back onto the rail line will be exposed to an average day/night noise level of 74 dBA L_{dn} and the rail-oriented facades of the homes on these lots will be exposed to maximum recurring (L_{max30}) noise levels of 84 dBA.

- The rear yards of the homes on the western edge of the Greenlaw site, which back onto Claus Road, will be exposed to an average day/night noise level of up to 77 dBA L_{dn} and the rear facades of the homes on these lots will be exposed to levels of up to 76 dBA L_{dn}.

Mitigation Measure 1a: Exterior Noise Reduction in Residential Yards
The following noise barriers will be needed to reduce exterior noise levels within the yards of the homes on the Naraghi, Greenlaw and Parklane sites to acceptable exterior noise levels per the City of Modesto General Plan Standards as discussed below and shown in Figures 2, 3 and 4, attached.

Naraghi Site
BNSF Railroad Frontage
Noise barrier walls will be needed along the lot lines backing onto (parallel with) the BNSF rail line with the following minimum top-of-wall elevations (as referenced to the yard grades) to meet the City's Normally Acceptable Noise Exposure limits as possible:

- Noise barriers with a top of wall height of 12 feet above yard grades between the southeastern corner of the site and a distance of approximately 350 feet north of the Milnes Road centerline.
- Noise barriers with a top of wall height of 10 feet above yard grades between approximately 350 and 550 feet north of the Milnes Road centerline,
- Noise barriers with a top of wall height of 8 feet above yard grades between approximately 550 and 850 feet north of the Milnes Road centerline,
- Noise barriers with a top of wall height of 6 feet above yard grades between approximately 850 feet north of the Milnes Road centerline and the northeastern corner of the site, with this 6-foot-tall noise barrier extended approximately 160 feet along the northern site property line.

Milnes Road Frontage
Noise barrier walls will be needed along the lot lines backing onto (parallel with) Milnes Road with the following minimum top of wall elevations (as referenced to the yard grades):

- Noise barriers with a top of wall height of 12 feet above yard grades between the southeastern corner of the site and a distance of approximately 400 feet west of the BNSF railroad centerline.
- Noise barriers with a top of wall height of 10 feet above yard grades between approximately 400 and 530 feet and 590 and 700 feet west of the BNSF railroad at-grade crossing.
- Noise barriers with a top of wall height of 8 feet above yard grades between approximately 600 feet west of the BNSF railroad at-grade crossing and the southwest (Milnes and Claus Road) corner of the site.
- Noise barriers with a top of wall height of 8 feet above yard grades should be extended perpendicular to Milnes Road along the access road frontage for approximately 100 feet on either side of this roadway.

Claus Road Frontage
Noise barrier walls with minimum top of wall elevation as referenced to the yard grades of 9 feet will be needed along the lot lines backing onto (parallel with) Claus Road. An 8-foot-tall noise barrier should extend across the northern edge of the site to the termination of the 6-foot-tall noise barrier wall extending from the eastern (railroad facing) side of the site.

Parklane Site

BNSF Railroad Frontage

Assuming that the Parklane and Greenlaw sites are constructed concurrently or consecutively, the noise barrier walls will be needed along the lot lines backing onto (parallel with) the BNSF rail line with the following minimum top-of-wall elevations (as referenced to the yard grade) to meet the City's Normally and Conditionally Acceptable Noise Exposure limits:

- Noise barriers with a top of wall height of 20 feet above yard grades up to a distance of approximately 300 feet south of the Milnes Road centerline would be needed to allow the City of Modesto's Normally Acceptable Noise Exposure limit of 65 dBA L_{dn} to be met in the rear yards of the homes on these lots. Because walls of such height are considered unfeasible, noise barriers with a top of wall height of 15 feet above yards grade up to a distance of approximately 300 feet south of the Milnes Road centerline are recommended to allow the City of Modesto's Conditionally Acceptable Noise Exposure limit of 70 dBA L_{dn} to be met in the rear yards of the homes on these lots.

  To allow the City of Modesto's Normally Acceptable Noise Exposure limit of 65 dBA L_{dn} to be met in the rear yards of the homes on the lots greater than approximately 300 feet from the Milnes Road centerline the following minimum top-of-wall elevations (as referenced to the yard grades) will be needed:

  - Noise barriers with a top of wall height of 13 feet above yard grades between approximately 300 and 500 feet south of the Milnes Road centerline,
  - Noise barriers with a top of wall height of 12 feet above yard grades between approximately 500 and 1300 feet south of the Milnes Road centerline,
  - Noise barriers with a top of wall height of 11 feet above yard grades between approximately 1300 feet south of the Milnes Road centerline and the southeast corner of the site.

If the Parklane and Greenlaw sites are not constructed concurrently or consecutively (i.e. if there is one year or more between the occupation of one of these sites and the construction of the rail line noise barrier for the other), then the noise barrier parallel with the rail line should be continued along the rear property line of the lots at the southern edge of the project site within 400 feet of the rail centerline. This wall should be built to a height of at a height of 10 feet above yard grade closest to the rail line and can be tapered to a height of 6 feet above yard grade at approximately 400 feet for the rail centerline

Milnes Road Frontage

Noise barrier walls will be needed along the lot lines backing onto (parallel with) Milnes Road with the following minimum top of wall elevations (as referenced to the yard grades):

- Noise barriers with a top of wall height of 15 feet above yard grades between the southeastern corner of the site and a distance of approximately 275 feet west of the BNSF railroad centerline.
- Noise barriers with a top of wall height of 12 feet above yard grades between approximately 275 and 460 feet west of the BNSF railroad at-grade crossing.
- Noise barriers with a top of wall height of 10 feet above yard grades between 520 and 700 feet west of the BNSF railroad at-grade crossing.

- Noise barriers with a top of wall height of 8 feet above yard grades between 700 feet west of the BNSF railroad at-grade crossing and the northwest (Milnes and Claus Road) corner of the site.
- Noise barriers with a top of wall height of 8 feet above yard grades should be extended perpendicular to Milnes Road along the access road frontage for approximately 100 feet on either side of this roadway.

Claus Road Frontage
Noise barrier walls with minimum top of wall elevation as referenced to the yard grades of 8 feet will be needed along the lot lines backing onto (parallel with) Claus Road with this 8-foot-tall noise barrier extended approximately 400 feet along the rear property lines of the residential lots north of the 'Church Site' and possible Floyd Avenue extension.

Greenlaw Site
BNSF Railroad Frontage
Assuming that the Parklane and Greenlaw sites are constructed concurrently or consecutively, noise barrier walls with minimum top of wall elevation of 10 feet as referenced to the yard grades will be needed along the lot lines backing onto and parallel to the BNSF rail line.

If the Parklane and Greenlaw sites are not constructed concurrently or consecutively (i.e. if there is one year or more between the occupation of one of these sites and the construction of the rail line noise barrier for the other), then the noise barrier parallel with the rail line should be continued along the rear property line of the lots at the southern edge of the project site within 400 feet of the rail centerline. This wall should be built to a height of at a height of 10 feet above yard grade closest to the rail line and can be tapered to a height of 6 feet above yard grade at approximately 400 feet for the rail centerline

Claus Road Frontage
Noise barrier walls with minimum top of wall elevation of 8 feet as referenced to the yard grades will be needed along the lot lines backing onto (parallel with) Claus Road with this 8-foot-tall noise barrier extended approximately 425 feet along the rear property lines of the residential lots on the northern site edged which share a property line with the 'Church Site' to the north.

Noise Barrier specification requirements

To be effective as a barrier to noise, the noise barrier walls should be built without cracks or gaps in the face or large or continuous gaps at the base or where they adjoin the homes or each other. The walls should also have a minimum surface weight of 3.0 lbs. per sq. ft. Small, dispersed, gaps in the base of the walls for landscape irrigation or drainage, which do not compose more than 0.5% of the wall area, are acceptable.

For a wood wall to meet these requirements, we typically recommend that the fence be double faced with butted vertical fence boards on each side with a continuous layer of 1/2" plywood. Using the plywood ensures continued effectiveness of the barrier with age, since wood slats alone have a tendency to warp and separate with age allowing gaps to form and the barrier effect of the wall to diminish. Other acceptable materials include, but are not limited to, masonry block and pre-cast concrete panels.

Impact 1b: **Interior Residential Noise and Land Use Compatibility.** The interiors of residences on portions of the project site may be exposed to noise levels exceeding the City required average noise level criteria of 45 dBA L_{dn}, and/or the City required maximum noise levels for train passby noise of to 50 dBA L_{max} in bedrooms and 55 dBA L_{max} in other noise sensitive areas. **This is a potentially significant impact.**

Homes adjacent to Claus Road

With the installation of the noise barriers on Naraghi, Parklane and Greenlaw sites as prescribed in Mitigation Measure 1a (above), the first-floor facades of homes on these project sites adjacent to Claus Road will be exposed to average exterior noise levels of 65 dBA L_{dn} or less. However, the upper floor residential facades of homes adjacent to this roadway, which cannot be acoustically protected by a ground level barrier, will have a clear view of the roadway traffic will be exposed to average exterior noise levels of up to 77 dBA L_{dn} at the Naraghi Site, and 76 dBA L_{dn} at the Parklane and Greenlaw sites.

Homes adjacent to Milnes Road

With the installation of the noise barriers on Naraghi and Parklane sites as prescribed in Mitigation Measure 1a (above), the first-floor facades of homes on these project sites adjacent to Milnes Road will be exposed to average exterior noise levels of 65 dBA L_{dn} or less. However, the upper floor residential facades of homes adjacent to this roadway, which cannot be acoustically protected by a ground level barrier, will have a clear view of the roadway traffic will be exposed to average exterior noise levels of up to 68 dBA L_{dn} at the Naraghi Site, and 67 dBA L_{dn} at the Parklane site.

Homes adjacent to the BNSF rail line

With the installation of the noise barriers on Naraghi, Parklane and Greenlaw sites as prescribed in Mitigation Measure 1a (above), with the exception of homes on the northeastern corner of the Parklane site, the first-floor facades of homes on these project site adjacent to the BNSF rail line will be exposed to average exterior noise levels of 65 dBA L_{dn} or less. However, the upper floor residential facades of homes adjacent to the rail line, which cannot be acoustically protected by a ground level barrier, will have a clear view of the train passbys and will be exposed to average exterior noise levels of between 68 and 76 dBA L_{dn} at the Naraghi Site, 74 dBA to 84 dBA L_{dn} at the Parklane site and 74 dBA L_{dn} at the Greenlaw site. Also, with installation of these noise barriers the upper floor facades of the home facing and perpendicular to the BNSF rail line on the Naraghi, Parklane and Greenlaw sites will be exposed to maximum recurring noise levels of between 75 and 97 dBA L_{max30} at the Naraghi Site, 84 dBA to 106 dBA L_{max30} at the Parklane site and 84 dBA L_{max30} at the Greenlaw site. In addition, with installation of a noise barrier of a feasible height at the northeast corner of the Parklane Site as discussed in Mitigation measure 1a, the lower floor facades of homes on the northeastern corner of the Parklane site will be exposed to average exterior noise levels of up to 70 dBA L_{dn} and maximum recurring noise levels of up to 91 dBA L_{max30},

In buildings of typical construction, with the windows partially open, interior noise levels are generally 15 dBA lower than exterior noise levels. With the windows maintained closed, standard residential construction typically provides about 20 to 25 decibels of noise reduction. Therefore, with the exception of the homes on the northeastern corner of the Parklane Site, the lower floors of the homes will not require sound-rated windows or doors to meet the City's average noise level criteria of 45 dBA L_{dn}, but the upper floor of these homes will require sound-rated windows and doors (if present) to meet the 45 dBA L_{dn} interior noise standard. Additionally, the homes adjacent to Claus Road Milnes Road and the BNCF rail line will require

the incorporation of a forced-air mechanical ventilation system to allow the occupant the option of controlling noise by closing the windows.

Mitigation 1b.1: Interior Noise reduction for homes adjacent to Claus and Milnes Roads

a. To achieve the necessary noise reduction required to meet the requirements of the City General Plan standards, some form of forced air mechanical ventilation, satisfactory to the local building official, would be required in all residences with partial or full line of sight to Claus Road traffic.
b. Given the anticipated exterior noise levels along Claus Road, it may also be necessary to provide sound-rated windows and doors at upper floor residences facing or perpendicular to the roadway to maintain interior noise levels at or below 45 dBA L_{dn}. The degree of sound mitigation needed to achieve an interior CNEL of 45 dBA or less would vary depending on the final design of the building (relative window area to wall area) and the design of the exterior wall assemblies. However, based on the future exterior noise levels and typical residential construction, we would expect that windows and doors facing or with a view of Claus Road may require Sound Transmission Class (STC) ratings of between 30 and 36.
c. The specific determination of exterior wall assemblies and window/door STC ratings should be conducted on a unit-by-unit basis during the project design. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to issuance of a building permit.

Mitigation 1b.2: Interior Noise reduction for homes adjacent to the BNSF rail line

a. To achieve the necessary noise reduction required to meet the requirements of the City General Plan standards, some form of forced air mechanical ventilation, satisfactory to the local building official, would be required in all residences with partial or full line of sight to trains passing on the BNSF rail line.
b. Given the anticipated exterior noise levels along the BNSF rail line, it will also be necessary to provide sound-rated windows and doors at lower and upper floor residences facing or perpendicular to the rail line to reduce maximum recurring noise levels from train passbys to at or below the 50 dBA bedrooms/55dBA other rooms L_{max30} interior level standards. The degree of sound mitigation needed to achieve these interior noise standards would vary depending on the final design of the homes (relative window/door areas to wall area) and the design of the exterior wall assemblies. However, with the exception of the homes on the lots at the northeastern corner of the Parklane site and the southeastern corner of the Naraghi site near the at-grade crossing, based on typical window/door to wall percentages we expect that sound-rated windows and doors with STC ratings of 28 to 34 may be needed at the first floor facades facing and perpendicular to the rail line, and depending on the STC rating of the exterior walls, windows with STC ratings of 38 to 45 may be needed at the second floor facades facing and perpendicular to the rail line to control maximum instantaneous noise levels to 50 dBA L_{max} in bedrooms, 55 dBA L_{max} in other habitable rooms. The homes on the lots at the northeastern corner of the Parklane site and the southeastern corner of the Naraghi site near the at-grade crossing will be exposed to L_{max30} levels of up to 97 and 106 dBA and are therefore expected to require additional acoustic design and sound control measures to meet the 50 dBA bedrooms/55dBA other rooms L_{max30} interior level standards
c. Additional treatments may include, but are not limited to, sound-rated exterior wall construction, acoustical caulking, insulation, acoustical vents, etc. Design measures to limit exterior to interior noise intrusion could also include orienting large windows and doors away from the railroad where possible, locating bedrooms away from the railroad frontage, eliminating all exterior windows and doors from the railroad frontage, and locating single story only homes within close proximity to the rail line.

d. The specific determination of exterior wall assemblies and window/door STC ratings should be conducted on a unit-by-unit basis during the project design. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to issuance of a building permit.

Impact 2: **Project Operational Noise Generation** Noise due to the use and occupation of the project residences on adjacent noise sensitive uses is not expected to significantly increase or alter the existing noise environment at these uses. **This is a less-than-significant impact.**

The proposed project would place new residential uses approximately 200 to 300 feet across Claus Road from existing residential uses to the west and approximately 100 to 200 feet from existing religious uses north of the Parklane and west of the Greenlaw sites. The occupation and use of the proposed homes is expected to result in the typical noises associated with residential development, including voices of the new residents, home maintenance activities, barking dogs and children. The Heating Ventilation and Air Conditioning (HVAC) and other mechanical equipment associated with residential developments will also add noise the existing environment. However, though noise resulting from occupation of the new residences may noticeably change the noise environment in some areas, these sources are not expected to increase noise levels in any surrounding areas by three or more dBA and the noise associated with the proposed residences is not incompatible with the surrounding land uses. Therefore, project operation is not judged to result in a noise impact.

Mitigation 2: None Needed

Impact 3: **Project-Generated Traffic Noise.** The proposed project would not substantially increase noise levels on a permanent basis at noise sensitive uses in the vicinity. **This is a less-than-significant impact.**

A significant impact would be identified if traffic generated by the project would substantially increase noise levels at sensitive receivers in the vicinity. A substantial increase would occur if the project traffic on area roadways where to result in a noise level increase of 3 dBA L_{dn} or greater. A traffic report for the development of Naraghi, Parklane or Greenlaw sites was not reviewed for this project, however, to cause a 3 dBA increase in noise along area roadways, development of anyone of these three sites would have to generate enough traffic to more than double current roadway volumes. Given the size of the individual project sites, the current roadway noise levels, and the observed traffic volumes on area roadways, this is not considered possible.

Mitigation 3: None Required.

Impact 4a: **Exposure to Construction Generated Groundborne Vibration.** Residences in the vicinity of the project site are not expected to be exposed to perceptible vibration levels from construction activities. **This is a less-than-significant impact.**

Construction activities would include site preparation work such as grading and the installation of utilities, foundation work, and new building framing. Construction techniques that generate the highest vibration levels, such as impact or vibratory pile driving, are not expected at this project. Construction activities would generally occur at distances of 300 feet or more from the nearest residential units and 100 feet or more from the nearest religious use buildings.

For structural damage, the California Department of Transportation uses a vibration limit of 0.5 in/sec, PPV for buildings structurally sound and designed to modern engineering standards and

0.2 in/sec, PPV for buildings that are found to be structurally sound but where structural damage is a major concern.

Project construction activities such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.) may generate substantial vibration in the immediate vicinity. Building framing, exterior and interior finishing, and landscaping activities are not anticipated to be sources of substantial vibration. Construction activities may extend over several construction seasons, but construction vibration would not be substantial for most of this time except during vibration generating activities (as discussed above).

Table 4 presents vibration source levels for typical construction equipment at a distance of 25 feet. Jackhammers typically generate vibration levels of 0.035 in/sec PPV, drilling typically generates vibration levels of 0.09 in/sec PPV, and vibratory rollers generate vibration levels of 0.21 in/sec PPV at a distance of 25 feet. Vibration levels would vary depending on soil conditions, construction methods, and equipment used. At distances of 100 feet or greater, construction activities would generally not generate vibration levels exceeding 0.05 in/sec PPV and would be well below the 0.50 in/sec PPV damage criteria.

TABLE 4 Vibration Source Levels for Construction Equipment[3]

Equipment		PPV at 25 ft. (in/sec)
Clam shovel drop		0.202
Hydromill (slurry wall)	in soil	0.008
	in rock	0.017
Vibratory Roller		0.210
Hoe Ram		0.089
Large bulldozer		0.089
Caisson drilling		0.089
Loaded trucks		0.076
Jackhammer		0.035
Small bulldozer		0.003

In areas where vibration would not be expected to cause structural damage, vibration levels may still be perceptible. However, as with any type of construction, this would be anticipated, and it would not be considered significant given the intermittent and short duration of the phases that have the highest potential of producing vibration. By use of administrative controls such as notifying adjacent land uses of scheduled construction activities and scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby residences, perceptible vibration can be kept to a minimum and as such would not result in a significant impact with respect to perception.

Mitigation 4a: None Required

[3] Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration, May 2006.

Impact 4b: Exposure to Railroad Related Groundborne Vibration. Residences on the project site would not be exposed to excessive rail-related ground vibration levels. **This is a less-than-significant impact.**

As determined from I&R's vibration measurement survey along the BNSF rail line south of the Greenlaw site as discussed previously in this report, the interiors of the proposed residences closest to the rail line are expected to be exposed to ground borne vibration levels of 75 VdB or less. This level of vibration would not exceed the City (and FTA) impact significance criteria for occasional rail events at residences and buildings where people normally sleep and is not judged to result in a significant impact.

Mitigation 4b: None Required

Impact 5: Construction Noise. Noise levels generated by project construction activities would temporarily elevate ambient noise levels at sensitive land uses in the vicinity. Major noise generating construction activities would be limited to less than one construction season or less. **This is a less-than-significant impact.**

The construction of the project would generate noise which would temporarily increase noise levels at adjacent residential and religious uses. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment operating on site, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction of the project would involve site improvements, such as the establishment of utilities, excavation of foundations, building erection, paving, and landscaping. The hauling of excavated material and construction materials would also generate truck trips on local roadways. Construction activities are typically carried out in stages. During each stage of construction, there would be a different mix of equipment operating. Construction noise levels would vary by stage and vary within stages based on the amount of equipment in operation and location where the equipment is operating. Typical construction noise levels at a distance of 50 feet are shown in Table 5, which gives the average noise level ranges by construction phase. Most demolition and construction noise is in the range of 80 to 90 dBA at a distance of 50 feet from the source.

TABLE 5: Typical Ranges of L_{eq} Construction Noise Levels at 50 Feet, dBA

Construction Stage	Domestic Housing		Office Building, Hotel, Hospital, School, Public Works		Public Works Roads & Highways, Sewers, and Trenches	
	I	II	I	II	I	II
Ground Clearing	83	83	84	84	84	84
Excavation	88	75	89	79	88	78
Foundations	81	81	78	78	88	88
Erection	81	65	87	75	79	78
Finishing	88	72	89	75	84	84
I - All pertinent equipment present at site, **II** - Minimum required equipment present at site.						

Source: U.S.E.P.A., Legal Compilation on Noise, Vol. 1, p. 2-104, 1973.

The nearest noise sensitive residential and religious uses will be 200 and 100 feet from the closest project construction activities. Average noise levels at this distance of typical construction activity at this site would reach 76 and 82 dBA during busy construction periods. These noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor. The adjacent, existing, residential and religious uses would, therefore, be intermittently exposed to high levels of noise during periods of nearby construction. Typically, significant noise impacts do not result when standard construction noise control measures are enforced at the project site and when the duration of the noise generating construction period is

limited to one construction season (typically one year) or less. Noise generated by major construction activities is not expected to result in noise levels exceeding 60 dBA L_{eq} and the ambient noise environment by 5 dBA L_{eq} for a period of greater than one year.

The following standard controls are assumed to be included in the project:

- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise generating equipment (e.g., compressors) as far as possible from adjacent residential receivers.
- Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Designate a "disturbance coordinator" responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.

With the implementation of these controls, and the limited duration of the noise generating construction period, the substantial temporary increase in ambient noise levels associated with construction activities would be less-than-significant.

Mitigation Measure 5: No additional measures required.

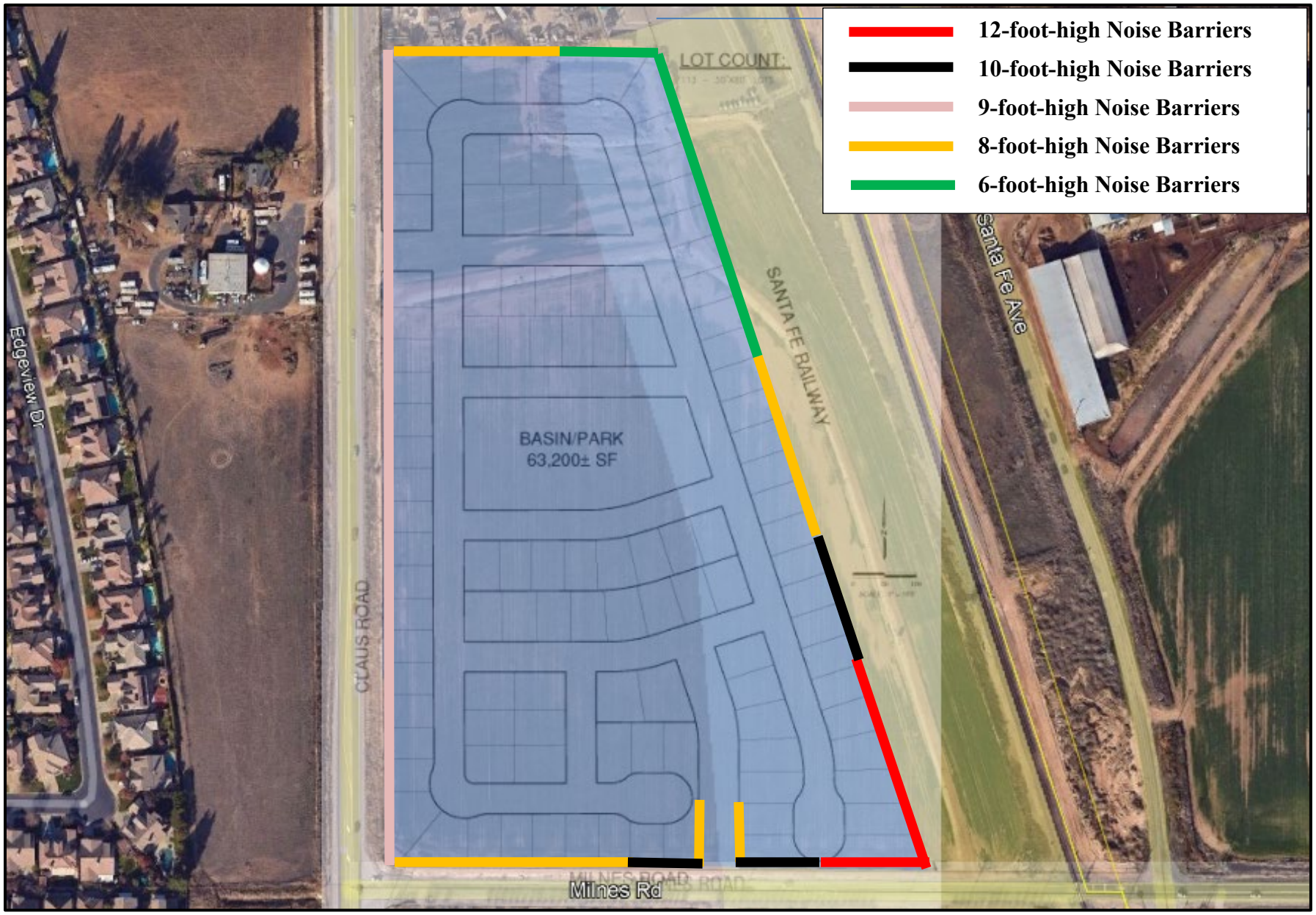


Figure 2: Noise Barrier Heights and Approximate Placement at Naraghi Site



Figure 3: Noise Barrier Heights and Approximate Placement at Parklane Site

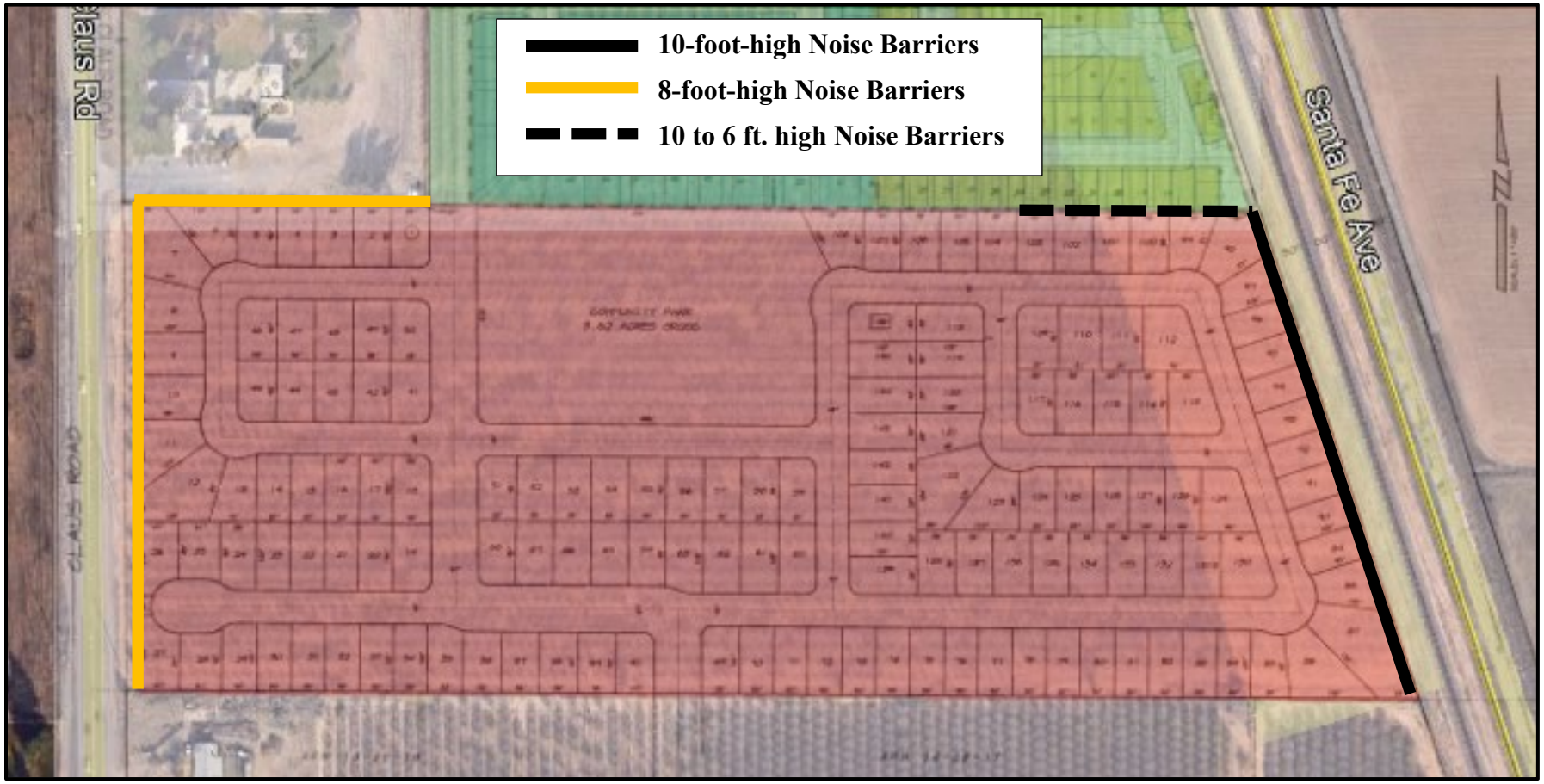


Figure 4: Noise Barrier Placement and Heights at Greenlaw Site

FINANCIAL INTEREST DISCLOSURE FORM GUIDELINES

City ordinance requires that all individuals with a material interest in a decision of the City Council must be disclosed. The following is for your assistance in completing the attached disclosure form:

1. For all of the below, corporate names/LLC's/limited partnerships are not acceptable in and of themselves, all individuals with an interest of $2000 or more must be disclosed in these cases.

2. Individuals with a material interest include all property owners.

3. Individuals with a material interest include any developer.

4. Individuals with a material interest include any architect, engineer, or other design professional.

5. Individuals with a material interest include the applicant's attorney or other representative.

6. Individuals with a material interest include any real estate agent who is party to the transaction.

7. Individuals with a material interest include any contractor constructing the project for which the contract has been arranged by the time of the hearing.

The above is for guidance only and not an inclusive list of all individuals at interest. You have a responsibility to determine and list all individuals in accordance with the Tests of Materiality as set forth on the attached.

FINANCIAL INTEREST DISCLOSURE FORM

All persons included within the meaning of either of the following tests have a material financial interest in an agreement, or application for development rights, submitted for approval or disapproval by the City Council, and shall be identified by the applicant, by name.

Tests of Materiality:

1. Whether it is foreseeable to a reasonable person that the value of their interest in property available for use by an applicant, or their interest in the applicant itself, may increase or decrease by an amount greater than $2,000.00 as a direct or indirect result of Council action on the applicant's agreement or application for development rights.

2. Whether it is foreseeable to a reasonable person that the person's gross income from the applicant may increase or decrease by a sum greater than $2,000.00 as a direct or indirect result of Council action on the agreement or application for development rights.

It is the legal obligation of all applicants for approval of an agreement or of an application for development rights to verify in writing, under penalty of perjury, that the identity of each person having a material financial interest in the agreement or application or development rights is true, correct and complete. The applicant understands that this information is provided under penalty of perjury, and that intentionally supplying misinformation or deception may result in either invalidation of the agreement or application, or criminal prosecution for misdemeanor violation of the Modesto Municipal Code, or both. Negligent provision of misinformation shall be grounds for invalidation. In accordance with the Modesto Municipal Code, each applicant has a continuing obligation to maintain the truth, accuracy and completeness of the financial interest disclosure information provided below until after final consideration by the City Council of any matter arising out of or relating to the agreement or application.

PROJECT: BOULEVARD SUBDIVISION

APPLICANT SIGNATURE

DAVID O. ROMANO, AGENT

APPLICANT NAME (*type or print*)

In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website: https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA

NAMES

Property Owner(s) – (Please list name of company and names of individual names of said company)

Tom and Chester Murphy, C&T Murphy Partners, LLC
Wilbur H Smith III, Greenlaw Partners, LLC

Developer(s) – (Please list name of company and names of individual owner(s) of company)

Randeep Bling, Nancy Florsheim-Sebok and Robert Florsheim, NRB Investments, LLC

Architect(s), Engineer(s) or Other Design Professional(s) – (Please list name of company and names of individual owner(s) of company)

Jim Frietas and Ryan Carrel, Assocaited Engineering

Attorney(s) or Representative(s) – (Please list name of company and names of individual owner(s) of company)

Dave Romano, Newman and Romano

Real Estate Agent(s) – (Please list name of company and names of individual owner(s) of company)

Richard Hughes, Escala Properties

Contractor(s)

Other – (Investors, Trustees, etc.)

California Levine Act Disclosure

California Government Code Section 84308, also known as the "Levine Act", prohibits City “officers” from participating in any action related to a license, permit, or other entitlement for use (a “proceeding”) if such member accepts, solicits, or directs political contributions from a party to the proceeding or their agent totaling more than $500 while the proceeding is pending before the agency, and for twelve (12) months following the date a decision concerning the proceeding has been made. The Levine Act also requires disclosure of such contribution by a party to the proceeding.

Section 84308(a)(4) of the Levine Act defines an "officer" as follows: “Officer” means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency. The term “officer” is further defined 2 Cal. Code Regs. Section 18438.1, which states:

> An officer of an agency includes only those persons who make, participate in making, or in any way attempt to use their official position to influence a decision in the license, permit, or entitlement for use proceeding, or who exercise authority or budgetary control over the agency of officers who may do so, and:
>
> (1) Serve in an elected position, including an official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
> (2) Serve as a member of a board or commission;
> (3) Serve as the chief executive of a state agency, or county, city or district of any kind; or
> (4)Have decision making authority with respect to the proceeding involving a license, permit, or other entitlement for use and is also a candidate for elected office or has been a candidate for elective office in the 12 months prior to the proceeding.

A list of Modesto City Council Board Members can be found online at: Modesto City Council https://modestogov.com/706/Council-Members (modestogov.com). The party making this certification is responsible for determining whether a recipient of a political contribution is a City officer prior to answering the following questions:

1. Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than $500 to any City officer, in the twelve (12) months preceding the date of the submission of your proposals or the anticipated date of any Council action related to this contract?

   ☐ YES If yes, please identify the Councilmember(s):

   ☑ NO

2. Do you, or your company, or any agent on behalf of you or your company, anticipate or plan to make any political contribution of more than $500 to any City officer in the twelve (12) months following any Council action related to this contract?

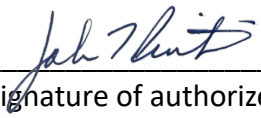
   ☐ YES If yes, please identify the Councilmember(s):

   ☑ NO

Answering YES to either of the questions above does not preclude the City of Modesto from awarding a contract to your firm or taking any subsequent action related to the contract. It may, however, preclude the identified City officer from participating in any actions related to such contract.

HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

3/19/25
_____
Date


_____
Signature of authorized individual

NRB INVESTMETNS, LLC, JOHN PRONOITIS
_____
Company/Applicant Name

City of Modesto
Indemnification and Hold Harmless Agreement

The property owner, developer and applicant (collectively, the "Applicant"), together with any and all additional signatories to this agreement and their respective heirs, successors, and assigns shall, at its sole cost and expense, indemnify, defend with counsel selected by the City, protect, release, and hold harmless the City, its officers, employees, commissions, and agents, from any and all claims, actions, or proceedings arising out of or in any way relating to the Applicant's project. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the Applicant, third parties, and the indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the indemnitees. Nothing herein shall prohibit the City from participating in the defense of any claim, action, or proceeding. The City may select its own legal counsel and the Applicant agrees to pay directly, or timely reimburse on a monthly basis, the City for all such court costs, attorney fees, and time referenced herein.

Execution of Agreement: The agreement shall only be executed by an authorized representative of the Applicant. The person(s) executing this agreement represent that they are authorized to enter into this agreement on behalf of the Applicant. If more than one person or entity is named as Applicant for the proposed project, all such persons or entities must sign as indicated below.

Project Name: BOULEVARD SUBDIVISION

Site Address: 2224 CLAUS ROAD

Applicant Signature — Date: 5/4/2026

Print Name: JOHN PRONOITIS — Title: DIRECTOR OF CONSTRUCTION

Property Owner Signature (*If different than applicant*) — Date: 05/04/2026

Print Name: Chester Murphy — Title: Managing Member CMWS Claus Rd

Additional applicants:

Applicant (2) — Date:

Print Name: — Title:

Applicant (3) — Date:

Print Name: — Title:

X	CITY OF MODESTO COMMITTEE AGENDA REPORT	DATE OF MEETING: June 15, 2026

Date: May 14, 2026

TO: Chairperson Shanks and Members of the Planning Commission

THROUGH: Jessica Hill, Community and Economic Development Director

FROM: Michael Hren, AICP, Principal Planner

SUBJECT: General Plan Amendment and Pinpoint Plan with Annexation, 1609-1617 Maze Blvd

CONTACT: Katharine Martin, Senior Planner, kamartin@modestogov.com, 209-577-5267

DESCRIPTION:
Hearing to consider an annexation of approximately 4.9 acres located at the northwest corner of Maze Blvd and Carpenter Road, an amendment to the Land Use Element of the General Plan, and a Pinpoint Plan for the development of approximately 1.7 acres located at 1609-1617 Maze Blvd. (Funding Source: Application Fees)

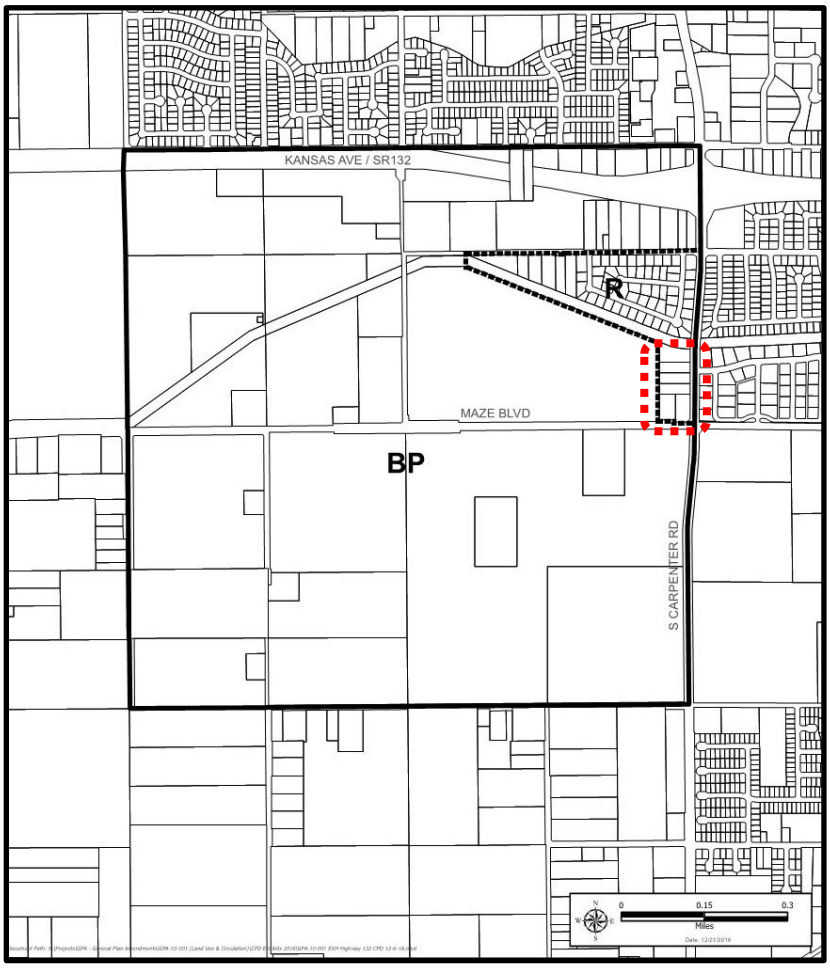
STRATEGIC PLAN ELEMENT:
The General Plan Amendment, Pinpoint Plan, and Annexation are consistent with the following 2025-2026 Strategic Plan Areas of Focus: Economic Vitality, Retain and attract residential, commercial, and industrial development to meet the community's needs today and for the next generation. Amending the General Plan will allow for the construction of a new event/cultural center and residential units which, in turn will drive economic vitality.

BACKGROUND:
This proposed project is within the Highway 132 Comprehensive Planning District (CPD), which is located within the Planned Urbanizing Area of the City and the City's Sphere of Influence. The CPD is bounded by Kansas Avenue and State Highway CA-132 to the north, Carpenter Road to the east, Maze Boulevard to the south, and Nebraska Avenue to the west. The CPD is 660 acres, of which approximately 30 acres is designated for Residential (R) uses and 630 acres designated for Business Park (BP) uses.

The area in the Highway 132 CPD designated for Residential uses is fully developed with existing single-family residential homes on lots of one acre or less, located along the west side of Carpenter Road south of Modesto Irrigation District Lateral Canal No. 4, and within the Elm Estates Subdivision located on Elm Avenue west of Carpenter Road. The rest of the CPD is designated for Business Park uses, and is predominantly utilized for agricultural operations including orchards, a wholesale nursery, dairy production, and associated rural residential uses.

To date, no development interest has been presented to propose a Specific Plan for development of the CPD. However, there has been developer interest in smaller projects located within the CPD that are contiguous to the City's incorporated area and within vicinity of available City utility services.

Figure 1: Highway 132 Comprehensive Planning District



The policies of the City's General Plan provide that development within each CPD should typically be implemented with the adoption of Specific Plans, intended to outline the allowable land uses, street circulation and utility services, and development standards of the plan area. Generally, Specific Plan areas are to be at minimum 480 acres or more. However, for proposed development of less than ten acres in size within a CPD, a project-targeted Pinpoint Plan may be prepared when located contiguous to the City's incorporated area and available utility services.

On June 19, 2023, the owner of two vacant residential properties located at 1609 and 1617 Maze Boulevard applied for annexation of the two parcels into the City of Modesto to facilitate the development of a new multi-purpose cultural/event center building, with two apartment units and associated off-street parking, as shown in Figure 4, below. As part of the project, the applicant is also requesting an amendment to the General Plan Land Use Element to change the land use designation of the two parcels from Residential (R) to Mixed Use (MU). Since the project site is located within the Highway 132 CPD and is less than ten acres, a Pinpoint Plan is also proposed to guide development for the project area.

The project was initially scheduled for an April 7, 2025, Planning Commission hearing; however, prior to that hearing date the applicant requested continuance of the item to a date uncertain in order to address concerns by the surrounding neighborhood.

The item was heard at the April 20, 2026, Planning Commission hearing, and at that hearing after receiving testimony about the project from the applicant and neighboring residents in attendance, the Commission voted to continue the item to a date uncertain, to allow the applicant to conduct further neighborhood outreach about the project.

DISCUSSION:

The proposal involves multiple entitlements to facilitate the development of a new 8,106 square foot multi-purpose cultural/event center with two apartment units attached, located on two adjacent lots at 1609-1617 Maze Boulevard, at the northwest corner of Maze Boulevard and N. Carpenter Road. These entitlements and other considerations for the project are discussed below.

Annexation

As part of the project, the annexation of the two properties at 1609-1617 is proposed. Upon the advice of the Stanislaus County Local Agency Formation Commission (LAFCO), the annexation area was expanded to include four existing residential properties to the north, located at 201-225 N. Carpenter Road, to allow for a more complete and holistic annexation area with Canal Lateral No. 4 as the northerly boundary.

Figure 2: Annexation Area



The total annexation area is approximately 4.9 acres, for reorganization to the City of Modesto and simultaneous detachment from the Woodland Fire Protection District under the Cortese-Knox-Hertzberg Local Reorganization Act of 2000, California Government Code Section 56000, et seq. The annexation area is located within the Highway 132 Comprehensive Planning District (CPD) of the General Plan. The area to be annexed is within Stanislaus County, is contiguous to the existing City limits, and is within the Sphere of Influence of the City of Modesto as adopted by LAFCO.

If an application for annexation is approved by the City Council, the proposed event center site would be pre-zoned as Pre-Mixed Use Highway (P-MU-H) Zone with development standards and underlying uses/zone as specified by the Pinpoint Plan, and the four residential properties would be pre-zoned as Pre-Low Density Residential (P-R-1). If approved by LAFCO, the zoning would be in effect upon acceptance of the annexation by the State's Bureau of Equalization and subsequent recordation of a Certificate of Completion.

Plan for Services

A Plan for Services (see attachment 3) has been prepared pursuant to Government Code Section 56653. The City of Modesto is able to provide all the municipal services needed to the area.

If the annexation is approved by City Council and LAFCO, upon reorganization the site will annex to Modesto's Sewer District No. 1. Sewer service will be provided to the subject site with extension of an existing 6-inch sewer line in Hillview Drive west and south under Carpenter Road to the new event center project. The City does not anticipate a substantial demand for service at this site.

Measure A and Measure M

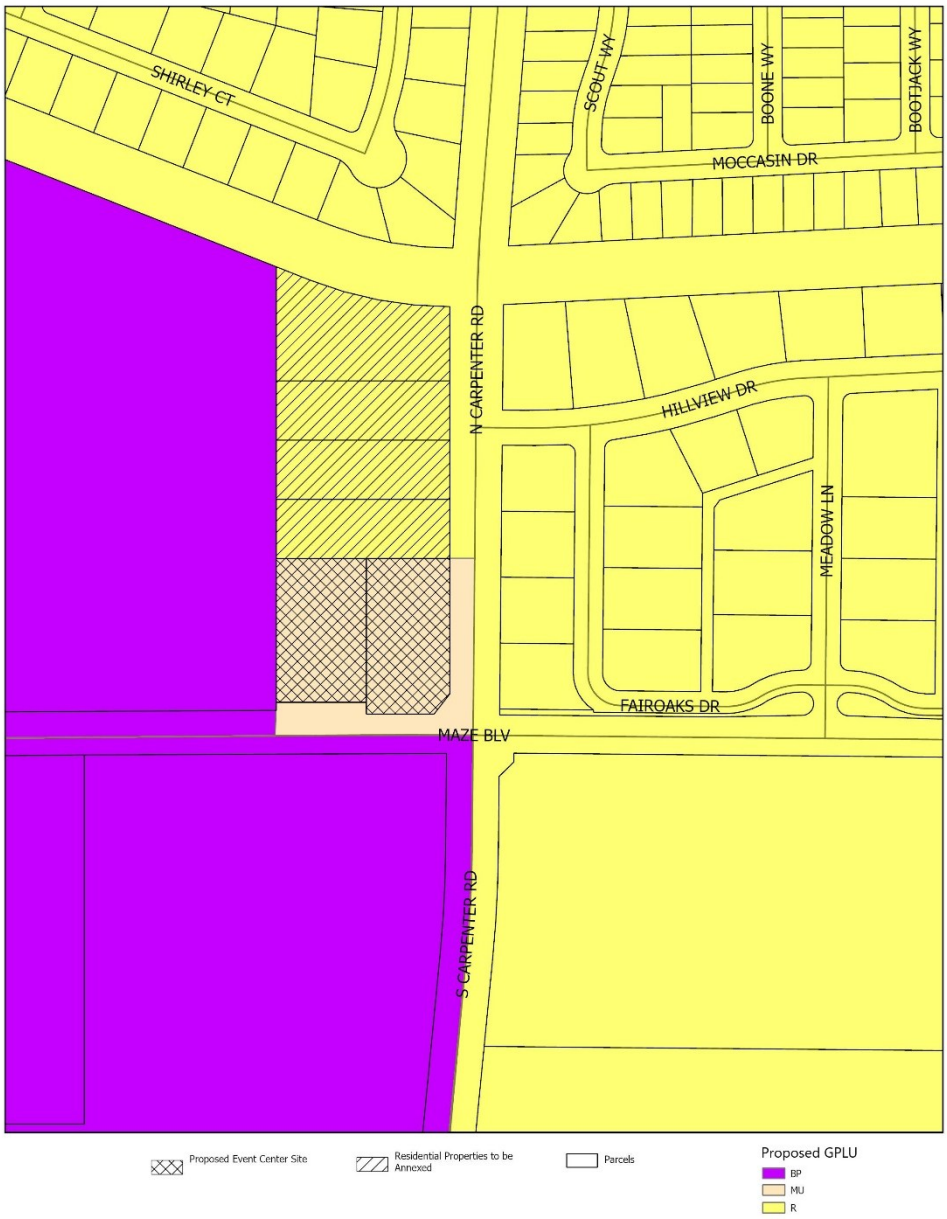
Both Measure A and Measure M are not applicable to this project as there are only two new residential units being developed and no extension of sewer trunk lines is required. Measure A is only applicable with the extension of sewer trunk lines while Measure M is only applicable if there are more than five residential units being developed.

Pinpoint Plan

The application for annexation was made concurrently with an application for a Pinpoint Plan to allow for the implementation of development standards for the 1.71-acre multi-purpose cultural/event center and two residential apartment units. The project area is located within the Highway 132 Comprehensive Planning District (CPD). As noted above, for projects in a CPD under ten acres, an applicant may submit a Pinpoint Plan to meet the intent of General Plan Policy III.I.1, CPD Implementation.

In addition to project site context, the proposed Pinpoint Plan provides allowable uses, development standards and underlying zoning of the subject properties. It also discusses the proposed utility plan, as well as electricity and telecommunications needs for the project. Staff believes that the proposed Pinpoint Plan provides an appropriate level of detail for the implementation of the project with respect to the CPD. A resolution recommending adoption of a Pinpoint Plan at 1609 and 1617 Maze Boulevard is provided at Attachment 2.

Figure 3: General Plan Amendment Area



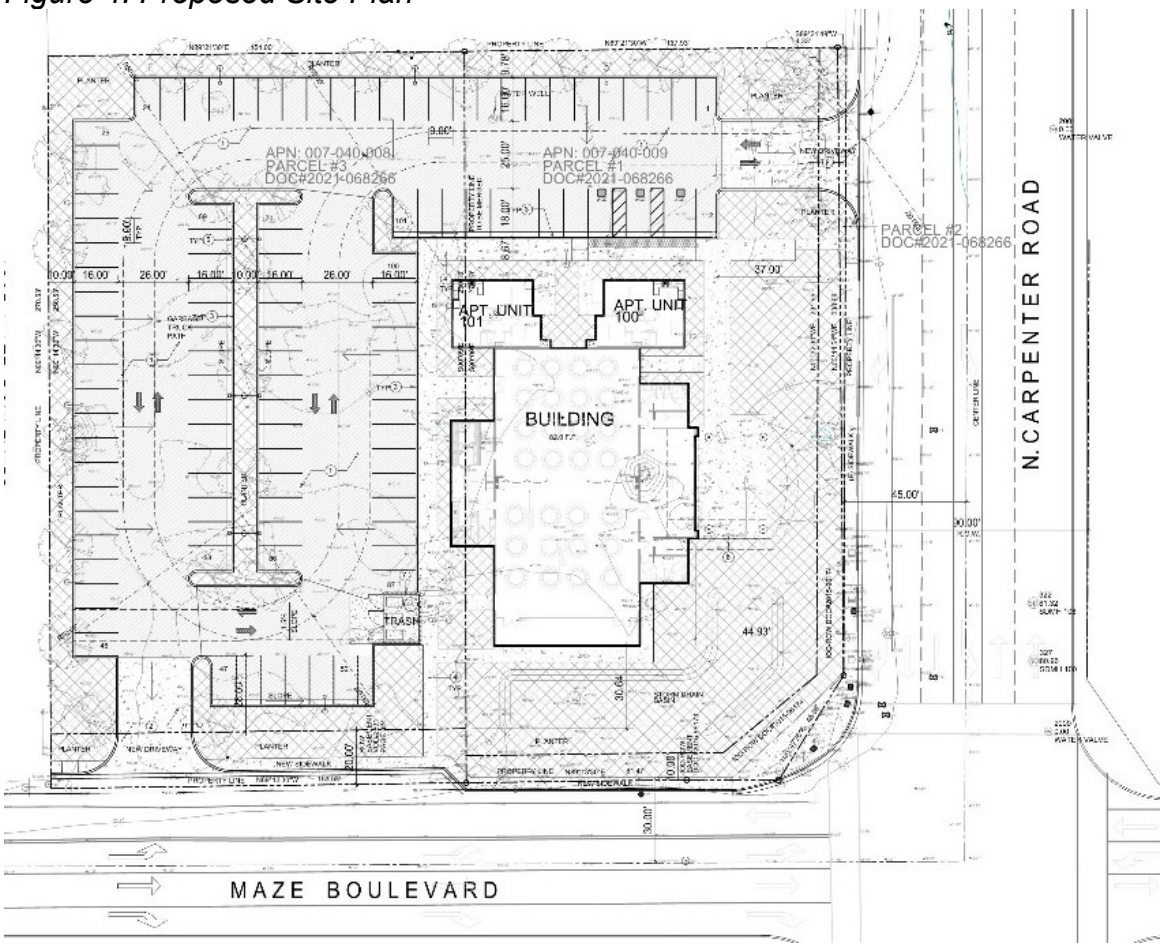
<u>General Plan Amendment</u>

The application for annexation was also made concurrently with an application to amend the Land Use Element of the General Plan. The amendment is to change the designation of 1.71 acres located at 1609 and 1617 Maze Boulevard from Residential (R) to Mixed Use (MU), to allow for the future development of an 8,106 square foot multi-purpose cultural/event center with onsite parking and two residential apartment units of 785 sq. ft. each.

Project Plan

The proposed project is to facilitate development of a new 8,106 square foot multipurpose event/cultural center at 1609-1617 Maze Boulevard, with 112 off-street parking spaces to serve the site. The site plan also includes two new 785 square-foot apartment units to replace two residences that have since been demolished.

Figure 4: Proposed Site Plan



Feedback Prior to April 7, 2025

The item was originally scheduled for the April 7, 2025, Planning Commission hearing. Prior to the hearing date, staff received concerns from surrounding property owners and nearby schools expressing concerns over noise, traffic and parking impacts. To address these concerns, the item was requested to be continued to a date uncertain and the applicant agreed to further environmental review including a traffic analysis. The Initial Study/Negative Declaration, EA No. C&ED 2024-11, was consequently updated to include the traffic analysis.

The analysis, “Fehr and Peers Maze Carpenter Event Center & Residential Project, Local Transportation Analysis & CEQA Transportation Impact Analysis,”

dated December 17, 2025, concludes that with recommended mitigation measures relative to street frontage and site access improvements applied to the proposed project, impacts would be reduced to less than significant. Those mitigation measures include the following:

- Project to provide minimum 10-foot wide sidewalks on both street frontages;
- The project applicant shall design the Maze Boulevard driveway intersection in accordance with applicable Caltrans, City of Modesto, and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances;
- Applicant to coordinate with Caltrans, the City of Modesto, and/or Stanislaus County to reduce the posted speed limit to 35 miles per hour or lower along Maze Boulevard in the vicinity of the project site:
    - Improvements to support a reduced speed limit may include but are not limited to: new speed limit signage, dynamic speed feedback sign(s), advance driveway warning sign(s), roadway restriping, dedicated eastbound Maze Boulevard left-turn lane width adequate deceleration length, and improved street lighting.
- “Keep Clear” striping shall be installed along eastbound Maze Boulevard in front of the project driveway;
- The project applicant shall design, construct, and maintain the Carpenter Road driveway intersection in accordance with all applicable City of Modesto and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances:
    - The driveway design shall include: a raised median to prohibit inbound and outbound left-turn movements, “One Way” signage on the median, “Right Turn Only” signage at the project driveway, and “Keep Clear” pavement striping on southbound Carpenter Road in front of the project driveway.

The mitigation measures would ensure that frontage improvements including access in and out of the site would meet City Standards and be subject to Caltrans review and approval where required. These mitigation measures are included in the Negative Declaration (Attachment 6) and are outlined in the proposed Pinpoint Plan as development standards (included with the draft resolution recommending approval of the Pinpoint Plan, Attachment 2).

Regarding parking impacts, the project is required to demonstrate the provision of enough off-street parking spaces to serve the use in accordance with the requirements of the Modesto Municipal Code. The Code requires one parking space per 50 square feet of dining, assembly, and dancing area, and one space per one-bedroom studio unit. As proposed, the floor plan of the event center demonstrates dining/assembly/dancing area of 5,300 square feet, requiring 106 parking spaces. The apartment units require one space each, a total requirement of 108 parking spaces. The site plan proposes a total of 112 parking spaces, exceeding the requirement.

Item	Standard	Project Area	Required Spaces
Parking, Event Center	1 space per 50 SF of dining, assembly, and dancing area	5,300 SF	106
Parking, Residential Units	1 space per 1-bedroom unit	2 units	2

Total Required Parking	Proposed Parking	Compliance with Standard?
108 spaces	112 spaces	Yes

Noise Mitigation: In accordance to current MMC development standards in Title 10, Chapter 4 of the Zoning Code, the developer would be required to install concrete masonry walls with screen landscaping where adjacent to existing residential uses to mitigate noise. Activities at the site would be required to adhere to the City's Noise Ordinance in Title 4, Chapter 9, and be required to seek an Entertainment Permit for activities as defined under MMC Title 4, Chapter 1, Article 4.

Feedback from April 20, 2026

The item was rescheduled for and heard at the April 20, 2026, Planning Commission hearing, and at that hearing nearby property owners expressed concerns with the traffic impacts of the project, and additional concerns with traffic on nearby Hillview Drive. The Commission voted to continue the meeting to a date uncertain to allow the applicant to conduct neighborhood outreach about the project, and for staff to provide information about the process of requesting consideration for traffic calming measures on Hillview Drive.

After the hearing, the applicant sent a notice to neighbors within 1,000 feet of the project and conducted a neighborhood meeting on May 14, 2026. The meeting had one attendee from the community in person, as well as one attendee through virtual means.

Regarding the neighbors' interest in additional traffic calming measures on Hillview Drive, Planning staff has clarified the process with the City's Engineering Services Department. The procedure for applying for evaluation for the Neighborhood

Traffic Calming Program (NCTP) includes completing and submitting an application form. The form is available on the City's website at the following link: https://www.modestogov.com/2782/Neighborhood-Traffic-Calming-Program-NTC

The above webpage is also where additional details about the program, including submittal, next steps, priority ranking information, and the annual implementation schedule are available. Questions about the process can be directed to the Transportation Engineering & Design division, available at 209-342-4712, or by emailing LDEpermits@modestogov.com.

Prior to the April 20, 2026, hearing, the City received a letter from the Woodland Fire District, which raised concerns regarding the lack of reference to a requirement of a property tax allocation agreement between the City and the District. Negotiation of such an agreement would take place after an application is submitted to LAFCO. Staff's recommendation is for detachment from the Woodland Fire District for this annexation area.

Subsequently, the item was rescheduled for the June 15, 2026, Planning Commission hearing. Because of the increased neighborhood interest in the item, the City sent a notice to all properties and residents within 1,000 feet of the project instead of the standard 300-foot notice.

General Plan, Zoning and Use Conformance

The proposed project is for the development of a multipurpose event/cultural center of 8,106 square feet and 112 off-street parking spaces on Assessor's Parcel Numbers 007-040-008 and -009. Architectural drawings of the project are available at Attachment 5. The Pinpoint Plan (Attachment 2) provides for development standards as set forth in Title 10 of the Modesto Municipal Code. Standards for the City's Mixed-Use Highway (MU-H) zoning designation are referenced for the project parcel, and for the Low Density Residential (R-1) Zone for the four existing residential properties to the north of the event center site. No development is proposed on those four residential properties for this project.

If the abovementioned General Plan amendment is approved, the land use of the two parcels of the event center site would be changed from Residential to Mixed Use, allowing for both commercial and residential uses at the site. Policy II.F.6 of the General Plan encourages mixed-use development of retail, commercial and office with residential opportunities included.

Staff finds that the proposed project would meet the requirements of the MU-H Zone, as both the event center and associated apartment units would be permitted uses under the Zone and because the land use designation of the corner would, if the associated General Plan amendment is approved, be changed from Residential (R) to Mixed Use (MU), allowing for the uses as proposed. .

FISCAL IMPACT:
The project is developer funded. All applicable Capital Facility Fees will be levied at the time of development and requirements to pay such fees are included in the resolution as conditions of approval.

CEQA:
Staff has prepared an Initial Study/Negative Declaration, Environmental Assessment No. EA/C&ED 2024-11. The Initial Study found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

RECOMMENDED PLANNING COMMISSION ACTION:
Staff Recommendations:
Resolution recommending to the City Council adoption of an amendment to the Modesto Urban Area General Plan to change the land use of approximately 1.71 acres from Residential (R) uses to Mixed Uses (MU); and

Resolution recommending to the City Council approval of the Pinpoint Plan for 1609 and 1617 Maze Boulevard for the development of an event center of 8,106 sq. ft. with 112 parking spaces and two new dwelling units, together with an amendment to Section 25-3-8 of the Zoning Map to pre-zone 1.71 acres to Mixed Use Highway (P-MU-H) Zone and pre-zone 3.19 acres to Low Density Residential (P-R-1) Zone for properties located at the northwest corner of Maze Boulevard and N. Carpenter Road, within the Highway 132 Comprehensive Planning District, and

Resolution recommending to the City Council adoption of a Resolution approving the filing of an application to the Stanislaus Local Agency Formation Commission for the Carpenter-Maze Reorganization to the City of Modesto of approximately 4.9 acres located west of Carpenter Road and north of Maze Boulevard for annexation to the City of Modesto and simultaneous detachment from the Woodland Fire Protection District.

Attachments:
1. Planning Commission Resolution 2026-xx (GPA and Exhibit)
2. Planning Commission Resolution 2026-xx (Pinpoint Plan and Prezone and Exhibits)
3. Planning Commission Resolution 2026-xx (Annexation and Plan for Services)
4. CEQA Negative Declaration EA-C&ED 2024-11
5. Planning Commission Minutes, April 7, 2025
6. Financial Interest Disclosure Form

7. Levine Act Form
8. Hold Harmless Form

PLANNING COMMISSION
RESOLUTION NO. 2026-XX

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN TO CHANGE THE LAND USE OF APPROXIMATELY 1.71 ACRES FROM RESIDENTIAL (R) USES TO MIXED USES (MU)

WHEREAS, a General Plan for the City of Modesto entitled "City of Modesto Urban Area General Plan" (UAGP), was adopted by the City Council by Resolution No. 95-409 on August 15, 1995, in accordance with Section 65300 of the Government Code; and

WHEREAS, said General Plan has been amended by Modesto City Council Resolution Nos. 95-584, 96-20, 96-338, 96-639, 97-3, 97-137, 97-158, 98-293, 99-162, 99-564, 2000-303, 2000-633, 2001-47, 2001-476, 2002-154, 2002-526, 2003-101, 2003-122, 2007-066, 2007-599, 2008-142, 2008-583, 2009-419, 2011-253, 2011-254, 2011-436, 2012-430, 2014-17, 2014-422, 2015-262, 2016-34, 2017-21, 2019-109, 2022-101, 2022-193, 2022-449, 2024-022, 2025-164, 2025-211, 2025-247, and 2026-37, copies of which are on file in the office of the City Clerk; and

WHEREAS, Government Code Section 65358 permits the amendment of General Plans by the legislative body; and

WHEREAS, Mr. Abdo Mohamad has filed an application for a General Plan Amendment (File No. GPA-23-002) to amend the Land Use Element of the General Plan to change the land use designation of approximately 1.71 acres

from Residential (R) uses to Mixed Uses (MU), properties located at 1609 and 1617 Maze Boulevard, within the Highway 132 Comprehensive Planning District (CPD); and

WHEREAS, said application was made concurrently with a proposed project-targeted Specific Plan (“Pinpoint Plan”) document to allow for the development of an 8,106 square foot multi-purpose cultural/event center and two 785 square foot residential apartment units with associated off-street parking on the properties within the Highway 132 Comprehensive Planning District (CPD) (Project ID SPL24-003); and

WHEREAS, the application was made concurrently with the proposed annexation of the two abovementioned properties together with four existing residential properties to the north located at 201, 209, 217 and 225 North Carpenter Road, a total annexation area of 4.9 acres (Project ID ANX-23-001); and

WHEREAS, on April 7, 2025, the Planning Commission held a duly noticed public hearing in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California, at which hearing prior to presentation of evidence both oral and documentary, the applicant requested a continuance to allow time to address concerns raised by surrounding property owners and interested parties about the project; and

WHEREAS, a public hearing was held by the Planning Commission on April 20, 2026 in the Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission certifies it has received and reviewed the Initial Study/Negative Declaration, Environmental Assessment No. EA/C&ED 2024-11,

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Modesto that it hereby recommends to the City Council the adoption and certification of Environmental Assessment No. EA/C&ED 2024-11, which found that that although the proposed rezone could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby recommends that the City Council approve the amendment to the Land Use Element of the General Plan to change the designation of 1.71 acres from Residential (R) to Mixed Use (MU), and to find as follows:

1. The proposed General Plan amendment would result in Mixed Use development that would facilitate the development of a new 8,106 square foot event/cultural center with two new 785 square foot residential apartment units, consistent with the allowable

commercial and residential uses of the Mixed Use (MU) designation.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby recommends to the City Council adoption of the proposed amendment to the Land Use Diagram of the Urban Area General Plan as described in Exhibit "A," attached hereto and incorporated herein by reference, subject to the following condition(s):

1. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 15, 2026, by Commissioner who moved its adoption, which motion was seconded by Commissioner and carried by the following vote:

Ayes:

Noes:

Absent:

Recused:

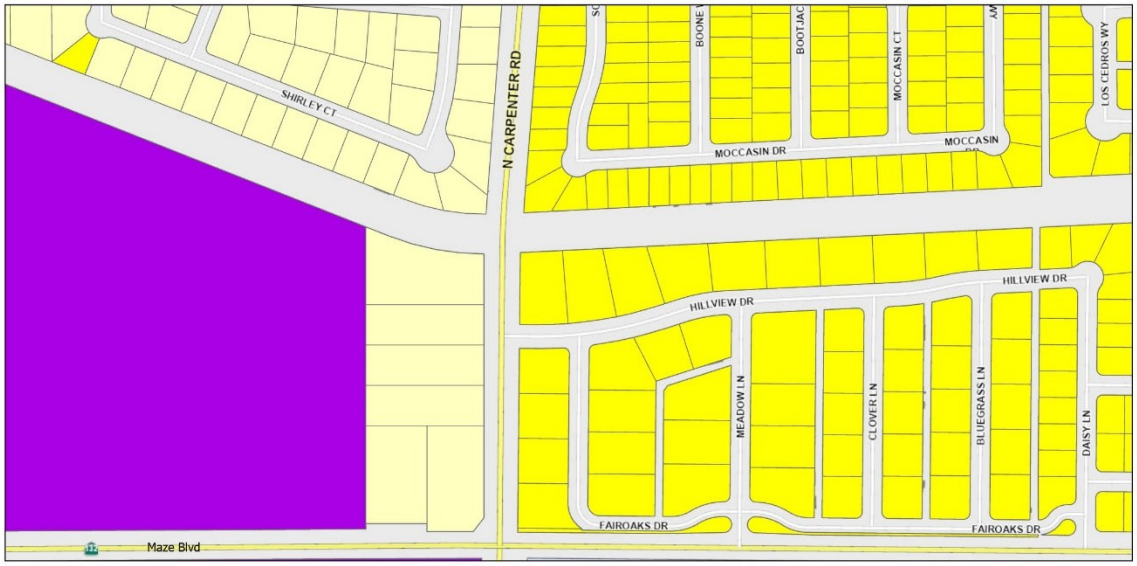
BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file
C&EDD

Michael Hren, AICP, Secretary

EXHIBIT "A"

GENERAL PLAN AMENDMENT

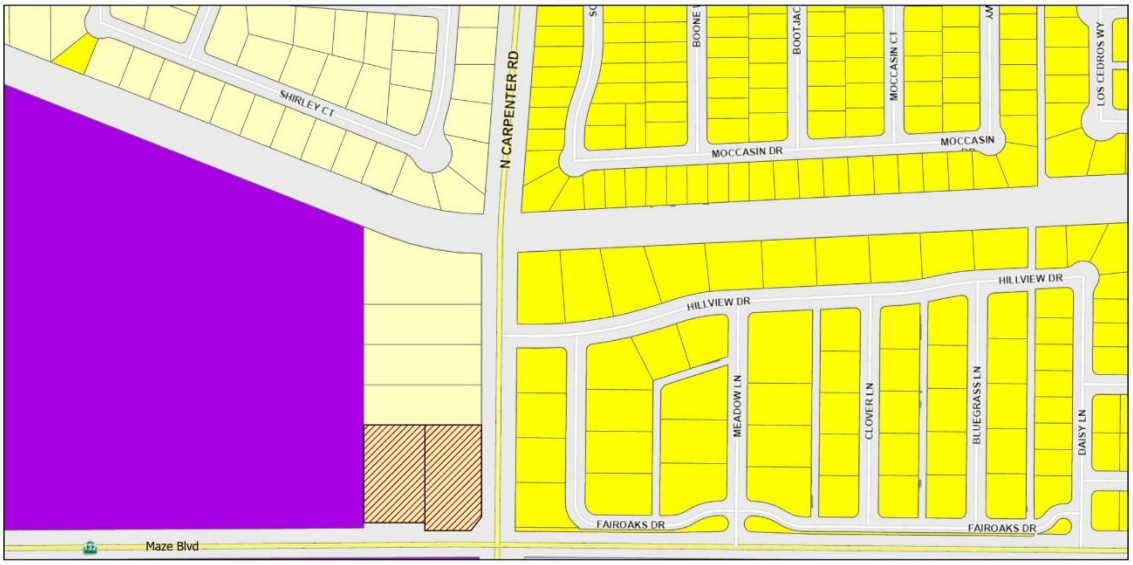


Legend

- General Plan Business Park
- City Residential
- General Plan Residential

Existing General Plan Land Use

N
W E
S



Legend

- General Plan Business Park
- City Residential
- General Plan Residential
- Amended to Mixed Use

Proposed General Plan Update

N
W E
S

PLANNING COMMISSION
RESOLUTION NO. 2026-XX

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE PINPOINT PLAN FOR 1609 AND 1617 MAZE BOULEVARD FOR THE DEVELOPMENT OF AN EVENT CENTER OF 8,106 SQ FT WITH 112 PARKING SPACES AND TWO NEW DWELLING UNITS, TOGETHER WITH AN AMENDMENT TO SECTION 25-3-8 OF THE ZONING MAP TO PRE-ZONE 1.71 ACRES TO MIXED USE-HIGHWAY (P-MU-H) ZONE AND PRE-ZONE 3.19 ACRES TO LOW DENSITY RESIDENTIAL (P-R-1) ZONE FOR PROPERTIES LOCATED AT THE NORTHWEST CORNER OF MAZE BOULEVARD AND N. CARPENTER ROAD, WITHIN THE HIGHWAY 132 COMPREHENSIVE PLANNING DISTRICT

WHEREAS, Government Code Section 65450 et. seq. permits cities and counties to adopt Specific Plans for the systematic implementation of the General Plan and to provide for greater level of detail in planning sites or areas of special interest or value; and

WHEREAS, the Modesto Urban Area General Plan includes a policy that requires the preparation of a comprehensive plan for all Comprehensive Planning Districts (CPD); and

WHEREAS, the Modesto Urban Area General Plan allows the implementation of a comprehensive plan through specific plans, as defined by Government Code Section 65450 et. seq.; and

WHEREAS, to facilitate certain smaller commercial development within a CPD where located contiguous to the City's incorporated area and utility services are available, the Community and Economic Development Department may consider implementation of a policy by way of smaller focused plan areas, with adherence to the City's adopted Specific Plan Procedures and Preparation Guide; and

WHEREAS, for proposed development within a CPD that is less than ten acres in size, a project-targeted "Pinpoint Plan" may be proposed, provided that the Plan provides enough detail to satisfy the requirements of the City's Specific Plan Procedures and Preparation Guide; and

WHEREAS, Mr. Abdo Mohamad proposes a Pinpoint Plan for 1609 and 1617 Maze Blvd, for the site plan and utility plan of a proposed 8,106 square foot event/cultural center and two residential apartment units of 785 sf each, within the southeast corner of the Highway 132 Comprehensive Planning District (Highway 132 CPD), said Pinpoint Plan also including four existing residential properties to the north, at 201, 209, 217 and 225 N. Carpenter Road; as described in Exhibit "A", attached hereto and by this reference incorporated herein; and;

WHEREAS, the proposed Pinpoint Plan application was made concurrently with the proposed amendment of the Land Use Diagram of the General Plan to amend the land use of 1609 and 1617 Maze Blvd. from Residential (R) to Mixed Use (MU) (Project ID GPA-23-002), and the proposed annexation of the two abovementioned properties together with the four existing residential properties to the north located at 201, 209, 217 and 225 North Carpenter Road, a total annexation area of 4.9 acres (Project ID ANX-23-001); and

WHEREAS, the proposed event/cultural center is contingent upon first securing approval of the proposed General Plan Amendment to change the land use designation of the project site from Residential (R) to Mixed Uses (MU), with concurrent adoption of the project-targeted Pinpoint Plan, and finalization of the area's annexation; and

WHEREAS, to facilitate the abovementioned Pinpoint Plan and annexation, an amendment to Section 25-3-8 of the Zoning Map is required to prezone 1.71 acres of the area of the Pinpoint Plan ("Properties") to Prezone Mixed Use Highway (P-MU-H) and 3.19 acres of the Pinpoint Plan to Low Density Residential (P-R-1), properties located at the northwest corner of Maze Boulevard and N. Carpenter Road as described in Exhibit "B", attached hereto and by this reference incorporated herein; and

WHEREAS, an Initial Study/Mitigated Negative Declaration, Environmental Assessment No. EA/C&ED No. 2024-11, has been prepared by the City of Modesto that analyzed the proposed project, and the Planning Commission has determined that, on the basis of the whole record before it, found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required; and

WHEREAS, on April 7, 2025, the Planning Commission held a duly noticed public hearing in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California, at which hearing prior to presentation of evidence both oral and documentary, the applicant requested a continuance to a date uncertain to allow time to address concerns raised by surrounding property owners and interested parties about the project; and

WHEREAS, as a result of said concerns the project Initial Study/Negative Declaration, Environmental Assessment No. EA/C&ED 2024-11 was updated to include a traffic analysis, Fehr & Peers Maze Carpenter Event Center & Residential Project, Local Transportation Analysis & CEQA Impact Analysis, dated December 17, 2025, which recommended the addition of mitigation measures for the project related to project frontage and access improvements; and

WHEREAS, said mitigation measures are incorporated into the Pinpoint Plan for the project, as described in Exhibit "A", attached hereto and by this reference incorporated herein; and;

WHEREAS, a public hearing was held by the Planning Commission on April 20, 2026 in the Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, at the April 20, 2026 Planning Commission hearing, after considering the project and testimony provided by the applicant and neighboring residents in attendance, the Commission voted to continue the item to a date uncertain, to allow for the applicant to conduct further neighborhood outreach about the project; and

WHEREAS, a public hearing was held by the Planning Commission on June 15, 2026 in the Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission certifies it has received and reviewed the Initial Study/Negative Declaration, Environmental Assessment No. EA/C&ED 2024-11,

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it hereby finds and determines as follows:

1. The proposed Pinpoint Plan and associated prezone is consistent with the Modesto Urban Area General Plan as amended by the proposed amendment to the General Plan, because:

    a. The proposed Pinpoint Plan as described in Exhibit "A", attached hereto and by this reference incorporated herein, complies with the requirement to prepare a comprehensive plan for Comprehensive Planning Districts; and

    b. The proposed development of the event/cultural center within the Pinpoint Plan is consistent with the General Plan Land Use designation of Mixed Use (as amended) allowing for the development of mixed uses including the event/cultural center and two residential units in accordance to the Pinpoint Plan; and

    c. The location of the Properties for prezone to Prezone Mixed Use Highway (P-MH-H) and Low Density Residential (P-R-1) as described in Exhibit "B", attached hereto and by this reference incorporated herein, being immediately adjacent to the existing City limits and within the Sphere of Influence is consistent with Urban Growth Policy II.C.1.b., which states "Urban development should be kept as contiguous as possible in order to avoid premature urbanization of valuable farm land, foster resident convenience, and provide for economy in City services."

BE IT FURTHER RESOLVED by the Planning Commission of the City of Modesto that it hereby recommends to the City Council adoption of the Pinpoint Plan on file in the office of the Community and Economic Development Department and incorporated herein by reference, subject to the following condition(s):

1. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of

Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Modesto that it hereby recommends to the City Council adoption of an Ordinance to prezone the subject properties to Prezone Mixed Use Highway (P-MU-H) and Low Density Residential (P-R-1), properties as described in Exhibit "B" attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Modesto that it hereby recommends to the City Council the adoption and certification of the Negative Declaration of the project, EA No. C&ED 2024-11.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 15, 2026, by , who moved its adoption, which motion was seconded by and carried by the following vote:

Ayes:
Noes:
Absent:
Recused:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD

Michael Hren, AICP Secretary

City of Modesto

Pinpoint Plan for 1609 & 1617 Maze Boulevard

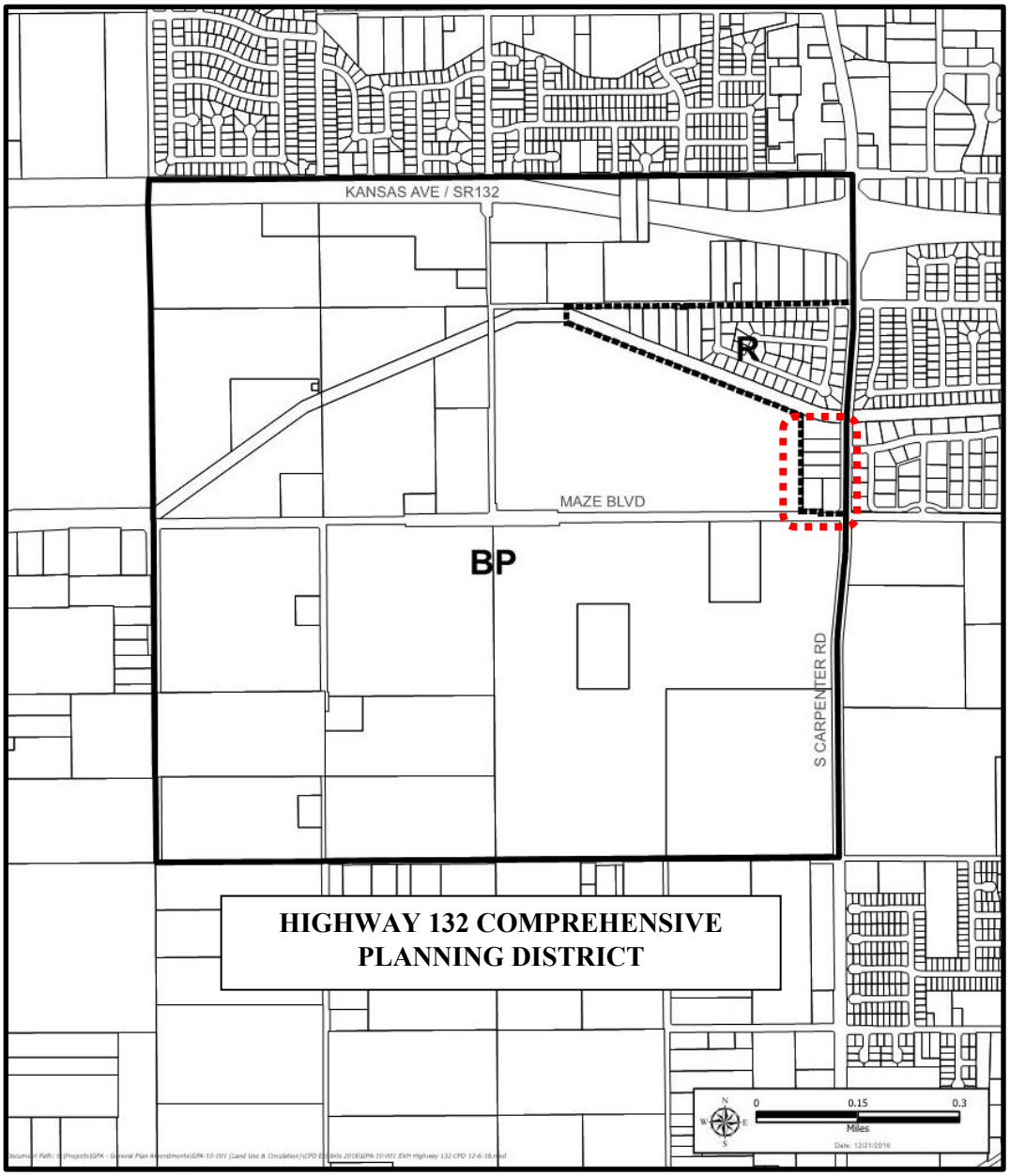


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Summary

Pinpoint Plan Purpose and Intent:

Under California Government Code Section 65450 et. Seq., Cities and Counties may use Specific Plans to develop policies, programs and regulations to implement the jurisdiction's General Plan for specified areas. The City of Modesto Urban Area General Plan identifies a total of 21 Comprehensive Planning Districts (CPD) in the Planned Urbanizing Area of the City with land use and development policies assigned to each.

The policies of the City's General Plan provides that development within each CPD be implemented with the adoption of Specific Plan areas, intended to outline the allowable uses, street circulation and utility services, and development standards of the plan area. Generally, Specific Plan areas are to be at minimum 480 acres or more. However, to facilitate certain smaller commercial development within a CPD where located contiguous to the City's incorporated area and available utility services, the Community and Economic Development Department may consider implementation of Specific Plan policy by way of smaller concentrated plan areas, with adherence to the City's adopted Specific Plan Procedures and Preparation Guide. For proposed development within a CPD that is less than ten acres in size, a project-targeted Specific Plan ("Pinpoint Plan") may be proposed, provided that the Plan provides enough detail to satisfy the requirements of the Specific Plan Procedures and Preparation Guide.

Project Background:

The Highway 132 Comprehensive Planning District (Highway 132 CPD) is located within the Planned Urbanizing Area of the City and the City's Sphere of Influence. The CPD is bounded by Kansas Avenue and State Highway CA-132 to the north, Carpenter Road to the east, Maze Boulevard to the south, and Nebraska Avenue to the west. The CPD is 660 acres, of which approximately 30 acres is designated for Residential (R) uses and 630 acres designated for Business Park (BP) uses. The area designated for Residential uses is fully developed with existing single-family residential homes on lots of one acre or less, located along the west side of Carpenter Road south of Modesto Irrigation District Lateral Canal No. 4, and within the Elm Estates Subdivision located on Elm Avenue west of Carpenter Road. The rest of the CPD is designated for Business Park uses, and is predominantly utilized for agricultural operations including orchards, a wholesale nursery, dairy production, and associated rural residential uses.

To date, no development interest has been presented to propose a Specific Plan for development of the CPD. However, there has been developer interest in smaller projects located within the CPD that are contiguous to the City's incorporated area and within vicinity of available City utility services.

On June 19, 2023, the owner of two vacant residential properties located at 1609 and 1617 Maze Boulevard applied for annexation of the two parcels into the City of Modesto to facilitate the development of a new multi-purpose cultural/event center building and associated off-street parking. As part of the project, the applicant is also requesting an amendment to the General Plan Land Use Element to change the land use designation of the two parcels from Residential (R) to Mixed Use (MU). Since the project site is located within the Highway 132 CPD, a Specific Plan is required prior to development, per General Plan polices cited above.

Project Description

The proposed project is to develop two vacant residential parcels located at 1609 and 1617 Maze Boulevard into a new 8,106 square foot multi-purpose event/cultural center, with associated off-street parking. The project involves the following entitlements:

- General Plan Amendment: amend land use of 1.71 acres from Residential to Mixed Use;
- Adoption of a project-targeted Specific Plan ("Pinpoint Plan"), per General Plan policies requiring adoption of a Specific Plan within a CPD prior to development;
- Annexation of the two properties into the City of Modesto, together with the annexation of four existing residential properties to the north of the project site, located at 201, 205, 217 and 225 N. Carpenter Road, totaling 4.9 acres;
- Administrative Development Plan Review of the proposed event/cultural center, if all other entitlements are approved and the properties are annexed to the City.

As part of the annexation area, the four existing residential parcels located on Carpenter Road between the project site and MID Lateral Canal No. 4 are also proposed for annexation. No development is proposed for those parcels. The parcels will retain the current Residential land use designation as stated in the General Plan.

As part of the annexation process, the two parcels of the event/cultural center site will be prezoned as P-MU-H (Mixed Use-Highway), with uses as allowed by the Mixed Use-Highway Zone defined in Title 10, Chapter 7, Article 7 of the Modesto Municipal Code. The MU-H Zone provides for commercial and residential uses and would facilitate development of the event/cultural center at 1609-1617 Maze Boulevard as provided by the Pinpoint Plan. The four existing residential parcels will be pre-zoned as P-R-1 Zone, allowing for uses as provided in the Low Density Residential (R-1) Zone. If the annexation is approved and recorded, the pre-zone designation will go into full effect.

Following annexation, the two parcels of the project site are to be merged to allow for development of a new 8,106 square foot event/cultural center and associated off-street parking. The project will also include the development of two new residential apartment units of 785 square feet each, intended to replace two residential dwellings once situated on the parcels but since demolished.

The development will provide for a total of 112 parking spaces, ensuring adequate support for the two apartment units and the event center. The proposed event/cultural center is contingent upon first securing approval of the proposed General Plan amendment to change the land use designation of the project site from Residential (R) to Mixed Uses (MU), with concurrent adoption of the project-targeted Specific Plan ("Pinpoint Plan"), and finalization of the area's annexation.

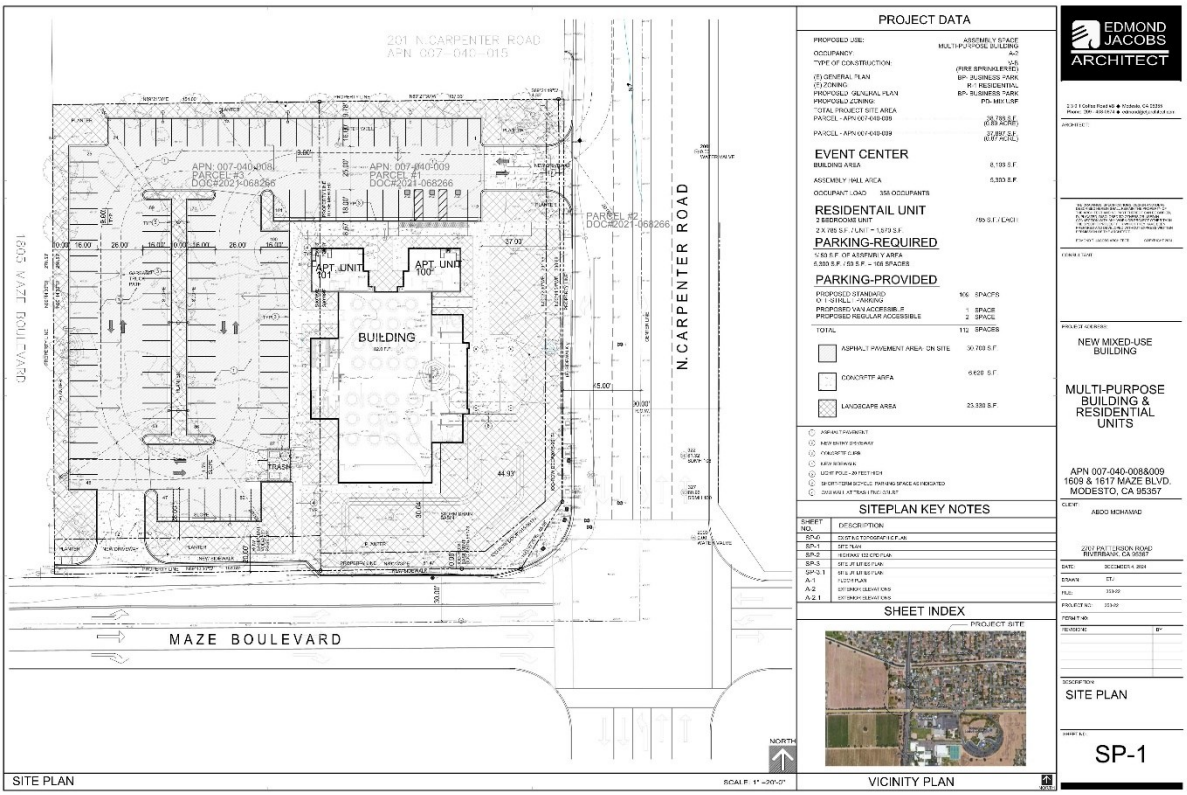
Senate Bill 330 Compliance

The project would be in compliance with SB330 as they are adding two new apartment dwelling units to replace two homes that were demolished prior to application submittal. The new zoning of P-MU-H allowing for commercial and residential uses will have equal to or greater residential density than the current zoning of General Ag within the County.

Agricultural Land

Per the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) all parcels of the annexation area are designated as "Urban and Built-Up Land". No portions of the annexation area are designated as Prime Farmland or Farmland of Statewide Importance, nor are under a Williamson Act contract.

Description and map of project land (Legal Description and location)



SPL-24-003
AREA PLAN

Order Number: 3710122-01117
Escrow Number:
Page Number: 8

LEGAL DESCRIPTION

The land referred to is situated in the Unincorporated Area of the County of Stanislaus, State of California, and is described as follows:

PARCEL ONE:

All that portion of Lot 17 of Maze Ranch Subdivision, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 19, 1909 in Vol. 4 of Maps, at Page 18, described as follows:

COMMENCING at the Southeast corner of Lot 17; thence North 80° 45' 30" West along the South line of Lot 17 and along the South line of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, 132.00 feet to the Southwest corner of said Section 30; thence continuing along the South line of Lot 17 and along the South line of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, a distance of 235.00 feet, thence North 0° 14' 30" West 30 feet to a point on the North line of Maze Boulevard, thence North 80° 13' 30" East along the North line of Maze Boulevard, 153.53 feet to the true point of beginning of this description, thence continuing along the North line of Maze Boulevard, North 89° 13' 30" East, 81.47 feet and South 89° 45' 30" East, 58.38 feet; thence North 0° 32' 30" West 270.84 feet; thence South 89° 21' 30" West. 137.93 feet; thence South 0° 09' East 270.18 feet to the true point of beginning of this description.

EXCEPTING THEREFROM that portion thereof conveyed to the County of Stanislaus, State of California, by Deed recorded May 4, 1962 in Vol. 1764 of Official Records, at Page 348, as Instrument No. 17377.

PARCEL TWO:

A Parcel of land situated in Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian. COMMENCING at the Southwest corner of said Section 30, thence North 0° 48' 11" West along the West line of said Section, a distance of 30 feet; thence South 89° 45' 11" East along the North line of Maze Boulevard, a distance of 58.38 feet to the Southeast corner of the U.D. Ciccarelli, et ux, property as per Deed recorded February 13, 1958 in Vol. 1467 of Official Records, at Page 467, Stanislaus County Records; thence North 0° 32' 11" West, along the East line of said property 38.85 feet to the point of beginning; thence North 45° 14' 52" East, 1.63 feet, thence North 0° 14' 54" East along a line 90 feet West of and parallel to the West line of the Hillview Acres Subdivision as per map recorded in Vol. 19 of Maps, at Page 14, Stanislaus County Records, a distance of 230.88 feet; thence South 89° 21' 49" West along the Eastward projection of the North line of the aforesaid Ciccarelli property, a distance of 4.33 feet to the Northeast corner of said property; thence South 0° 32' 11" East, along the East line of said property, 231.99 feet to the point of beginning.

PARCEL THREE:

All that portion of Lot 17 Maze Ranch Subdivision, as per Map filed March 19, 1909 in Vol. 4 of Maps, page 18, Stanislaus County Records, described as follows:

Commencing at the Southeast corner of Lot 17; thence North 89° 45' 30" West along the South line of Lot 17 and along the South line of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, 132.00 feet to the Southwest corner of said Section 30; thence continuing along the South line of Lot 17 and along the South line of Section 25, Township 3 South, Range 8 East, a distance of 235.00 feet; thence North 0° 14' 30" West 30.00 feet in a point on the North line of Maze

Boulevard and the true point of beginning of this description; thence continuing North 0° 14' 30" West 270.53 feet; thence North 89° 21' 30" East 154.00 feet; thence South 0° 09' East 270.18 feet; thence South 89° 13' 30" West along the North line of Maze Boulevard, a distance of 153.53 feet to the true point of beginning of this description.

EXCEPTING THEREFROM that portion thereof conveyed to the County of Stanislaus, State of California, by Deed recorded February 7, 1973 in Vol. 2531 of Official Records, at Page 324.
APN: 007-040-008 & 007-040-009

LEGAL DESCRIPTION
CITY OF MODESTO ANNEXATION

All that portion of Lot 17 of the Maze Ranch Subdivision, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, State of California, on March 19, 1904 in Volume 4 of Maps, at Page 18, and lying in Section 30, Township 3 South, Range 9 East and Section 25, Township 3 South, Range 8 East, Mount Diablo Meridian, more particularly described as follows:

COMMENCING at the Southeast corner of said Lot 17; thence North 89° 45' 30" West along the South line of said Lot 17 and the South line of said Section 30, a distance 132.00 feet to the Southwest corner of said Section 30; thence along the South line of said Lot 17 and along the South line of said Section 25, a distance of 235.00 feet; thence North 00° 14" 30" West, 30.00 feet to a point on the North line of Maze Boulevard and the **TRUE POINT OF BEGINNING** of this description; thence continuing North 00° 14' 30" West, 768.08 feet to the South line of Lateral No. 4 of the Modesto Irrigation District; thence Southeasterly along the South line of said M.I.D. Lateral No. 4 to a point on the West line of 90-foot wide Carpenter Road, as conveyed to the County of Stanislaus, State of California by Deed recorded November 6, 1961, in Volume 1719 of Official Records, at Page 51, as Instrument No. 36537; thence South along the West line of said Carpenter Road, 429.56 feet to the Northeast corner of the property conveyed to Margaret Maier and Henry Maier, wife and husband by deed recorded November 17, 1949 in Volume 980 of Official Records, at Page 563; thence continuing along the Westerly 90-foot wide right-of-way of Carpenter Road, South 00° 14' 35" West, 230.88 feet; thence departing said 90.0-foot right-of-way line South 45° 14' 33" West, 1.63 feet; thence South 31° 47' 07" West, 33.85 feet to a point lying 40.00 feet North of the South line of said Section 30; thence North 89° 45' 30" West parallel with and 40.00 feet North of said South line of Section 30, 40.23 feet to a point on the West line of said Section 30; thence North 89° 45' 30" West, parallel with and 40.00 feet North of South line of said Section 25, 235.00 feet to the **POINT OF BEGINNING.**

EXCEPTING THEREFROM that portion of thereof conveyed to the County of Stanislaus, State of California, by Deed recorded February 7, 1973 in Volume 2531 of Official Records, at Page 324.

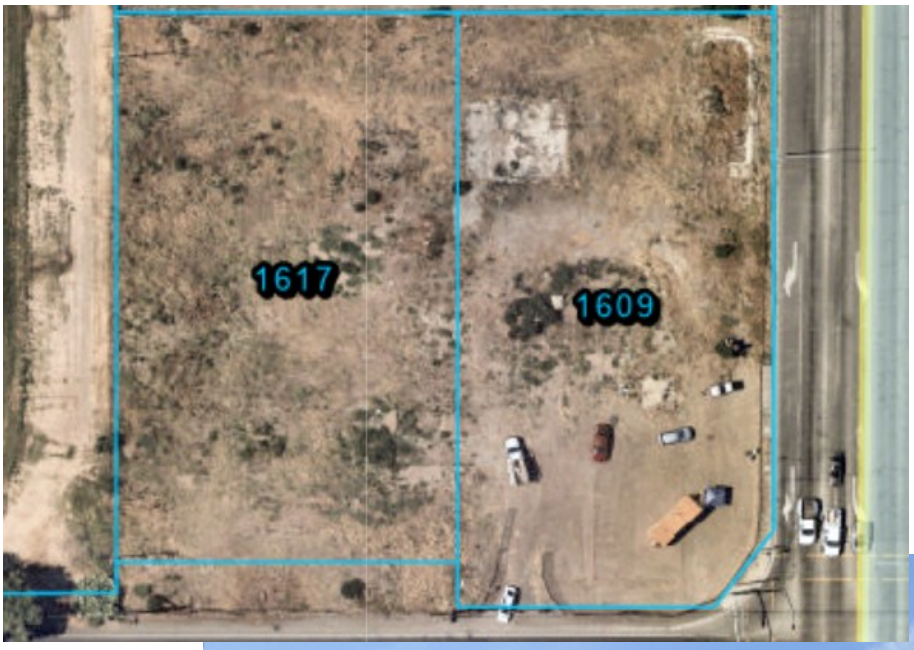
Thomas Price, PLS
10/4/2024



Event Center Project Site Context

The annexation area is located within the Highway 132 Comprehensive Planning District (CPD) of the General Plan, which allows for Residential uses at the location of the proposed event center and Residential uses at the four residential properties to be annexed with the project area.

The current site of the proposed event center consists of two parcels. The parcel further west (APN: 007-040-008) is a total of 37,644 square feet while the eastern parcel (APN: 007-040-009) is a total of 37,278 square feet. Both parcels are currently vacant. This development will not have any significant impact to the four adjacent residential parcels to the north.





Residential Annexed Parcels

The four adjacent existing residential parcels to the north of the event center site will be pre-zoned as P-R-1 Zone, allowing for uses as provided in the Low Density Residential (R-1) Zone. Thes four parcels are currently developed with single-family dwellings and are an estimated combined three acres. If the annexation is approved and recorded, the pre-zone designation will go into full effect.



Allowable Uses and Development Standards

The parcels at 1609 and 1617 Maze Boulevard are to be developed with new 8,106 square foot event/cultural center and associated off-street parking. The project will also include the development of two new residential apartment units of 785 square feet each, intended to replace two residential dwellings once situated on the parcels but since demolished. One space per fifty (50) square feet of floor area is required for dancing, assembly, dining and bar area

The development will provide for a total of 112 parking spaces, ensuring adequate support for the two apartment units and the event center. The proposed event/cultural center is contingent upon first securing approval of the proposed General Plan amendment to change the land use designation of the project site from Residential (R) to Mixed Uses (MU), with concurrent adoption of the project-targeted Specific Plan ("Pinpoint Plan"), and finalization of the area's annexation. Land use and development standards shall be as set forth in the City's Mixed-Use Highway (MU-H) zoning designation contained in Title 10 of the Modesto Municipal Code.

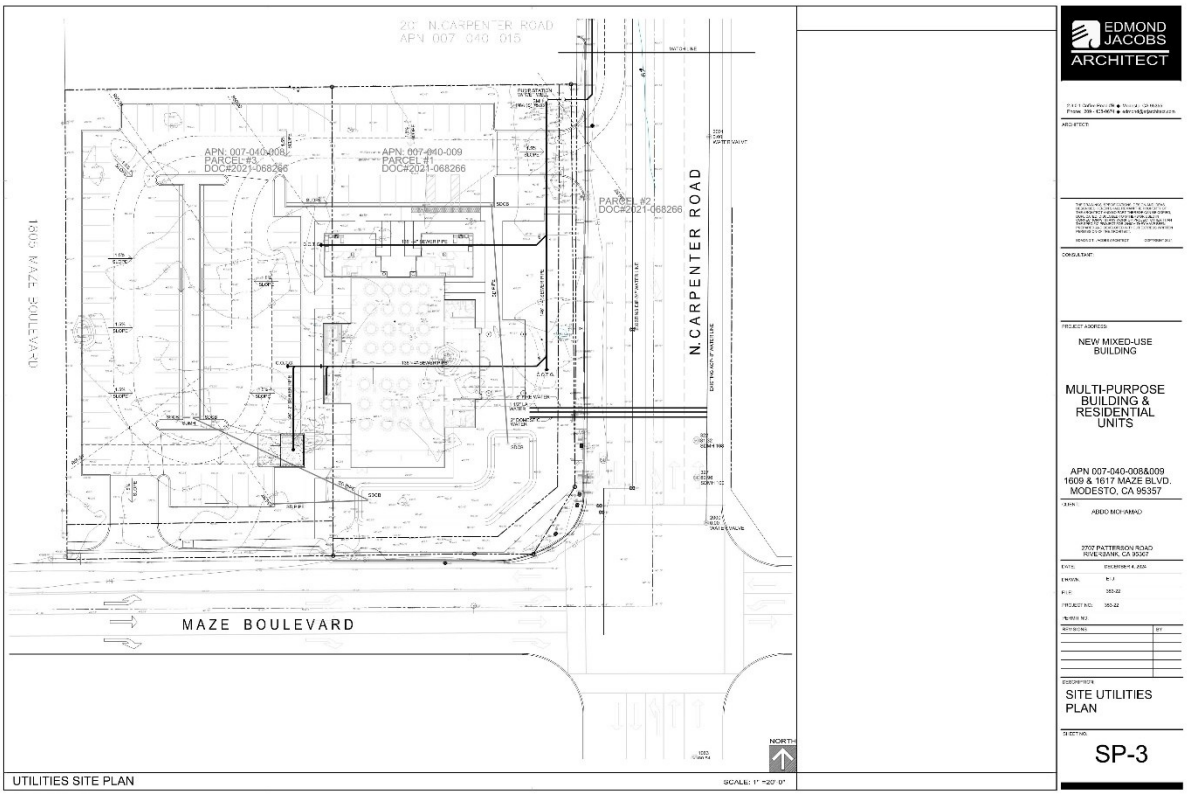
The project will also implement development standards and conditions as recommended by the project Initial Study/Negative Declaration, EA No. 2024-11:

- The developer shall provide minimum 10-ft wide sidewalks along the Maze Boulevard and Carpenter Road frontages. Associated curb ramps shall be designed to City of Modesto Standards.
- The project applicant shall design the Maze Boulevard driveway intersection in accordance with applicable Caltrans, City of Modesto, and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances. In addition, the applicant shall coordinate with Caltrans, the City of Modesto, and/or Stanislaus County to reduce the posted speed limit to 35 miles per hour or lower along Maze Boulevard in the vicinity of the project site. Improvements to support a reduced speed limit may include but are not limited to: new speed limit signage, dynamic speed feedback sign(s), advance driveway warning sign(s), roadway restriping, dedicated eastbound Maze Boulevard left-turn lane width adequate deceleration length, and improved street lighting. Furthermore, "Keep Clear" striping shall be installed along eastbound Maze Boulevard in front of the project driveway.
- The project applicant shall design, construct, and maintain the Carpenter Road driveway intersection in accordance with all applicable City of Modesto Standards to ensure adequate lane configurations, traffic controls, and corner sight distance. The driveway design shall include a raised median to prohibit inbound and outbound left-turn movements, "One Way" signage on the median, "Right Turn Only" signage at the project driveway, and "Keep Clear" pavement striping on southbound Carpenter Road in front of the project driveway.
- Site plan shall demonstrate and maintain landscaping adjacent to the project driveways to preserve required sight distance. Shrubs shall not exceed two and one-half feet in height, and tree canopies shall be maintained at a minimum of six feet above grade. Any monument signage proposed near the project driveway shall be located and designed so as not to interfere with required sight distance for vehicles entering or exiting the site.
- Site plan shall demonstrate one aerial fire access road with a minimum 26-foot clear width, located within 15 to 30 feet from a building face that is greater than 30 feet in height. Alternatively, equip the building with automatic sprinkler system and provide an enclosed stairway with roof access. Or confirm with the Fire Department that the proposed aerial fire access road is acceptable.

The four existing residential properties to the north of the event center site shall have land uses and development standards as set forth in the City's Low Density Residential (R-1) Zone also contained in Title 10 of the MMC.

Utility Plan

Utility connections shall be provided by the City with extension of water and sewer services to the event center site from existing lines under Hillview Drive. The four existing residential properties to the north shall connect to City sewer services once such services become available through extensions along Carpenter Road. Upon annexation, these properties shall connect to sewer services within five years of the availability of the sewer service.



Surrounding uses

Parcel(s) to the north are zoned in the General Plan as Residential (R). Lots are currently occupied by single family dwelling units.

Parcel(s) to the east are zoned, Low Density Residential (R-1). Lots are currently occupied by residential units.

Parcel to the west is zoned in the General Plan as Business Park (BP) and is currently agricultural land.

Parcel to the south is zoned in the General Plan as Business Park (BP) and is currently agricultural land.

Parks

No park is required or proposed as part of this project. The nearest parks are Charles M Sharp Park and Mark Twain Park which are both approximately 3,000 feet away from the annexation site.

Schools

The project involves the development of only two residential units, a scale that is not substantial enough to have significant impact on the local school districts. The nearest school is St. Stanislaus Parish School, approximately 500 feet away from the project location. The proposed project will utilize existing school facilities.

Electricity and Telecommunications

The proposed 1609-1617 Maze Boulevard Project will require the relocation of existing PG&E gas service facilities.

The project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI).

The District's Electric Engineering Department has no objections to the amendment & annexation of the property on 1609-1617 Maze Blvd at this time.

EXHIBIT "B"
PINPOINT PLAN
DESCRIPTION

All that portion of Lot 17 of the Maze Ranch Subdivision, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, State of California, on March 19, 1904 in Volume 4 of Maps, at Page 18, and lying in Section 30, Township 3 South, Range 9 East and Section 25, Township 3 South, Range 8 East, Mount Diablo Meridian, more particularly described as follows:

COMMENCING at the Southeast corner of said Lot 17; thence North 89° 45' 30" West along the South line of said Lot 17 and the South line of said Section 30, a distance 132.00 feet to the Southwest corner of said Section 30; thence along the South line of said Lot 17 and along the South line of said Section 25, a distance of 235.00 feet; thence North 00° 14" 30" West, 30.00 feet to a point on the North line of Maze Boulevard and the TRUE POINT OF BEGINNING of this description; thence continuing North 00° 14' 30" West, 768.08 feet to the South line of Lateral No. 4 of the Modesto Irrigation District; thence Southeasterly along the South line of said M.I.D. Lateral No. 4 to a point on the West line of 90-foot wide Carpenter Road, as conveyed to the County of Stanislaus, State of California by Deed recorded November 6, 1961, in Volume 1719 of Official Records, at Page 51, as Instrument No. 36537; thence South along the West line of said Carpenter Road, 429.56 feet to the Northeast corner of the property conveyed to Margaret Maier and Henry Maier, wife and husband by deed recorded November 17, 1949 in Volume 980 of Official Records, at Page 563; thence continuing along the Westerly 90-foot wide right-of-way of Carpenter Road, South 00° 14' 35" West, 230.88 feet; thence departing said 90.0-foot right-of-way line South 45° 14' 33" West, 1.63 feet; thence South 31° 47' 07" West, 33.85 feet to a point lying 40.00 feet North of the South line of said Section 30; thence North 89° 45' 30" West parallel with and 40.00 feet North of said South line of Section 30, 40.23 feet to a point on the West line of said Section 30; thence North 89° 45' 30" West, parallel with and 40.00 feet North of South line of said Section 25, 235.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion of thereof conveyed to the County of Stanislaus, State of California, by Deed recorded February 7, 1973 in Volume 2531 of Official Records, at Page 324.

Also including the land referred to is situated in the Unincorporated Area of the County of Stanislaus, State of California, and is described as follows:

PARCEL ONE:

All that portion of Lot 17 of Maze Ranch Subdivision, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 19, 1909 in Vol. 4 of Maps, at Page 18, described as follows:

COMMENCING at the Southeast corner of Lot 17; thence North 80° 45' 30" West along the South line of Lot 17 and along the South line of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, 132.00 feet to the Southwest corner of said Section 30; thence continuing along the South line of Lot 17 and along the South line of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, a distance of 235.00 feet, thence North 0° 14' 30" West 30 feet to a point on the North line of Maze Boulevard, thence North 80° 13' 30" East along the North line of Maze Boulevard, 153.53 feet to the true point of beginning of this description, thence continuing along the North line of

blaze Boulevard, North 89° 13' 30" East, 81.47 feet and South 89° 45' 30" East, 58.38 feet; thence North 0° 32' 30" West 270.84 feet; thence South 89° 21' 30" West. 137.93 feet; thence South 0° 09' East 270.18 feet to the true point of beginning of this description.

EXCEPTING THEREFROM that portion thereof conveyed to the County of Stanislaus, State of California, by Deed recorded Play 4, 1962 in Vol. 1764 of Official Records, at Page 348, as Instrument No. 17377.

PARCEL TWO:

A Parcel of land situated in Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian. COMMENCING at the Southwest corner of said Section 30, thence North 0° 48' 11" West along the West line of said Section, a distance of 30 feet; thence South 89° 45' 11" East along the North line of Maze Boulevard, a distance of 58.38 feet to the Southeast corner of the U.D. Ciccarelli, et ux, property as per Deed recorded February 13, 1958 in Vol. 1467 of Official Records, at Page 467, Stanislaus County Records; thence North 0° 32' 11" West, along the East line of said property 38.85 feet to the point of beginning; thence North 45° 14' 52" East, 1.63 feet, thence North 0° 14' 54" East along a line 90 feet West of and parallel to the West line of the Hillview Acres Subdivision as per map recorded in Vol. 19 of Maps, at Page 14, Stanislaus County Records, a distance of 230.88 feet; thence South 89° 21' 49" West along the Eastward projection of the North line of the aforesaid Ciccarelli property, a distance of 4.33 feet to the Northeast corner of said property; thence South 0° 32' 11" East, along the East line of said property, 231.99 feet to the point of beginning.

PARCEL THREE:

All that portion of Lot 17 Maze Ranch Subdivision, as per Map filed March 19, 1909 in Vol. 4 of flaps, page 18, Stanislaus County Records, described as follows:

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EXCEPTING THEREFROM that portion thereof conveyed to the County of Stanislaus, State of California, by Deed recorded February 7, 1973 in Vol. 2531 of Official Records, at Page 324.

APN: 007-040-008 & 007-040-009.

PLANNING COMMISSION
RESOLUTION NO. 2026-XX

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A RESOLUTION APPROVING THE FILING OF AN APPLICATION TO THE STANISLAUS LOCAL AGENCY FORMATION COMMISSION FOR THE CARPENTER-MAZE REORGANIZATION TO THE CITY OF MODESTO OF APPROXIMATELY 4.9 ACRES LOCATED WEST OF CARPENTER ROAD AND NORTH OF MAZE BOULEVARD FOR ANNEXATION TO THE CITY OF MODESTO AND SIMULTANEOUS DETACHMENT FROM THE WOODLAND FIRE PROTECTION DISTRICT (ABDO MOHAMAD)

WHEREAS, Abdo Mohamad ("Applicant") is the owner of approximately 1.71 acres of real property, comprised of two vacant residential properties located at 1609 and 1617 Maze Boulevard,

WHEREAS, applicant intends to annex said properties to the City of Modesto; and

WHEREAS, the City, in coordination with the Stanislaus Local Area Formation Commission has recommended that the four residential parcels to the north, about 3.2 acres at 201-225 N. Carpenter Road, owned by other individuals be included in said application to provide a more complete and holistic plan for the area, for a total annexation area of approximately 4.9 acres ("Property") ; and

WHEREAS, the City has received a request from the Applicant to initiate reorganization of the Property, a total of approximately 4.9 acres, for annexation to the City of Modesto and simultaneous detachment from the Woodland Fire Protection District under the Cortese-Knox-Hertzberg Local Reorganization Act of 2000, California Government Code Section 56000, et seq.; and

WHEREAS, said application was made concurrently with an application to amend the General Plan Land Use Element to change the land use designation of

1.71 acres located at 1609 and 1617 Maze Boulevard from Residential (R) to Mixed Use (MU) to allow for the future development of an 8,106 square foot multi-purpose cultural/event center with onsite parking and two residential apartment units of 785 sq. ft. each (Project ID GPA-23-002); and

WHEREAS, said application was also made concurrently with an application for a Pinpoint Plan to allow for the implementation of development standards for the 8,106 square foot multi-purpose cultural/event center and two residential apartment units (Project ID SPL-24-003); and

WHEREAS, the Resolution of Application is proposed pursuant to the Cortese-Knox-Hertzberg Local Reorganization Act of 2000, California Government Code Section 56000, et seq.; and

WHEREAS, the Property to be annexed is within Stanislaus County, is contiguous to the existing City limits, and is within the Sphere of Influence of the City of Modesto as adopted by the Stanislaus Local Agency Formation Commission (LAFCO); and

WHEREAS, the Property proposed to be annexed is uninhabited as defined by Government Code Section 56079.5 (fewer than 12 registered voters), and a description of the boundaries of the subject Property is set forth in Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, the Property is not subject to a Williamson Act contract; and

WHEREAS, the Property is covered by the Master Tax Sharing Agreement that addresses tax sharing entered into between the County of Stanislaus and City of Modesto which was approved on April 5, 1983, and updated in 1996 and again in 2022; and

WHEREAS, pursuant to Government Code Section 56653, a plan for providing services is set forth in Exhibit "B", attached hereto and by this reference incorporated herein; and

WHEREAS, on April 7, 2025, the Planning Commission held a duly noticed public hearing in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California, at which hearing prior to presentation of evidence both oral and documentary, the applicant requested a continuance to allow time to address concerns raised by surrounding property owners and interested parties about the project; and

WHEREAS, a public hearing was held by the Planning Commission on April 20, 2026 in the Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission certifies it has received and reviewed the Initial Study/Negative Declaration, Environmental Assessment No. EA/C&ED 2024-11,

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it hereby finds and determines as follows:

1. The requested reorganization will result in an orderly and logical addition of land to the City.

2. The Property are located within Stanislaus County, within the City's adopted Sphere of Influence, is contiguous to the existing City limits, and can be most efficiently served with City services.

3. The Property proposed to be annexed to the City of Modesto is uninhabited as defined by Government Code Section 56079.5 (fewer than twelve registered voters) and a description of the boundaries of the subject annexation area is set forth in Exhibit "A", attached hereto and by this reference incorporated herein.

4. The Property has been prezoned to P-MU-H, Mixed Use Highway, 1.71 acres at 1609 and 1617 Maze Boulevard, allowing for commercial and residential uses, and P-R-1, Low Density Residential uses, 3.19 acres at 201-225 N. Carpenter Road, allowing for residential uses.

5. The Property is covered by the Master Tax Sharing Agreement for the sharing of property tax for the Property which was entered into between the County of Stanislaus and City of Modesto and which was approved April 5, 1983, updated in 1996 and again in 2022.

6. The proposed annexation to the City of Modesto is consistent with the Urban Area General Plan, because the annexation area is included in the City's Sphere of Influence and is consistent with the uses in the General Plan as amended.

7. An Initial Study/Mitigated Negative Declaration, Environmental Assessment No. EA/C&ED No. 2024-11, has been prepared by the City of Modesto that analyzed the proposed annexation, and the Planning Commission has determined that, on the basis of the whole record before it, found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in Initial Study/Mitigated Negative Declaration, Environmental Assessment No. EA/C&ED No. 2024-11, and (b) have been avoided or mitigated pursuant to, Environmental Assessment No. EA/C&ED No. 2024-11, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Modesto that it recommends to the City Council approval of a Resolution of Application of reorganization to LAFCO to annex the Property to the City of Modesto

and Modesto Sewer District No. 1, and simultaneously detach the Property from the Woodland Fire Protection District, subject to the following conditions:

1. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Modesto that it also recommends to the City Council that, pursuant to Government Code Section 56653, the City Council submit the plan for providing services as set forth in Exhibit "B", attached hereto and by this reference incorporated herein.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Modesto that it also recommends to the City Council that it hereby recommends to the City Council the adoption and certification of the Negative Declaration of the project, EA No. C&ED 2024-11.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 15, 2026, by Commissioner , who moved its adoption, which motion was seconded by Commissioner and carried by the following vote:

Ayes:

Noes:

Absent:

Recused:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD

Michael Hren, AICP, Secretary

Attachments:
Exhibit "A" Legal Description
Exhibit "B" Plan for Services

EXHIBIT " A"

Order Number: 3710122-01117
Escrow Number:
Page Number: 8

LEGAL DESCRIPTION

The land referred to is situated in the Unincorporated Area of the County of Stanislaus, State of California, and is described as follows:

PARCEL ONE:

All that portion of Lot 17 of Maze Ranch Subdivision, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 19, 1909 in Vol. 4 of Maps, at Page 18, described as follows:

COMMENCING at the Southeast corner of Lot 17; thence North 80° 45' 30" West along the South line of Lot 17 and along the South line of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, 132.00 feet to the Southwest corner of said Section 30; thence continuing along the South line of Lot 17 and along the South line of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, a distance of 235.00 feet, thence North 0° 14' 30" West 30 feet to a point on the North line of Maze Boulevard, thence North 80° 13' 30" East along the North line of Maze Boulevard, 153.53 feet to the true point of beginning of this description, thence continuing along the North line of Maze Boulevard, North 89° 13' 30" East, 81.47 feet and South 89° 45' 30" East, 58.38 feet; thence North 0° 32' 30" West 270.84 feet; thence South 89° 21' 30" West. 137.93 feet; thence South 0° 09' East 270.18 feet to the true point of beginning of this description.

EXCEPTING THEREFROM that portion thereof conveyed to the County of Stanislaus, State of California, by Deed recorded May 4, 1962 in Vol. 1764 of Official Records, at Page 348, as Instrument No. 17377.

PARCEL TWO:

A Parcel of land situated in Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian. COMMENCING at the Southwest corner of said Section 30, thence North 0° 48' 11" West along the West line of said Section, a distance of 30 feet; thence South 89° 45' 11" East along the North line of Maze Boulevard, a distance of 58.38 feet to the Southeast corner of the U.D. Ciccarelli, et ux, property as per Deed recorded February 13, 1958 in Vol. 1467 of Official Records, at Page 467, Stanislaus County Records; thence North 0° 32' 11" West, along the East line of said property 38.85 feet to the point of beginning; thence North 45° 14' 52" East, 1.63 feet, thence North 0° 14' 54" East along a line 90 feet West of and parallel to the West line of the Hillview Acres Subdivision as per map recorded in Vol. 19 of Maps, at Page 14, Stanislaus County Records, a distance of 230.88 feet; thence South 89° 21' 49" West along the Eastward projection of the North line of the aforesaid Ciccarelli property, a distance of 4.33 feet to the Northeast corner of said property; thence South 0° 32' 11" East, along the East line of said property, 231.99 feet to the point of beginning.

PARCEL THREE:

All that portion of Lot 17 Maze Ranch Subdivision, as per Map filed March 19, 1909 in Vol. 4 of Maps, page 18, Stanislaus County Records, described as follows:

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Boulevard and the true point of beginning of this description; thence continuing North 0° 14' 30" West 270.53 feet; thence North 89° 21' 30" East 154.00 feet; thence South 0° 09' East 270.18 feet; thence South 89° 13' 30" West along the North line of Maze Boulevard, a distance of 153.53 feet to the true point of beginning of this description.

EXCEPTING THEREFROM that portion thereof conveyed to the County of Stanislaus, State of California, by Deed recorded February 7, 1973 in Vol. 2531 of Official Records, at Page 324.
APN: 007-040-008 & 007-040-009

LEGAL DESCRIPTION
CITY OF MODESTO ANNEXATION

All that portion of Lot 17 of the Maze Ranch Subdivision, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, State of California, on March 19, 1904 in Volume 4 of Maps, at Page 18, and lying in Section 30, Township 3 South, Range 9 East and Section 25, Township 3 South, Range 8 East, Mount Diablo Meridian, more particularly described as follows:

COMMENCING at the Southeast corner of said Lot 17; thence North 89° 45' 30" West along the South line of said Lot 17 and the South line of said Section 30, a distance 132.00 feet to the Southwest corner of said Section 30; thence along the South line of said Lot 17 and along the South line of said Section 25, a distance of 235.00 feet; thence North 00° 14" 30" West, 30.00 feet to a point on the North line of Maze Boulevard and the **TRUE POINT OF BEGINNING** of this description; thence continuing North 00° 14' 30" West, 768.08 feet to the South line of Lateral No. 4 of the Modesto Irrigation District; thence Southeasterly along the South line of said M.I.D. Lateral No. 4 to a point on the West line of 90-foot wide Carpenter Road, as conveyed to the County of Stanislaus, State of California by Deed recorded November 6, 1961, in Volume 1719 of Official Records, at Page 51, as Instrument No. 36537; thence South along the West line of said Carpenter Road, 429.56 feet to the Northeast corner of the property conveyed to Margaret Maier and Henry Maier, wife and husband by deed recorded November 17, 1949 in Volume 980 of Official Records, at Page 563; thence continuing along the Westerly 90-foot wide right-of-way of Carpenter Road, South 00° 14' 35" West, 230.88 feet; thence departing said 90.0-foot right-of-way line South 45° 14' 33" West, 1.63 feet; thence South 31° 47' 07" West, 33.85 feet to a point lying 40.00 feet North of the South line of said Section 30; thence North 89° 45' 30" West parallel with and 40.00 feet North of said South line of Section 30, 40.23 feet to a point on the West line of said Section 30; thence North 89° 45' 30" West, parallel with and 40.00 feet North of South line of said Section 25, 235.00 feet to the **POINT OF BEGINNING.**

EXCEPTING THEREFROM that portion of thereof conveyed to the County of Stanislaus, State of California, by Deed recorded February 7, 1973 in Volume 2531 of Official Records, at Page 324.

Thomas Price, PLS
10/4/2024



EXHIBIT " B"

CARPENTER-MAZE REORGANIZATION
PLAN FOR PROVIDING SERVICES

Pursuant to Government Code Section 56653, the following Plan for Services to be extended to the affected territory has been prepared for the Carpenter-Kansas Reorganization.

A. The project site is part of the Planned Urbanizing Area, as described in the Modesto Urban Area General Plan, adopted March 5, 2019. As part of the approval, community facilities and services were analyzed in detail in Initial Study Environmental Checklist (C&ED No. 2024-11). These services include traffic and circulation, waste water collection, water delivery, storm water drainage, solid waste disposal, schools, parks, fire protection, and police protection. The City of Modesto is a full service city that intends to provide the following services.

1. Traffic and Circulation: The bulk of the external roadway network is already constructed. Maze Boulevard is a two-lane street designated as California State Highway 132. However, a new freeway alignment for CA-132 has been opened to the north of the site. Although the new freeway alignment has commenced operation, the segment of Maze Boulevard along the project site's frontage remains under Caltrans management. Carpenter Road is a four-lane Principal Arterial Street. The applicant or developer must dedicate and construct roadway improvements along the project frontages of both Carpenter Road and Maze Boulevard to City standards, and in the case of Maze Boulevard, must also consult with Caltrans for review and approval of any new frontage improvements/right-of-way dedication.

2. Waste water Collection: Upon reorganization, the site will annex to Modesto's Sewer District No. 1. Sewer service will be provided to the subject site with extension of an existing 6-inch sewer line in Hillview Drive west and south under Carpenter Road to the new event center project. The City does not anticipate a substantial demand for service at this site.

3. Water Delivery: There is an adequate quantity of water to serve the commercial development expected to occur on the property. The site will be served from an existing line in Carpenter Road, adjacent to the site.

4. Storm Water Drainage: Storm water drainage for this project must be contained on site, as the City does not have a positive storm drain system serving the area. Prior to the approval of development, the City must approve the storm water drainage system to ensure its adequacy. The storm water drainage system will be constructed by the applicant at the applicant's expense.

5. Solid Waste Disposal: Weekly pickup will be extended to the annexation area upon the effective date of annexation.

6. Fire Protection: Upon reorganization, the site will detach from the Woodland Fire District and be served by the Modesto Fire Department as part of Fire Management Area (FMA) No. 2, with service by Station No. 2 located two miles to the southeast at 420 Chicago Avenue. Additional fire service may be dispatched from FMA No. 4 and Station No. 4 located approximately 1.5 miles to the north at 1505 Blue Gum Avenue.

7. Police Protection: The Modesto Police Department is able to provide adequate service to the subject site without additional staffing.

B. Level and range of services

The City of Modesto is a full service provider of municipal services and intends to provide the complete service for those areas identified above.

C. When can services be provided?

The above-described services can be provided upon the effective date of annexation.

D. Improvements required as a condition of reorganization

No improvements are required as a condition of reorganization. The following improvements will be required as a condition of development:

- Prior to certificate of occupancy of any building, the applicant(s) shall construct frontage improvements and any required roadway dedications and improvements to the satisfaction of the City Engineer and Caltrans.
- Prior to issuance of a building permit, the City must approve the storm water drainage system.
- Prior to issuance of a building permit, the City must approve the water and sewer connections to the site.

E. How will services be financed?

Services will be financed through City fees.

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MODESTO ANNEXATION

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Thomas Price, PLS
10/4/2024



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PARCEL TWO:

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Boulevard and the true point of beginning of this description; thence continuing North 0° 14' 30" West 270.53 feet; thence North 89° 21' 30" East 154.00 feet; thence South 0° 09' East 270.18 feet; thence South 89° 13' 30" West along the North line of Maze Boulevard, a distance of 153.53 feet to the true point of beginning of this description.

EXCEPTING THEREFROM that portion thereof conveyed to the County of Stanislaus, State of California, by Deed recorded February 7, 1973 in Vol. 2531 of Official Records, at Page 324.
APN: 007-040-008 & 007-040-009

CARPENTER-MAZE REORGANIZATION
PLAN FOR PROVIDING SERVICES

Pursuant to Government Code Section 56653, the following Plan for Services to be extended to the affected territory has been prepared for the Carpenter-Kansas Reorganization.

A. The project site is part of the Planned Urbanizing Area, as described in the Modesto Urban Area General Plan, adopted March 5, 2019 as amended June 2024. As part of the approval, community facilities and services were analyzed in detail in Initial Study Environmental Checklist (EA No. C&ED 2024-11). These services include traffic and circulation, waste water collection, water delivery, storm water drainage, solid waste disposal, schools, parks, fire protection, and police protection. The City of Modesto is a full service city that intends to provide the following services.

1. Traffic and Circulation: The bulk of the external roadway network is already constructed. Maze Boulevard is a two-lane street designated as California State Highway 132. However, a new freeway alignment for CA-132 has been opened to the north of the site. Although the new freeway alignment has commenced operation, the segment of Maze Boulevard along the project site's frontage remains under Caltrans management. Carpenter Road is a four-lane Principal Arterial Street. The applicant or developer must dedicate and construct roadway improvements along the project frontages of both Carpenter Road and Maze Boulevard to City standards, and in the case of Maze Boulevard, must also consult with Caltrans for review and approval of any new frontage improvements and or dedication of right-of-way.

2. Waste Water Collection: Upon reorganization, the site will annex to Modesto's Sewer District No. 1. Sewer service will be provided to the subject site with extension of an existing 6-inch sewer line in Hillview Drive west and south under Carpenter Road to the new event center project. The City does not anticipate a substantial demand for service at this site.

3. Water Delivery: There is an adequate quantity of water to serve the commercial development expected to occur on the property. The site will be served from an existing line in Carpenter Road, adjacent to the site.

4. Storm Water Drainage: Storm water drainage for this project must be contained on site, as the City does not have a positive storm drain system serving the area. Prior to the approval of development, the City must approve the storm water drainage system to ensure its adequacy. The storm water drainage system will be constructed by the applicant at the applicant's expense.

5. Solid Waste Disposal: Weekly pickup will be extended to the annexation area upon the effective date of annexation.

6. Fire Protection: Upon reorganization, the site will detach from the Woodland Fire District and be served by the Modesto Fire Department as part of Fire Management Area (FMA) No. 2, with service by Station No. 2 located two miles to the southeast at 420 Chicago Avenue. Additional fire service may be

dispatched from FMA No. 4 and Station No. 4 located approximately 1.5 miles to the north at 1505 Blue Gum Avenue.

7. Police Protection: The Modesto Police Department is able to provide adequate service to the subject site without additional staffing.

B. Level and range of services

The City of Modesto is a full-service provider of municipal services and intends to provide the complete service for those areas identified above.

C. When can services be provided?

The above-described services can be provided upon the effective date of annexation.

D. Improvements required as a condition of reorganization

No improvements are required as a condition of reorganization. The following improvements will be required as a condition of development:

- Prior to certificate of occupancy of any building, the applicant(s) shall construct frontage improvements and any required roadway dedications and improvements to the satisfaction of the City Engineer and Caltrans.
- Prior to issuance of a building permit, the City must approve the storm water drainage system.
- Prior to issuance of a building permit, the City must approve the water and sewer connections to the site.

E. How will services be financed?

Services will be financed through City fees.

Negative Declaration
for the Annexation of 1.76 Acres with General Plan Amendment and Administrative Development Plan Review
(GPA-23-002/ANX-23-001/DPR-24-001/SPL-24-003)
Environmental Assessment No. EA/C&ED 2024-11

Prepared for:

City of Modesto
P.O. Box 642
Modesto, CA 95353
Contact: Katharine Martin, Senior Planner
209/209-577-5267

Prepared by:

City of Modesto
Community & Economic Development Department
209/577-5267

January 12, 2026

CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title:
GPA-23-002/ANX-23-001/SPL-24-003/ DPR-24-001: General Plan Amendment and Annexation of 1.67 acres for Event Center, 1609 and 1617 Maze Blvd, with annexation of four adjacent residential properties.
Lead agency name and address:
City of Modesto, 1010 Tenth Street, Suite 3300, Modesto CA 95354

Contact person and phone number:
Katharine Martin, Senior Planner, 209-577-5267

Project Location:
1.71 acres, 1609 and 1617 Maze Blvd, plus four residential properties to the north as part of the annexation area (201-225 Carpenter Road). Total annexation area is four acres.

Project applicant's name and address:
Abdo Mohammad, 2707 Patterson Road, Riverbank, CA 95367

General plan description:
Residential (R)

Zoning:
County Unincorporated Area. Application involves pre-zoning to Mixed Use Highway (MU-H) with underlying commercial uses at 1609 and 1617 Maze Blvd for the development of a proposed 8,106 square foot event center with two residential apartment units of 785 sf each, and Low Density Residential (R-1) for the existing four residential parcels to the north being included with the annexation area.

Description of project (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):

GPA: Proposed amendment of the City of Modesto Urban Area General Plan Land Use Diagram to amend the land use of 1609 and 1617 Maze Blvd (1.72 acres total) from Residential (R) to Mixed Use (MU).

SP: Proposed "Pinpoint Plan" of 1609 and 1617 Maze Blvd, for site plan and utility plan of a proposed 8,106 square foot event center and two residential apartment units of 785 sf each, within the southeast corner of the Highway 132 Comprehensive Planning District (Highway 132 CPD).

ANX: Annexation of 1609 and 1617 Maze Blvd, together with four existing residential parcels to the north, 201-225 North Carpenter Road, for a total annexation area of four acres combined.

Development Plan Review: administrative review for development of event center and two apartment units, if GPA, Specific Plan and Annexation is approved, and annexation approved by LAFCO and recorded with State of California BOE.

Project area is already served by City water as part of the former Del Este Water Company since acquired by the City of Modesto. Sewer service is to be extended to the two parcels of the event center site from an existing line located under Hillview Drive to the east.

The proposed project is being analyzed with references to the City's Urban Area General Plan Programmatic EIR (SCH 2024091127). Mitigation measures from the EIR will be applied as appropriate.

Surrounding land uses and setting (briefly describe the project's surroundings):

North: County unincorporated area, single-family residences and orchards.
South: County unincorporated area, orchards and vineyards.
East: Low Density Residential (R-1) Zone, Central Catholic High School and St. Stanislaus primary school.
West: County unincorporated area, orchards and vineyards.

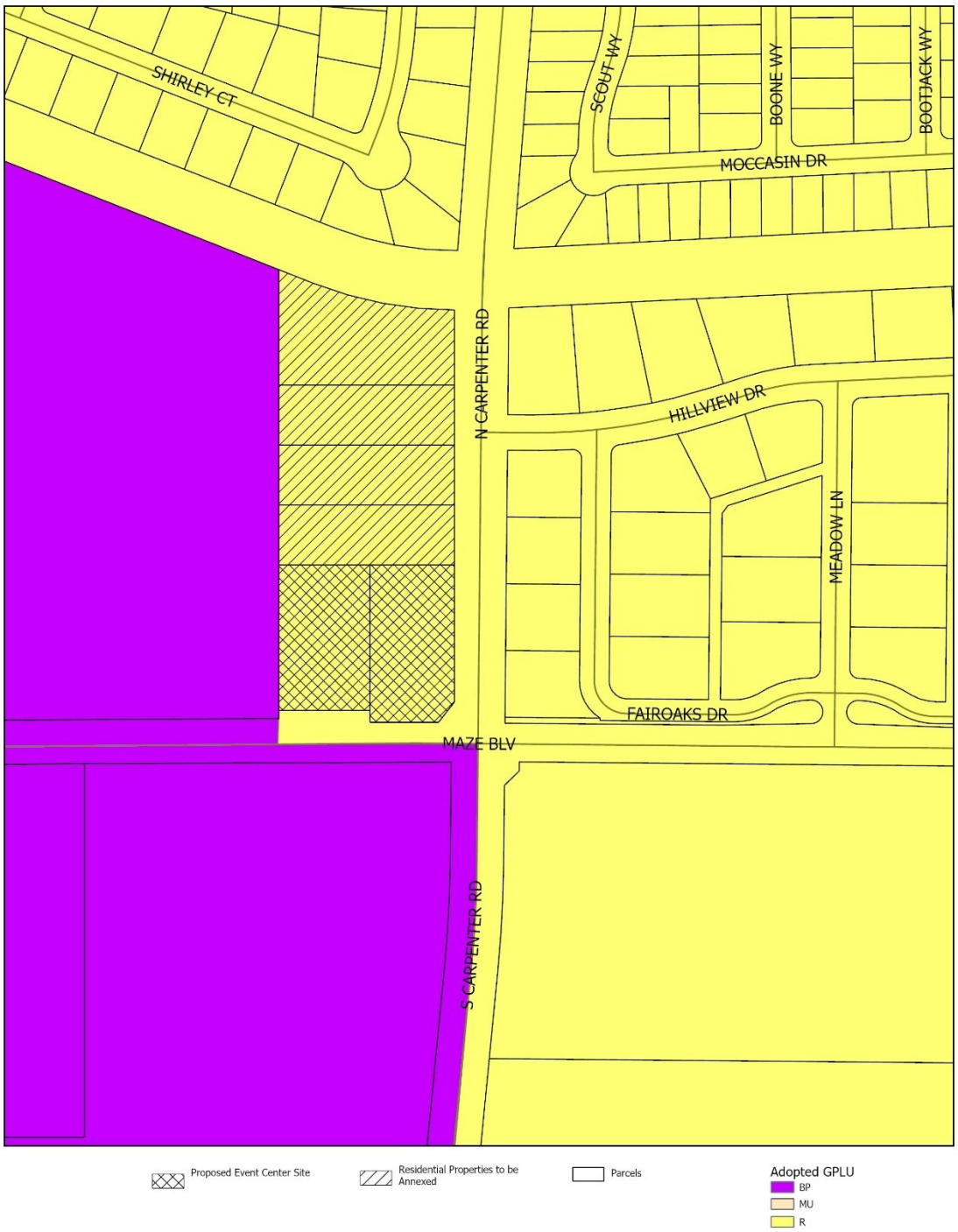
The project site is flat, vacant and undeveloped. The development area is comprised of 1609 and 1617 Maze Blvd, which was previously developed with vacant residences, one burned. Both residences have been demolished. The annexation area is expanded to include four existing single-family residences to the north of the development site. Total annexation area is four acres.

Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements): none.

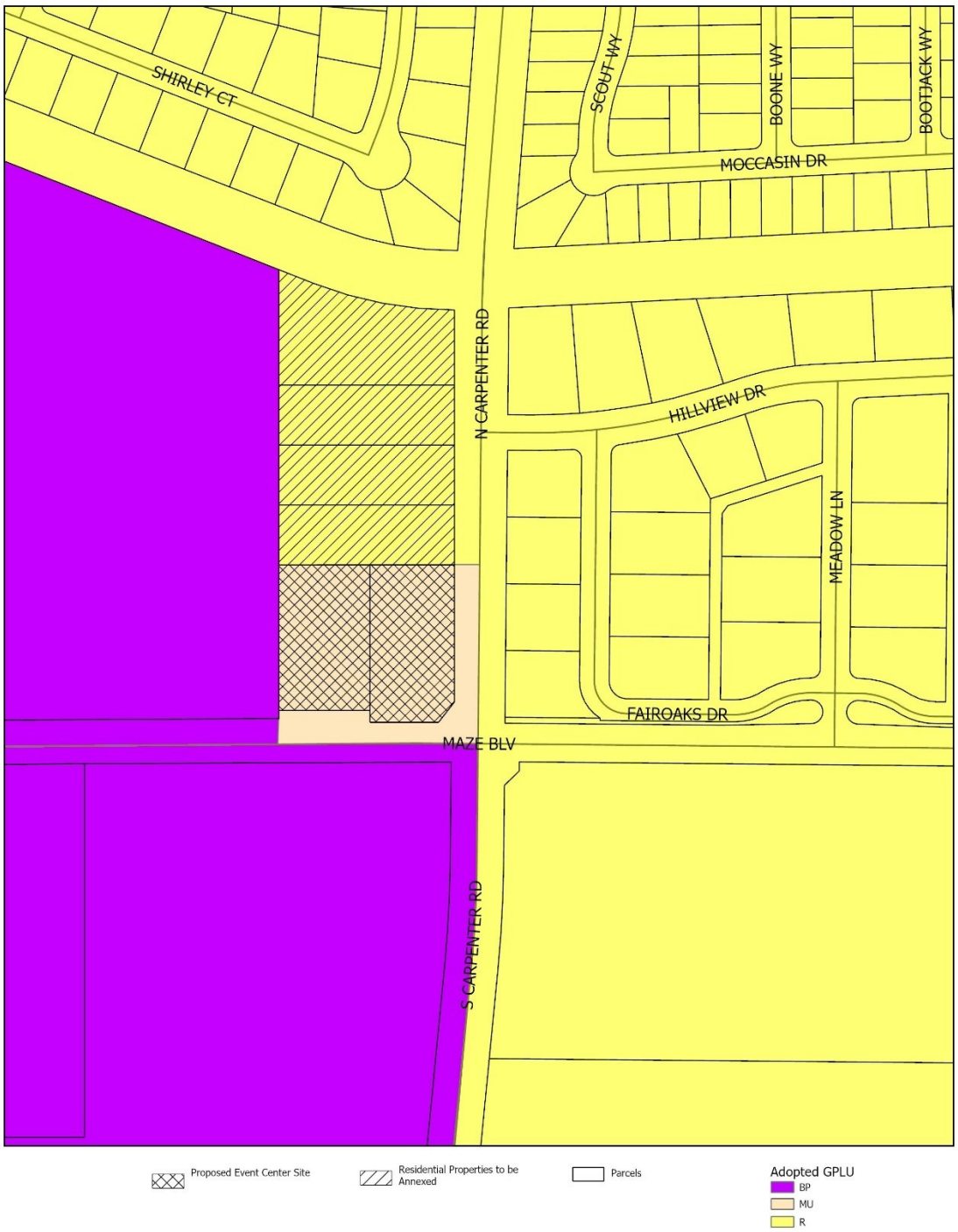
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project.
Please see the checklist beginning on page 3 for additional information.

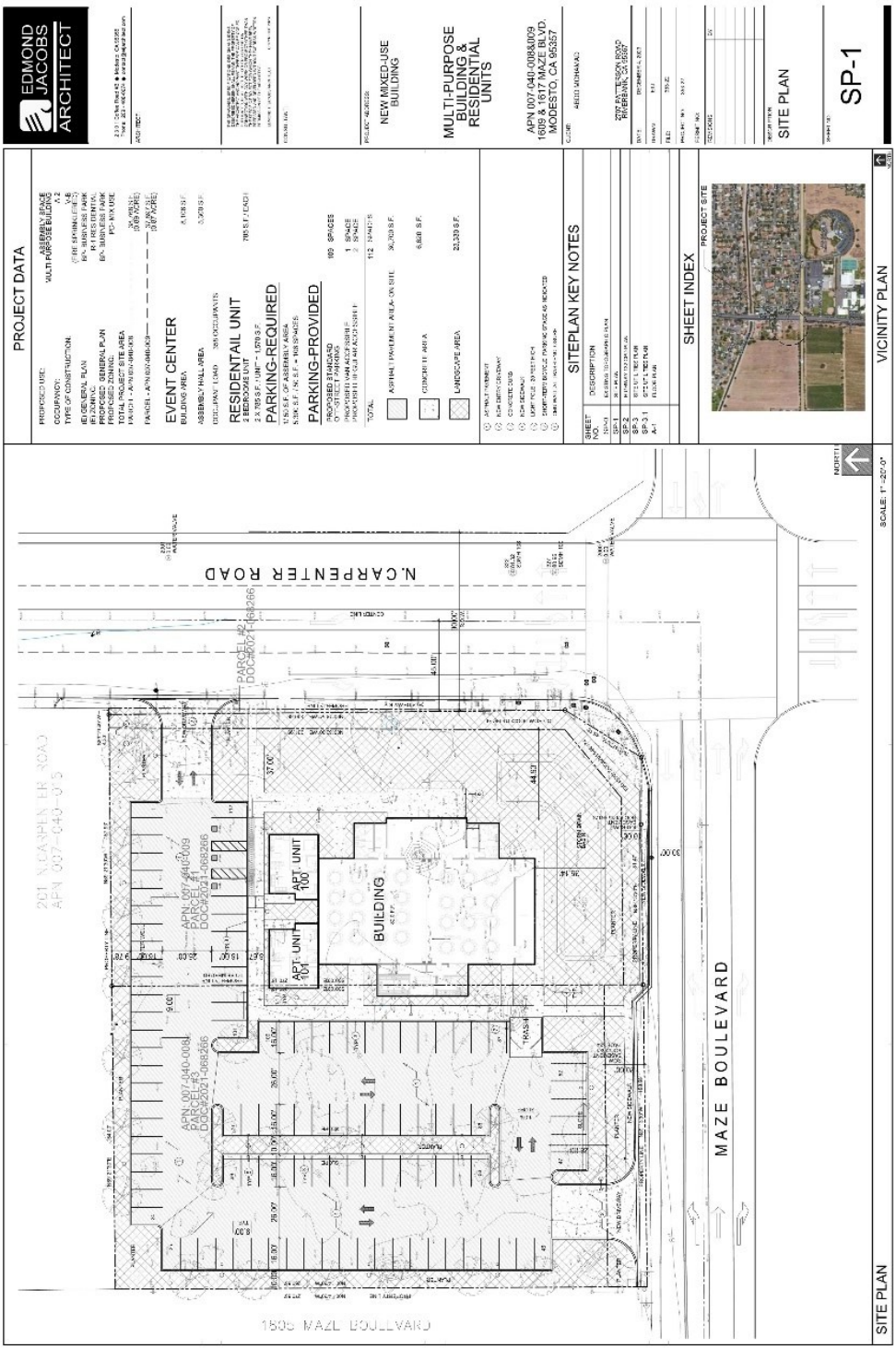
☐	Aesthetics	☐	Agriculture and Forestry	☒	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Geology/Soils
☒	Greenhouse Gas Emissions	☐	Hazards and Hazardous Materials	☐	Hydrology/Water Quality
☐	Land Use/Planning	☐	Mineral Resources	☐	Noise
☒	Population/Housing	☒	Public Services	☐	Recreation
☐	Transportation/Traffic	☐	Utilities/Service Systems	☒	Mandatory Findings of Significance



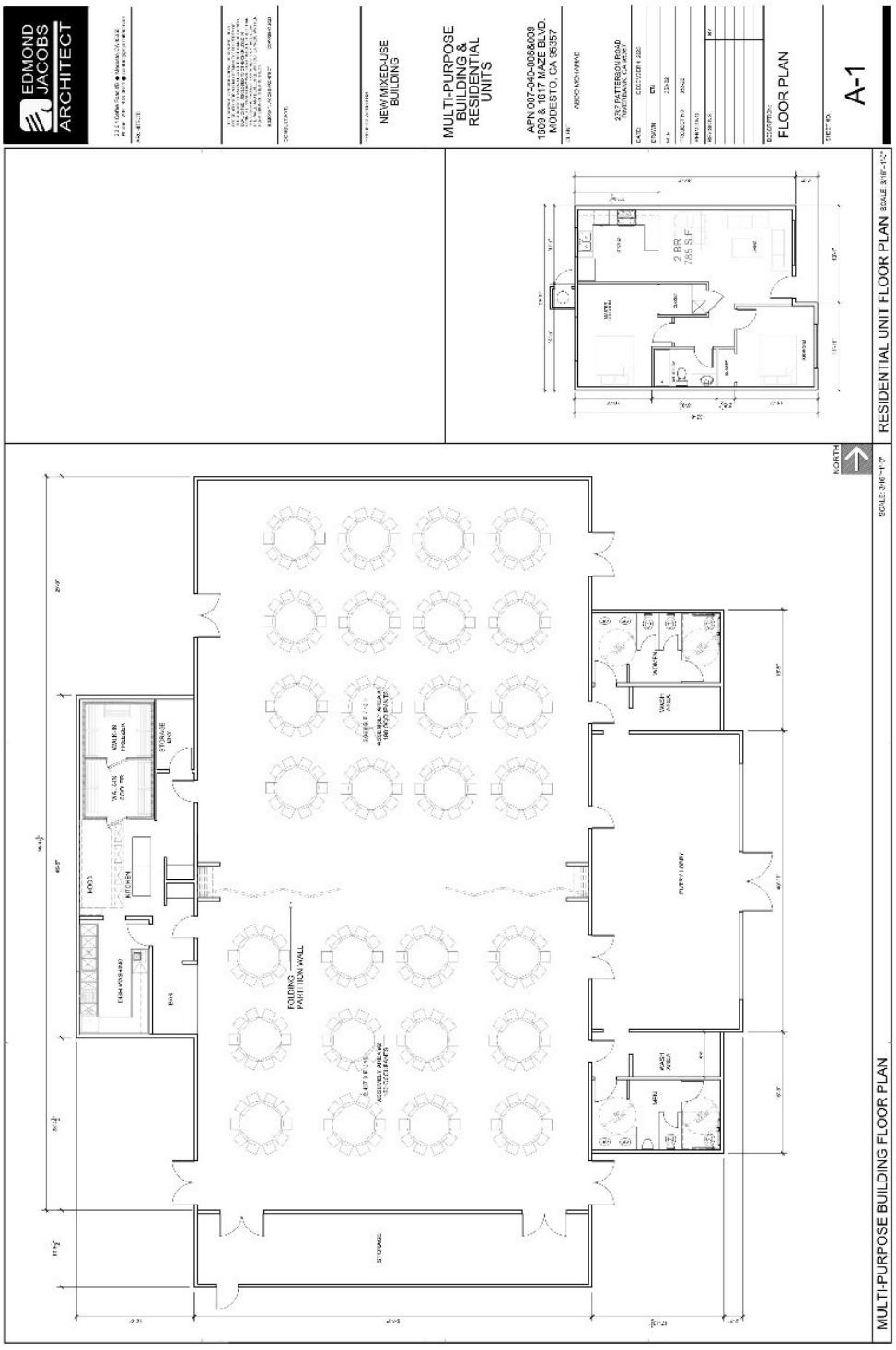
ANNEXATION AREA
GPA-23-002



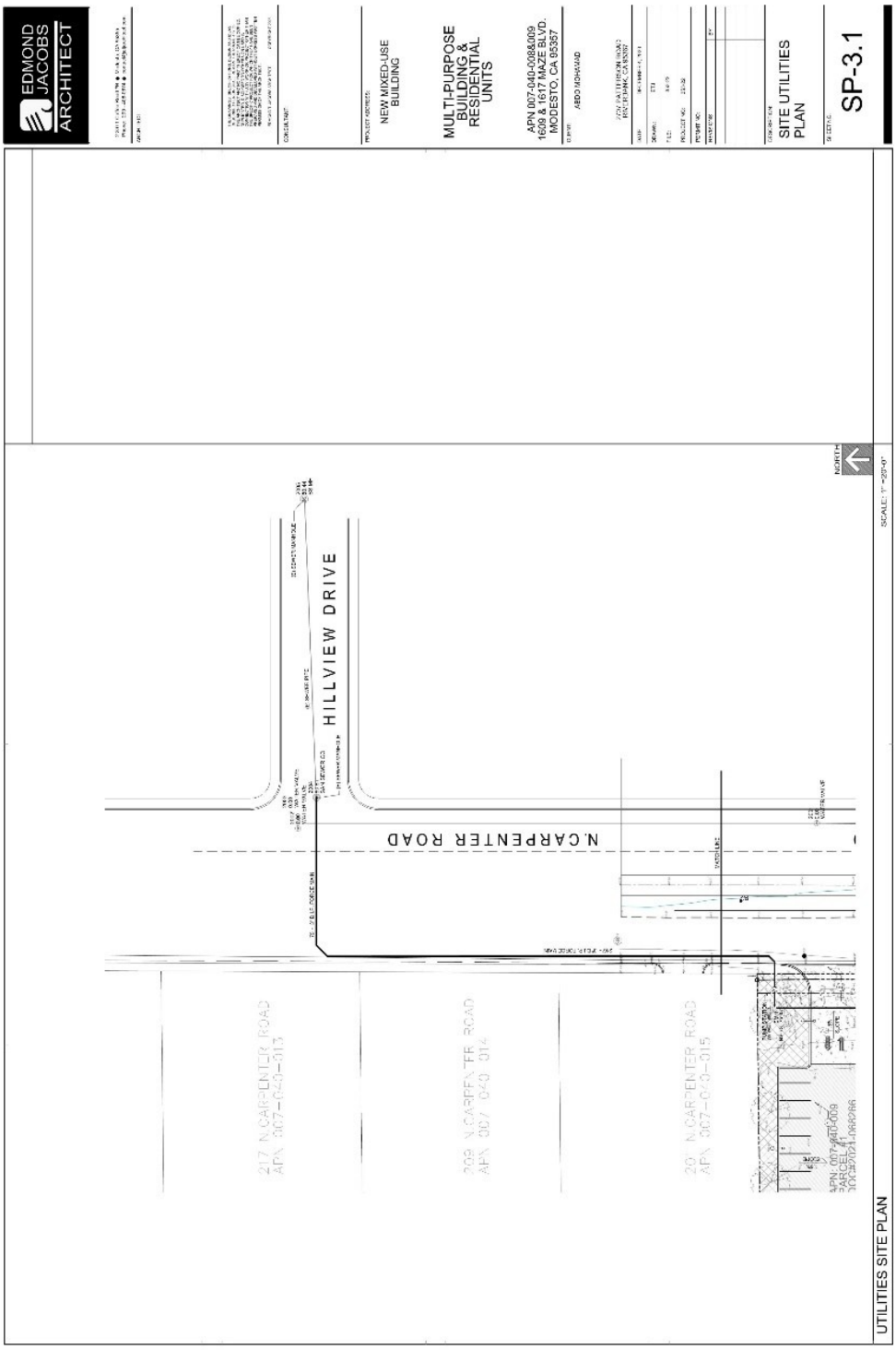
GENERAL PLAN AMENDMENT AREA – PROPOSED AMENDMENT
RESIDENTIAL (R) TO MIXED USE (MU)
GPA-23-002



PROPOSED SITE PLAN
EVENT CENTER WITH TWO APARTMENT UNITS
GPA-23-002



FLOOR PLAN: EVENT CENTER WITH TWO APARTMENT UNITS
GPA-23-002



UTILITY PLAN
GPA-23-002

DETERMINATION:

On the basis of this initial evaluation:

☒	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☐	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required

Signature: _____ Date: _____

Printed Name: _____

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

a) There are no scenic vistas in the vicinity of the proposed amendment and annexation area.

b) There are no state scenic highways within or in the vicinity of the project area.

c) The project site is comprised of two vacant parcels at the northwest corner of Maze Boulevard and Carpenter Road, contiguous to the incorporated area of the City. The proposed General Plan amendment is to facilitate development of an 8,106 square foot event center, with two new 785 sf apartment units intended to replace previous single-family homes that once existed on the parcels but have since been demolished. No significant impact would occur with visual character or quality of the site and surroundings.

d) The project would introduce a new commercial use that would create a new source of light that is consistent with urban development. Impacts would be less than significant with utilization of low pedestrian-oriented lighting, and shielding of parking lot lights to prevent light spillage towards adjacent residential properties to the north.

Resource: Refer to pages 3.1-1 to 3.1-10 of the Modesto Urban Area General Plan EIR, approved earlier (SCH 2024091127).

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

a) The project area is vacant, previously developed with two single-family residences that have since been demolished. As of data available from the California Department of Conservation as of 2018, the project area is categorized by the FMMP as Urbanized Land. Therefore, no Prime Farmland, Unique Farmland or Farmland of Statewide Importance would be converted as a result of the project. There is no impact and no mitigation is necessary.

b) There are no Williamson Act contracts on the parcels of the project area.

c) There is no forest or timberland within the project area.

d) See item C above.

e) See item A, B and C above.

Resource: Pages 3.2-1 to 3.2-24 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion

a) The project would not obstruct implementation of an applicable air quality plan.

b) The project was referred to the San Joaquin Valley Air Pollution Control District (SJAPC), who indicated no concerns with the proposed project. Development would have applicable mitigation measures applied with regards to construction equipment emissions and screening of potential impacts to nearby sensitive receptors (nearby elementary school and residential uses).

c) Impacts to air quality would be associated with vehicle emissions and construction activities. As identified in the City's General Plan EIR, subsequent development consistent with assumptions for land use in the Mixed Use land use of the City's General Plan, would be subject to all air quality policies of the City. Any future construction activities would incorporate best practices for dust and odor control as called for by air quality mitigation measures in the EIR.

d) The nearest sensitive receptors are residential properties located to the north, and an elementary school to the east. Construction activities within the project area could potentially include the application of architectural coatings and asphalt paving material that could generate local temporary odors. The use of diesel-powered construction equipment could also generate localized odors. Any future construction activities would incorporate best practices for dust and odor control as called for by air quality mitigation measures in the EIR.

e) See item D, above.

Resource: See pages 3.3-1 through 3.3-50 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

a) The project area is not a biologically sensitive site as defined by Figure V-7-1 of the EIR. The California Department of Fish and Wildlife and the US Fish and Wildlife Service were consulted in the production of the EIR.

b) See item A above.

c) The site does not qualify as a federally protected wetland per Section 404 of the Clean Water Act.

d) The project area is comprised of two vacant parcels formerly developed with single-family residential homes that have since been demolished. The site is of marginal quality for sensitive species habitat. Therefore, no mitigation is necessary.

e) There would be no conflict with any local policies or ordinance protecting biological resources. The City does not have a heritage tree ordinance.

f) There would be no conflict with any habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan.

Resource: See pages 3.4-1 through 3.4-64 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion

a) The project is consistent with the historical resource policies of the General Plan.

b) The project would be consistent with the archaeological resource polices in the General Plan. The project was referred to local Native American Tribes for consultation, who indicated no concerns with the proposed amendments.

c) There are no known human remains in the project area.

Resource: See pages 3.5-1 through 3.5-32 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VI. Energy: Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion

a) Appendix G of the State CEQA Guidelines requires consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce "wasteful, inefficient and unnecessary" energy usage (Public Resources Code Section 21100, subdivision [b][3]). According to Appendix G of the CEQA Guidelines, the means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered "wasteful, inefficient, and unnecessary" if it were to violate state and federal energy standards and/or result in significant adverse impacts related to Project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

   The proposed Project's building would be designed and constructed in accordance with the City's latest adopted energy efficiency standards, which are based on the State's Title 24 Energy Efficiency Standards for Nonresidential Buildings and Green Building Code Standards. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., heating, ventilation, and air conditioning [HVAC] and water heating systems), and indoor and outdoor lighting, are widely regarded as the some of the most advanced and stringent building energy efficiency standards in the country. Therefore, building energy consumption would not be considered wasteful, inefficient, or unnecessary.

   The proposed Project would be in compliance with all applicable federal, state, and local regulations regulating energy usage. For example, statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard) are improving vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

b) The proposed Project would not result in any significant adverse impacts related to Project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the proposed Project including construction, operations, maintenance, and/or removal. PG&E, the electricity provider to the site, maintains sufficient capacity to serve the proposed Project. In addition, PG&E is on its way to achieving the statewide requirement of 60% of total energy mix generated by eligible renewables by year 2030. As of 2021,

PG&E generated approximately 48% of its energy from eligible renewables (PG&E, 2019) [1]. The proposed Project would comply with all existing energy standards, including the statewide Title 24 Energy Efficiency Standards, and would not result in significant adverse impacts on energy resources. Therefore, the proposed Project would not result in potentially significant environmental impacts due to inefficient, wasteful, or unnecessary use of energy resources during construction and operation, nor conflict with or construct with a State or local plan for renewable energy or energy efficiency.

[1] *PG&E 2021 Power Mix. Website: https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2022/1022-Power-Content-Label.pdf*

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

Discussion

a) The project site is level and comprised of loam and sandy loam soils. The area is not located near a seismic zone and would not be susceptible to liquefaction or landslide.

b) The project would not result in substantial soil erosion.

c) The site is not located on a geologic unit or soil that is unstable or would become unstable as a result of subsequent development.

d) The soils at the site are predominately loam soils and sandy loam soils, not expansive soils. The City's Urban Area General Plan EIR found that there is low exposure to expansive soils and any exposure can be reasonably controlled by the adopted Uniform Building Code. No additional mitigation is necessary.

e) Development at the site will utilize the City's sewer system for the disposal of waste water.

f) The proposed project would not result in impact to a unique paleontological or unique geological feature. The area is flat vacant land historically utilized as single-family residences with no known paleontological or geological features. No mitigation is necessary.

Resource: See pages 3.6-1 through 3.6-20 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Discussion

a) Generation of greenhouse gases would predominately occur with vehicle traffic to and from the site, but not at levels that would exceed those assumed by the EIR for a commercial use. Therefore, impacts would be less than significant and no additional mitigation is necessary.

b) The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses.

Resource: See pages 3.7-1 through 3.7-42 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion

a) The proposed General Plan amendment would change the land use designation of the project site from Residential to Mixed Uses, to facilitate development of an 8,106 square foot event center and two 785 sf apartment units. Any impacts would be related to development of the amendment area. Development would be subject to compliance with all applicable federal, state and local regulations pertaining to the handling, storage, disposal and transport of toxic or hazardous materials or wastes.

b) See item A above.

c) See item A above.

d) The project site is not on the list of hazardous materials sites.

e) The project site is more than three miles away from the nearest airport.

f) The proposed project would not interfere with an emergency access plan or evacuation plan. The Modesto Police and Fire Departments indicated no concerns with emergency access.

g) No forest or wildland is in the vicinity of the project area.

Resource: See pages 3.8-1 through 3.8-46 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow	☐	☐	☐	☒

Discussion

a) The proposed amendment to the General Plan land use diagram would not cause a violation of any water quality standards. Development of the site as a result of the amendment would be required by the City and state regulations to comply with water quality standards and waste discharge requirements.

b) The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project will be required to incorporate on-site storm water handling and drainage as required by City Standards and state regulations.

c) The project would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial surface runoff, erosion or siltation. There are no streams within or in the vicinity of the amendment area. The nearest river is the Tuolumne River, approximately two miles away to the south.

d) See item C above.

e) The project would be required to treat and retain stormwater on site as required by state regulations and City standards. Development of the site would not result in substantial runoff.

f) See items B through E above.

g) The project area is not located within a 100-year floodplain or a 200-year floodplain.

h) See item G above.

i) See item G above.

j) The City is not subject to impacts as a result of seiche or tsunami. The City is inland approximately 90 miles from the Pacific Ocean and has no large water bodies within its jurisdiction or nearby. The project area is flat land and is not subject to mudslides.

Resource: See pages 3.9-1 through 3.9-44 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Discussion

a) The proposed project involves development of an 8,106 square foot event center on 1.71 acres at the corner of two arterial streets. The project would not physically divide a community.

b) Regulations of the City of Modesto would be applicable to development at the site. The proposed amendment to the General Plan would allow for mixed uses, permitting for the event center and two new apartment units.

Resource: 3.10-1 through 3.10-20 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

a) The project area is surrounded by urban uses and has no known mineral resources.

b) The project area is not identified on any plan as being a location with mineral resources.

Resource: See pages 3.6-1 through 3.6-19 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIII. NOISE: Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

Discussion

a) The project area is at the northwest corner of two arterial streets, controlled by a signalized intersection. The existing ambient noise environment at the Project site is primarily influenced by vehicular traffic along Maze Boulevard and Carpenter Road, both of which are regional arterials with moderate to high traffic volumes. Existing sensitive receptors include residential homes located north and east of the Project site within the surrounding neighborhoods; and the St. Stanislaus Catholic School located southeast of the Project site.

Development of the Project would involve new construction activities such as grading, utility installation, paving, and building, all of which would generate temporary construction noise. Construction would be limited to daytime hours and would be required to comply with the noise standards set forth in Chapter 9, Article 1 of the Modesto Municipal Code, which restricts construction noise during sensitive periods and limits overall noise exposure for nearby receptors. Event center operations are expected to generate typical sources of noise such as vehicle trips, guest conversations, amplified sound, and building mechanical equipment (e.g., HVAC). These sources would be subject to and required to comply with the City of Modesto's Noise Ordinance and General Plan policies, which establish thresholds for mixed-use and residential development. Specifically, the proposed Project would be required to comply with Chapter 9, Article 1 of the Modesto Municipal Code, regarding loud and raucous noise.

While the proposed 8,106-square-foot event center and two 785-square-foot residential units would introduce new operational activity, the scale and type of activity are consistent with the surrounding urban environment and are not anticipated to exceed the City's established noise thresholds. Furthermore, future development would be required to comply with applicable General Plan policies, including Policy Noise-2 (limiting noise from new land uses), Policy Noise-4 (protecting noise-sensitive land uses), and Policy Noise-9 (construction noise mitigation). The project would not be expected to generate new operational noise or construction-related noise. Therefore, no increase in noise levels is expected to occur beyond current ambient conditions.

Noise-sensitive receptors in the immediate vicinity include the existing residential parcels to the north of the Project site. However, operational noise associated with the event center is not anticipated to exceed applicable standards, provided compliance with City regulations. The two proposed residential units would be located on the Project site itself, where exposure to traffic noise from Maze Boulevard is expected to remain within General Plan assumptions for residential

use in an arterial corridor setting.

Overall, the project is not expected to expose persons to, or generate, noise levels more than standards established in the General Plan, Noise Ordinance, or other applicable standards.

b) The project would not be expected to generate excessive groundborne vibration or groundborne noise levels. No major stationary sources of groundborne vibration were identified in the project area that would result in the long-term exposure of proposed onsite land uses to unacceptable levels of ground vibration. In addition, the proposed project would not involve the use of any major equipment or processes that would result in potentially significant levels of ground vibration that would exceed these standards at nearby existing land uses. Upon development, the any activities of the event center would be required to adhere to the City's noise ordinance during operation.

The project would generate a temporary increase in ambient noise as a result of construction processes, but at a less than significant level. Any activities at the site as a result of the project would be required to adhere to the City's noise ordinance during operation.
The project site is not located within two miles of a private airstrip. The Modesto City–County Airport is located approximately 3.6 miles southeast of the project site. The Stanislaus County adopted an Airport Land Use Compatibility Plans in 2016, analyzing the impacts to safety on surrounding development from the Modesto City–County Airport. The Stanislaus County Airport Land Use Compatibility Plan establishes noise contours surrounding the Modesto City–County Airport. Residences are currently located within the 60 dBA CNEL noise contour of the airport, but not within the 65 dBA CNEL noise contour.

However, the project site is located outside of both the 65 dB CNEL and the 60 dB CNEL noise contours for the Modesto City–County Airport. As such, the project site would not be exposed to excessive noise from the Modesto City–County Airport.

Resource: See pages V-3-1 through V-3-46 of the MEIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING: Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

a) The proposed project would not introduce substantial population growth to the area. The project involves development of an 8,106 square foot event center with the addition of two new 785 sf apartment dwelling units to replace two single-family homes that were previously demolished.

b) The project area is vacant, and therefore no existing residential development would be displaced as a result of development.

Resource: 3.10-1 through 3.10-20 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Discussion

a) Development of the site would not result in substantial impacts or need for expanded police and fire services. The police and fire departments indicated no concerns with the project, and upon annexation would serve the site and the four residences to the north. The nearest fire stations are Station No. 4 on Blue Gum Avenue approximately 1.5 miles to the north and Station No. 2 on Chicago Avenue approximately two miles to the southeast.

The project would introduce two new residential dwelling units, of which the school district indicated no concerns. The developer would be required to pay school impact fees at the time of building permit issuance.

The developer will be required to pay CFF for their fair share contribution towards the development and maintenance of public facilities and parks at the time of building permit issuance.

Resource: 3.12-1 through 3.12-30 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVI. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

a) The project would not cause the physical deterioration of a recreational facility or park. The development would be required to pay Capital Facilities Fees (CFF) for its fair share contribution towards the development of any new parks.

b) The project involves the development of an event center on 1.71 acres and would not include or require the construction or expansion of recreational facilities.

Resource: See pages 3.12-1 through 3.12-30 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION/TRAFFIC: Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities??	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Discussion

The project site currently lacks sidewalks. Maze Boulevard within the project vicinity also lacks sidewalks. Carpenter Road provides sidewalks on some segments within the project vicinity, but sidewalks are generally discontinuous. Other key pedestrian amenities on or adjacent to the project site include the signalized pedestrian crossing, with pedestrian signal heads and striped crosswalks, on all four legs of the Maze Boulevard/Carpenter Road intersection. A Class I shared-use path is planned on Carpenter Road north of Maze Boulevard per the City of Modesto Non-Motorized Transportation Plan. No other planned pedestrian improvements are identified along the project site frontage. Pedestrian access from Maze Boulevard and Carpenter Road will be integrated into the Project site, consistent with the City of Modesto's sidewalk requirements as outlined in Modesto Municipal Code Title 7, Chapter 1, Article 3. The proposed Project would not impede or otherwise hinder pedestrian access but would instead improve connectivity. Furthermore, the proposed project is not anticipated to eliminate off-site pedestrian facilities, create hazardous conditions for pedestrians by changing off-site geometric features or introducing incompatible vehicle types to the roadway system, or conflict with any existing or planned pedestrian facilities. The project proposes five-foot-wide sidewalks along the Maze Boulevard and Carpenter Road frontages; however, minor arterials require a minimum sidewalk width of 10 feet. To minimize this impact, the implementation of the following project requirement would ensure that the project remains a less than significant level.

Project Requirement TR-1: The project applicant shall revise the project site plan to provide minimum 10-foot-wide sidewalks along the Maze Boulevard and Carpenter Road frontages. Sidewalks and associated curb ramps shall be designed to City of Modesto standards.

Class II bicycle lanes currently exist on Carpenter Road north and south of the project site, but not along the site frontage. A Class I shared-use path is planned on Carpenter Road north of Maze Boulevard, while a Class IV bikeway is planned on Carpenter Road south of Maze Boulevard (per the City of Modesto Non-Motorized Transportation Plan). An east-west Class I shared-use path is also planned along Canal Lateral Number Four east of Carpenter Road, about 450 feet north of the project site, the City of Modesto Non-Motorized Transportation Plan. However, regional bicycle facilities are available within the broader transportation network. While the Project would not trigger the direct installation of bicycle parking or infrastructure, it would be designed to integrate with nearby pedestrian and bicycle pathways, ensuring the future development is accessible for non-motorized transportation. The proposed Project would not

conflict with adopted bicycle plans or policies. As part of the California Green Code, the project would be required to provide for bicycle parking/locking facilities on site.

Furthermore, Public transit is available near the Project site. The Stanislaus Regional Transit Authority (StaRT) provides service along nearby arterial corridors. There are two nearby transit stops along northbound and southbound Carpenter Road just north of the project site.. The Project site is within a half-mile radius of additional transit routes.

a) Pursuant to Senate Bill 743 and CEQA Guidelines Section 15064.3, Vehicle Miles Traveled (VMT) is the required metric for assessing transportation impacts under CEQA. The Governor's Office of Planning and Research (OPR) Technical Advisory (2018) identifies certain types of projects that may be presumed to have a less-than-significant impact with respect to VMT.

   The proposed project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b). The residential component of the project is estimated to generate approximately 20 weekday vehicle trips, which is well below the OPR-recommended screening threshold of 110 daily trips for small projects. Therefore, the residential units may be presumed to have a less-than-significant VMT impact.

   The proposed project would not be in conflict with any adopted transportation plan or policy. The project involves development of an 8,106 square foot event center at the northwest corner of North Carpenter Road and Maze Blvd, a signalized intersection, and is not expected to generate significant volumes of traffic beyond amounts assumed in the EIR for commercial development. The proposed event center can be considered a local-serving land use because it improves destination proximity for similar community-serving activities. Demand for event and assembly uses is generally fixed, and the proposed facility would primarily redistribute trips rather than generate new vehicle travel. Venue selection is influenced by convenience, quality, and available amenities; therefore, the project would shorten travel distances for area residents and reduce overall VMT. In addition, the event center would introduce land use diversity in an otherwise residential and rural area, consistent with the land use efficiency principles underlying CEQA Guidelines Section 15064.3. Accordingly, the event center meets the local-serving project screening criteria identified in the OPR Technical Advisory and may be presumed to result in a less-than-significant VMT impact.

   Therefore, the proposed project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

b) Direct motor vehicle access to the Project site would be provided via driveways connecting to Maze Boulevard and Carpenter Road, respectively. The proposed Project would include pedestrian improvements such as new sidewalks and associated frontage improvements along Maze Boulevard and Carpenter Road. Additionally, the proposed project is subject to review and approval by the City. The review and approval process would include the Fire Department, which would include a review of the proposed project's consistency with the City's design criteria to ensure that safe vehicle access and viable emergency vehicles movements are provided. Therefore, these improvements are not expected to result in increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

   The proposed Project would be consistent with the City of Modesto's design standards. All improvements, including the new roadway, sidewalks, and utility connections, would comply with applicable provisions of the Modesto General Plan, the Modesto Municipal Code, the City's Standard Specifications (2014), and the Transportation System Plan, ensuring safe and efficient site access and circulation.

   However, given the 50 mph posted speed limit on Maze Boulevard and the high number of collisions observed during the latest five-year period, adding a new full-access driveway on Maze Boulevard would increase collision hazards between left-turning vehicles exiting the driveway

and eastbound through traffic. Furthermore, the lack of improvements would allow inbound or outbound vehicles to turn left, leading to an increased collision hazard due to a geometric design feature. In addition, the project site plan provides one aerial fire access on the west side of the building, located 29 feet from the building face; however, this access is closest to a building face that is less than 30 feet in height. The aerial fire access road is more than 30 feet from a building face that exceeds 30 feet in height. The building floor plan does not identify any enclosed stairways with roof access.

To minimize these impacts, the implementation of the following project requirements would ensure that the project remains a less than significant level.

Project Requirement TR-2: The project applicant shall design the Maze Boulevard driveway intersection in accordance with applicable Caltrans, City of Modesto, and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances. In addition, the applicant shall coordinate with Caltrans, the City of Modesto, and/or Stanislaus County to reduce the posted speed limit to 35 miles per hour or lower along Maze Boulevard in the vicinity of the project site. Improvements to support a reduced speed limit may include but are not limited to: new speed limit signage, dynamic speed feedback sign(s), advance driveway warning sign(s), roadway restriping, dedicated eastbound Maze Boulevard left-turn lane width adequate deceleration length, and improved street lighting. Furthermore, "Keep Clear" striping shall be installed along eastbound Maze Boulevard in front of the project driveway.

The project applicant shall maintain landscaping adjacent to the project driveway to prevent sight-distance conflicts. Shrubs should not exceed two and a half feet in height, and tree canopies should be at least six feet above the ground. The project applicant shall ensure that any monument signage (if proposed) near the project driveway does not interfere with sight distance for drivers entering or exiting the site.

Project Requirement TR-3: The project applicant shall design, construct, and maintain the Carpenter Road driveway intersection in accordance with all applicable City of Modesto and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distance. The driveway design shall include a raised median to prohibit inbound and outbound left-turn movements, "One Way" signage on the median, "Right Turn Only" signage at the project driveway, and "Keep Clear" pavement striping on southbound Carpenter Road in front of the project driveway.

The project applicant shall maintain landscaping adjacent to the project driveway to preserve required sight distance. Shrubs shall not exceed two and one-half feet in height, and tree canopies shall be maintained at a minimum of six feet above grade. Any monument signage proposed near the project driveway shall be located and designed so as not to interfere with required sight distance for vehicles entering or exiting the site.

Project Requirement TR-4: The project applicant shall revise the project site plan to provide one aerial fire access road with a minimum 26-foot clear width, located within 15 to 30 feet from a building face that is greater than 30 feet in height. Alternatively, equip the building with automatic sprinkler system and provide an enclosed stairway with roof access. Or confirm with the Fire Department that the proposed aerial fire access road is acceptable.

Therefore, implementation of the proposed projects would not be inconsistent with an applicable design standard.

c) See item C above.

Resources: See pages 3.13-1 through 3.13-38 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion

a) The project would not exceed treatment requirements of an applicable water quality control board.

b) The project would not result in the construction of new water or wastewater treatment facilities. The proposal was referred to the City's Land Development Engineering Department and the Public Works Department, who indicated no concerns with the project.

c) The project would comply with the City's Stormwater Management Program, Guidance Manual for New Development.

d) There are sufficient water supplies to serve the amendment/annexation area.

e) The City has sufficient wastewater capacity to serve the amendment/annexation area.

f) Solid waste service is handled by the Gilton Solid Waste Management company. No concerns were indicated by the Solid Waste Division of the City's Public Works Department.

g) The project will be required to comply with statues and regulations related to solid waste.

Resources: See pages 3.14-1 through 3.14-58 of the Modesto Urban Area General Plan EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVIV. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion

a) The proposed General Plan Amendment and annexation would allow for the development of an event center on 1.71 acres previously developed with two residences that have been subsequently demolished. There would be no degradation of biological resources as a result of the project, as the site is vacant with minimal quality as habitat for any special status species.

b) As discussed in Section III: Air Quality and Section VII: Greenhouse Gases, the proposed amendment to the General Plan and annexation would allow for the development of an event center with two residential apartment units. Generation of greenhouse gases would predominately occur with vehicle traffic, but not at levels that would exceed those assumed by the Modesto Urban Area General Plan EIR

   Any subsequent development would pay school impact fees, and Capital Facilities Fees (CFF) for their fair share contribution towards the development and maintenance of facilities and parks in the vicinity of the site.

c) This document identifies that the proposed project would have some cumulative environmental impact, but not at significant levels with the application of mitigation measures upon the onset of development. Therefore, impacts that may result from the proposed project are less than significant. No additional mitigation measures are necessary.

Fehr & Peers

Maze Carpenter Event Center & Residential Project Local Transportation Analysis & CEQA Transportation Impact Analysis

RS25-4433.00



Prepared for:
City of Modesto
De Novo Planning Group

Submitted on:
December 17, 2025

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1. Introduction

This report presents the trip generation and Transportation Impact Analysis (TIA) required by the California Environmental Quality Act (CEQA) for the proposed event center and residential development on the northwest parcel of the Maze Boulevard/Carpenter Road intersection in Stanislaus County, CA. Although the site is in unincorporated Stanislaus County, it lies within the City of Modesto's Sphere of Influence. If approved, the site would be annexed to the City of Modesto. Accordingly, Fehr & Peers prepared this study in compliance with City of Modesto transportation and parking policies and standards. The report also includes a non-CEQA Local Transportation Analysis (LTA) evaluating project effects on site access intersections.

The primary objective of this study is to estimate the project's trip generation and assess whether it would result in a significant vehicle miles traveled (VMT) impact on the surrounding transportation system. The study evaluates the project's consistency with transportation-related policies outlined in the *City of Modesto Urban Area General Plan* (2019), as well as other applicable local and regional transportation plans.

1.1 Project Description

The project proposes development of a currently vacant parcel to include the following on-site uses:

- 8,106 square-foot (sf) event center, including 5,300 sf assembly hall area with maximum 358 person occupancy
- Two (2) residential units attached to the event center building
- 112 off-street parking stalls, including two (2) regular accessible and one (1) van accessible parking stalls

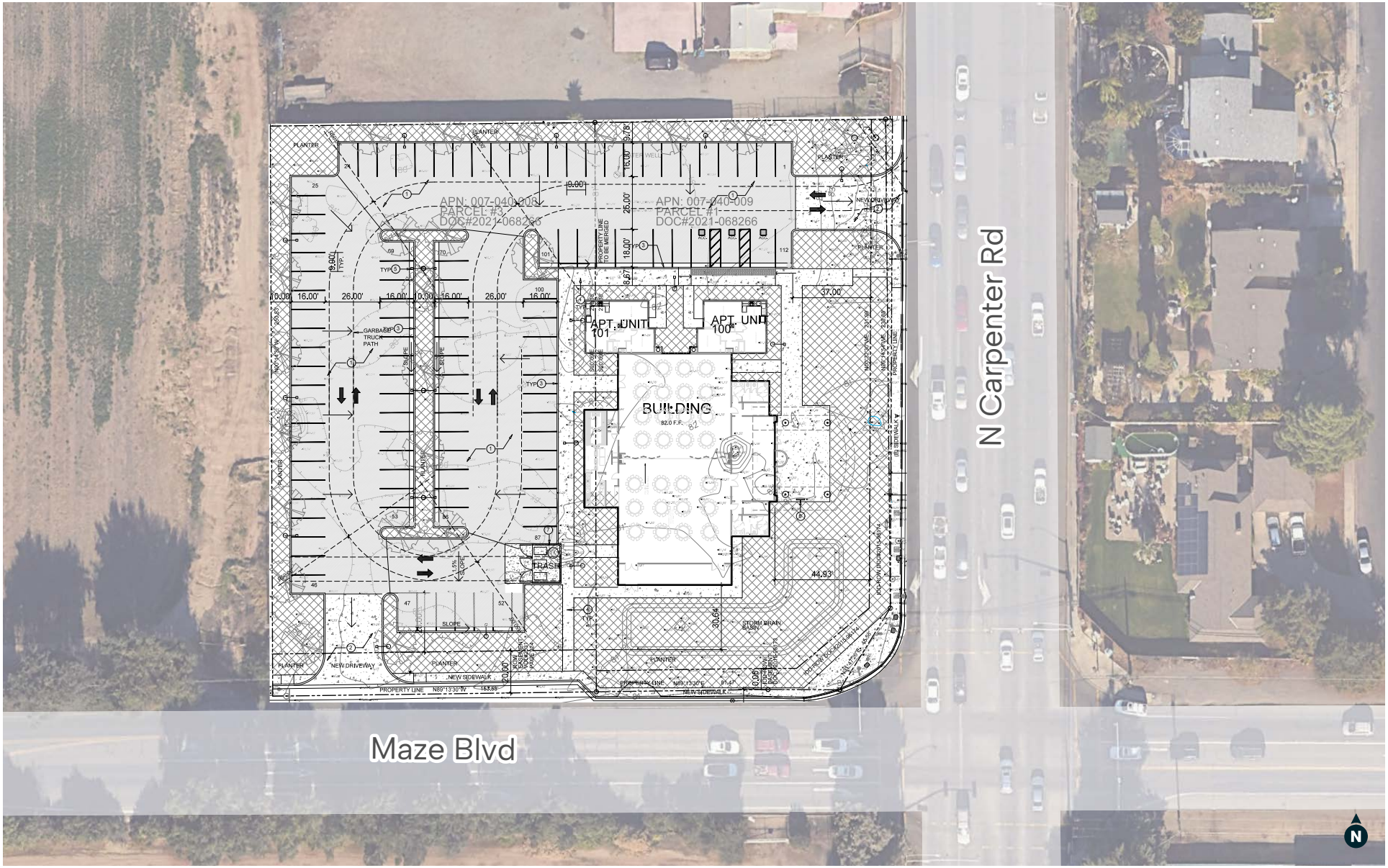
Two site access driveways are proposed, one on Maze Boulevard and the second on Carpenter Road. Maze Boulevard along the project frontage is currently under Caltrans jurisdiction; while the Carpenter Road frontage is currently under Stanislaus County jurisdiction.

The project site plan area is shown on **Figure 1**.

1.1.1 Event Center Programming

Event types, sizes, and times will vary based on several factors. The project applicant provided the following typical programming:

- Monday–Friday
    - Hours: 9:00 AM to 4:00 PM
    - Typical max occupancy: 150 people
    - Event types: conferences, seminars, craft and art shows, business lunches, birthday parties, recreational events
- Friday–Saturday
    - Hours: 5:00 PM to 2:00 AM
    - Typical max occupancy: 358 people
    - Event types: weddings, birthday parties, dance parties



Site Plan Source: Edmond Jacobs Architect, December 4, 2024.

FIGURE 1

Project Site Plan

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- Sunday
    - Hours: 10:00 AM to 10:00 PM
    - Typical max occupancy: 150 people
    - Event types: community meetings, birthday parties, dance parties

Although the event center will be available for bookings every day, events are unlikely to occur daily. Several days each year will likely have no events, though the number will vary. According to the applicant, most attendees are expected from Modesto and surrounding cities, with some events drawing participants from outside the region.

1.2 Public Comments

The City of Modesto received public comments from St. Stanislaus Catholic School staff and nearby residents. Most comments highlighted the following transportation concerns related to the project:

- **Increased Congestion**: Multiple commenters expressed concern that the proposed event center will worsen traffic congestion on Carpenter Road, Maze Boulevard, and nearby residential streets. Existing congestion during school drop-off/pick-up times and peak hours would be exacerbated.
- **Safety Risks**: Residents noted frequent speeding and accidents on Maze Boulevard and Carpenter Road. Additional traffic generated from event center operations could increase collision risk, particularly if alcohol is served at events.
- **Neighborhood Impact**: Concerns include cut-through traffic on Hillview Drive and surrounding streets, creating unsafe conditions for residents.
- **School Proximity Issues**: St. Stanislaus Catholic School highlighted that event-related traffic would interfere with student drop-off/pick-up, increase delays, and heighten accident risk. Limited parking in the area could worsen congestion and create unsafe conditions for children.
- **Emergency Access**: Increased traffic volume may hinder emergency response times for both the school and surrounding neighborhoods.

Most comments raised concerns about existing deficiencies on Maze Boulevard and Carpenter Road, as well as increased traffic impacts during school commute hours. Although events are not expected to occur daily during the school year, Fehr & Peers analyzed the Maze Boulevard/Carpenter Road intersection during weekday morning and afternoon peak hours, assuming schools are in session and weekday event programming occurs. A weekend intersection analysis was not conducted because schools are not in session and traffic volumes on surrounding roadways are typically lower on weekends. The analysis in this report addresses the community concerns described above.

1.3 Study Intersections

The non-CEQA LTA focuses on traffic operations at the three study intersections listed below and shown in **Figure 2**. Maze Boulevard and Carpenter Road is an existing intersection, while project driveway 1 and driveway 2 are future intersections.

1. Maze Boulevard/Carpenter Road (existing signal-controlled intersection)
2. Carpenter Road/Project Driveway (future side-street stop-controlled intersection)
3. Maze Boulevard/Project Driveway (future side-street stop-controlled intersection)

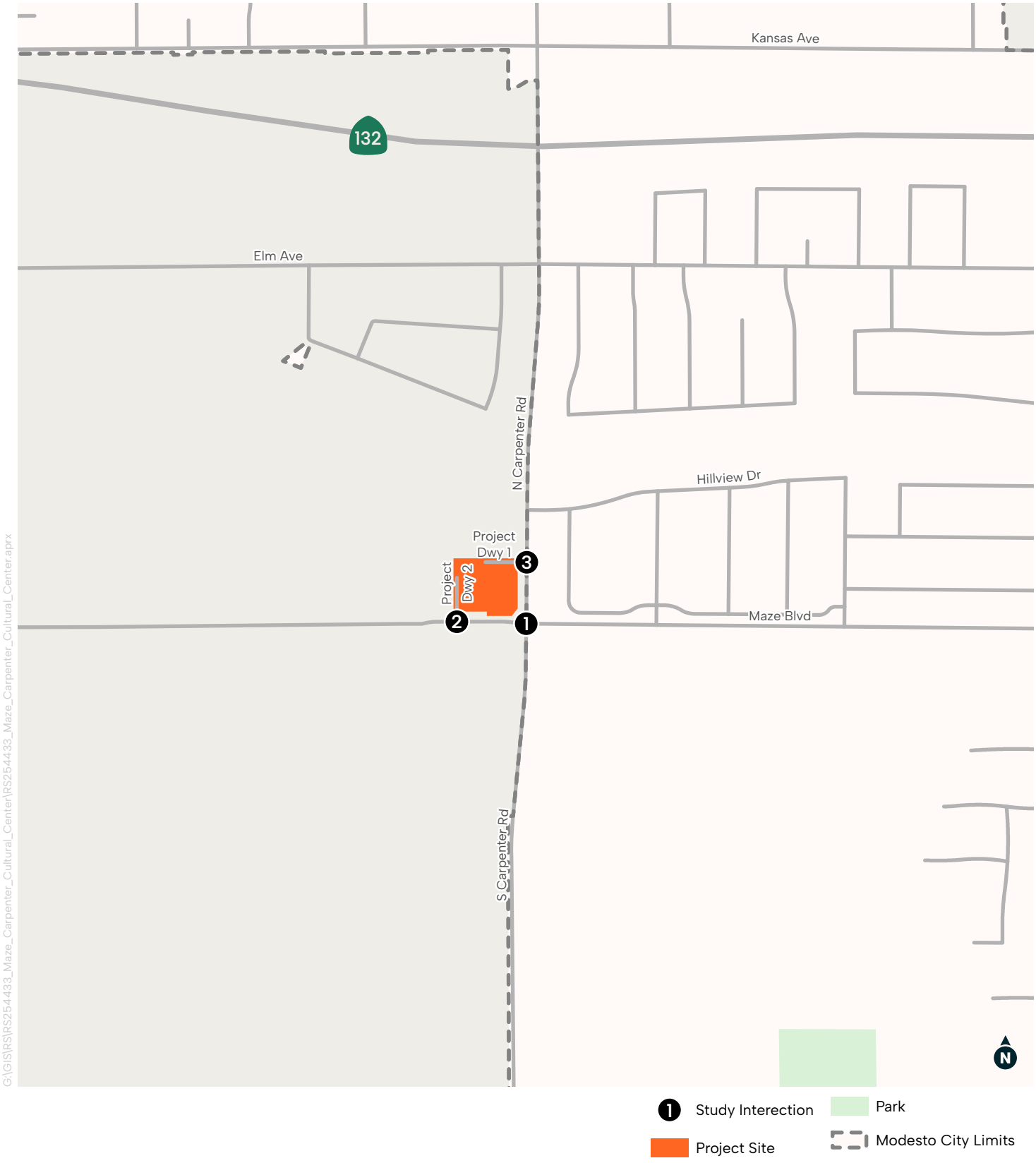


FIGURE 2

Study Area

Fehr & Peers

1.4 Intersection Operations Analysis Methodology

Traffic operations at the study intersections were evaluated using delay (in seconds) and level of service (LOS) as a performance measure. Automobile LOS is a qualitative description of traffic flow from the perspective of motorists. The *Highway Capacity Manual 7th Edition* (HCM, Transportation Research Board, 2022) defines six levels of service from LOS A representing the least congested traffic conditions to LOS F representing the most congested traffic conditions. These grades represent the perspective of drivers and are an indication of the comfort and convenience associated with driving, as well as speed, travel time, traffic interruptions, and freedom to maneuver.

Intersection LOS at signalized intersections, all-way stop controlled intersections and roundabouts is based on the weighted average control delay measured in seconds per vehicle for all motorists traveling through the intersection. For side-street stop-controlled intersections, this study reports the average control delay for the lane group or movement with the greatest delay, and for the intersection as a whole.

Table 1 presents the control delay range for each LOS for signalized and unsignalized intersections. As shown, the delay ranges for signalized intersections are different from unsignalized intersections. The HCM anticipates that motorists expect signalized intersections to carry higher traffic volumes that result in greater delay than at an unsignalized intersection and roundabout. Unsignalized intersections are associated with more uncertainty as delays are less predictable, which can reduce users' delay tolerance. Study intersections were analyzed using Synchro Version 12 software, which applies the methodologies presented in the HCM.

1.4.1 Intersection Operations Performance Standard

The *City of Modesto Urban Area General Plan* (2019) established a LOS D operating standard (Policy V.H.2) roadways and intersections. The project would adversely affect intersection operations if it met any of the criteria listed below:

- Addition of project traffic causes a signalized intersection to perform at an unacceptable LOS E or F condition during a peak hour, or
- If the intersection operates at LOS E or F under No Project conditions, the addition of project traffic:
    - Increases the average vehicle delay for a signalized intersection by five seconds or more, or
    - Increases the average delay for an all-way stop controlled intersection by five seconds or more and the intersection meets the one-hour peak hour signal warrant, or
    - Increases the highest delayed side-street movement for a side-street stop-controlled intersection by five seconds or more and the intersection meets the one-hour peak hour signal warrant.

Table 1. Level of Service Thresholds

LOS	Description	Average Delay at Signalized Intersections (seconds/vehicle)[1]	Average Delay at Unsignalized Intersections (seconds/vehicle)[1]
A	Very low volume-to-capacity ratio; excellent progression or very short cycles. Most vehicles pass through without stopping.	≤ 10	≤ 10
B	Low volume-to-capacity ratio; good progression or short cycles. Some vehicles stop, but delays are minimal.	> 10.0 to 20.0	> 10.0 to 15.0
C	Favorable progression or moderate cycle length. Occasional cycle failures occur; many vehicles stop, but some still pass through without delay.	> 20.0 to 35.0	> 15.0 to 25.0
D	High volume-to-capacity ratio; poor progression or long cycles. Many vehicles stop, and cycle failures are noticeable.	> 35.0 to 55.0	> 25.0 to 35.0
E	High volume-to-capacity ratio; unfavorable progression and long cycles. Frequent cycle failures.	> 55.0 to 80.0	> 35.0 to 50.0
F	Very high volume-to-capacity ratio; very poor progression and long cycles. Most cycles fail to clear queues	≥ 80.0	≥ 50.0

Note:
1. Average control delay presented in seconds per vehicle. Delay values are rounded to the nearest second and evaluated for LOS based on the above thresholds (i.e., 10 seconds per vehicle = LOS A).

Source: Highway Capacity Manual, 7th Edition, Transportation Research Board, 2022.

1.5 Report Organization

The report is separated into the following Chapters:

- **Introduction** – Summarizes the key features, location, scope of the proposed project, the study area, and the intersection analysis methodology.
- **Environmental (Existing) Setting** – Describes current transportation conditions in the project area, including roadway networks, traffic volumes, intersection operations, pedestrian/bicycle infrastructure, transit services.
- **Project Travel Characteristics** – Estimates the project's trip generation and distribution based on land use and travel behavior assumptions.
- **Non-CEQA Local Transportation Analysis** – Evaluates the project's effect on site access intersections.
- **CEQA Transportation Impact Analysis** – Evaluates the project's potential transportation impacts under CEQA.
- **Conclusions** – Summarizes the overall findings of the non-CEQA local transportation analysis and CEQA transportation impact analysis.

2. Environmental (Existing) Setting

This section describes the existing transportation system including the roadway, bicycle, pedestrian, and transit facilities in the project vicinity.

2.1 Roadway System

The roadway system in the project vicinity consists of the following (see **Figure 2**):

- **SR 99**: A six-lane freeway with a posted speed limit of 70 miles per hour (mph) in the vicinity of the project site. It provides intercity connections throughout the Central Valley, including nearby cities such as Stockton, Modesto, Turlock, and Merced. The freeway extends from US 50 in Sacramento to I-5 in Kern County. SR 99 is designated as a Surface Transportation Assistance Act (STAA) truck route. Access to SR 99 from the project site is available via a full-access interchange at Hatch Road
- **Maze Boulevard**: A two-lane minor arterial with posted speed limit ranging from 40 to 50 mph near the project site. Along the project site frontage, it consists of two lanes with a posted speed limit of 50 mph. The corridor provides regional connectivity, offering access to SR 99 to the east and transitioning into SR 132 to the west. SR 132 serves as a major commuter route for traffic traveling to and from the Bay Area.
- **Carpenter Road**: A two- to four-lane minor arterial with posted speed limits ranging from 25 to 40 mph. Along the project frontage, it consists of four lanes with a posted speed limit of 40 mph. N Carpenter Road provides regional connectivity between the project area and serves as a key access route to State Route (SR) 132 and SR 99 north of the project site, facilitating travel to and from cities such as Lathrop, Manteca, Ripon, and Modesto.

Multimodal traffic counts were collected at the Maze Boulevard/Carpenter Road intersection on Thursday, September 25, 2025, when local schools were in session. Existing volumes along project site frontages are summarized in **Table 2**.

Table 2. Existing Roadway Volume Summary

Intersection or Roadway Segment	AM Peak Hour Volume (7:30 – 8:30 AM)	PM Peak Hour Volume (3:45 – 4:45 PM)
Maze Blvd/Carpenter Rd Intersection (Vehicle Volumes, Including Trucks)	2,313 vehicles per hour	2,772 vehicles per hour
Maze Blvd/Carpenter Rd Intersection (Bicycle Volumes)	0 bicycles per hour	1 bicycle per hour
Maze Blvd/Carpenter Rd Intersection (Pedestrian Volumes)	2 pedestrians per hour	1 pedestrian per hour
Maze Blvd west of Carpenter Rd	680 vehicles per hour (13% trucks)	837 vehicles per hour (8% trucks)
Carpenter Rd north of Maze Blvd	1,613 vehicles per hour (4% trucks)	1,928 vehicles per hour (3% trucks)

Source: Intersection turning movement counts collected at the Maze Blvd/Carpenter Rd intersection on Thursday, September 25, 2025.

2.2 Intersection Operations

2.2.1 Data Collection

Intersection turning movement counts, including pedestrian, bicycle, and truck counts, were collected at the Maze Boulevard/Carpenter Road intersection on Thursday, September 25, 2025 while nearby schools were in session and under dry weather conditions during the AM (7:00–9:00) and PM (3:00–6:00) peak periods. Existing lane configurations were obtained from aerial imagery. **Figure 3** displays AM (7:30 – 8:30 AM) and PM (3:45 – 4:45 PM) peak hour turning movements and lane configurations at the study intersection under Existing Conditions, intersection count data worksheets are provided in **Appendix A**.

Traffic signal timings sheets for signalized study intersections were provided by Caltrans staff.

2.2.2 Intersection Level of Service

Table 3 presents the existing delay and LOS results at the Maze Boulevard/Carpenter Road intersection, the technical calculations are provided in **Appendix B**. As shown in **Table 3**, the study intersection operates at LOS C during the weekday AM and PM peak hours, which is considered acceptable according to City of Modesto standards.

Table 3. Intersection Operations – Existing Conditions

ID	Intersection	Control Type[1]	Peak Hour	Delay (s)[2]	LOS[2]
1.	Maze Blvd/Carpenter Rd	Signal	AM PM	25 30	C C

Notes:
1. Signal = Signal Control.
2. All intersections analyzed using Synchro 12, which applies the methodologies in the *Highway Capacity Manual 7th Edition* (Transportation Research Board, 2022). For signalized intersections, average delay (in seconds per vehicle) is the weighted average of all approaches.

Source: Fehr & Peers, 2025.

2.2.3 Collision History

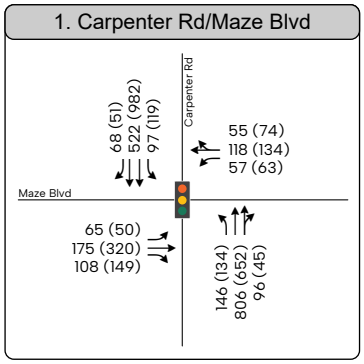
Fehr & Peers reviewed collision history from July 1, 2020, to June 30, 2025, using the Transportation Injury Mapping System (TIMS), maintained by the Safe Transportation Research and Education Center (SafeTREC) at UC Berkeley. As shown in **Table 4**, 20 collisions were reported near the project site during this period, all resulting in injuries but none involving fatalities, pedestrians, or bicyclists. Rear-end collisions were the most common type, representing 60 percent of total reported collisions. Three rear-end collisions were reported on Maze Boulevard west of Carpenter Road.

Table 4. Maze Boulevard/Carpenter Road Collision History (July 2020 – June 2025)

Intersection	Total Collisions	Collisions Resulting in Injury	Collisions Resulting in Fatality	Collisions Involving Pedestrian or Bicyclist
Maze Blvd/Carpenter Rd	20	20	0	0

Source: TIMS, SafeTREC, UC Berkeley, 2025.





Turn Lane
AM (PM) Peak Hour Traffic Volume
Traffic Signal
1 Study Interection
Project Site
Modesto City Limits

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FIGURE 3

Peak Hour Traffic Volume, Intersection Lane Configurations and Traffic Controls – Existing Conditions

2.3 Truck Routes

Surface Transportation Assistance Act (STAA) truck routes allow large trucks to operate on the interstate freeway system and certain primary routes. On surface streets, STAA routes are designated either as Terminal or Service Access routes. Terminal routes are approved by the agency with jurisdiction over the roadway to enable the truck to reach its ultimate destination. Service Access routes allow STAA trucks to exit the interstate onto a local road, for one mile only, for food, fuel, lodging, or repair.

SR 99 is a National Network STAA route, an interstate truck route located approximately 1.3 miles east of the project site. Maze Boulevard is a terminal route between SR 99 and I-580. Additionally, the City of Modesto has jurisdiction to designate additional truck routes along its surface streets. Local truck routes within the project vicinity include Carpenter Road and Kansas Avenue.

2.4 Active Transportation System

2.4.1 Pedestrian Network

The project site currently lacks sidewalks. Maze Boulevard within the project vicinity also lacks sidewalks. Carpenter Road provides sidewalks on some segments within the project vicinity, but sidewalks are generally discontinuous. Other key pedestrian amenities on or adjacent to the project site include the signalized pedestrian crossing, with pedestrian signal heads and striped crosswalks, on all four legs of the Maze Boulevard/Carpenter Road intersection.

A Class I shared-use path (definition is described below) is planned on Carpenter Road north of Maze Boulevard per the *City of Modesto Non-Motorized Transportation Plan* (2024). No other planned pedestrian improvements are identified along the project site frontage.

2.4.2 Bicycle Network

Bicycle facilities are classified into the following categories:

- **Class I (shared-use path)** are separated completely from motor vehicle traffic and usually shared with pedestrians.
- **Class II (bike lanes)** are delineated lanes within the roadway for the exclusive use of bicycles. Vehicle and pedestrian cross-flow are permitted. The striping is supported by pavement markings and signage. Class II bikeways can be enhanced by features such as green paint or painted buffers.
- **Class III (bike routes)** are located on roadways on which bicyclists share the roadway with motor vehicles. Bike routes are designated by signage and/or shared roadway bicycle markings (sharrows). Some bicycle routes have wide shoulders that provide space for bicyclists, although they do not have bike lane markings.
- **Class IV bikeways (protected bike lanes)** are within or adjacent to a roadway and separated from traffic by a physical barrier such as bollards, on-street parking, or planters. This design allows an exclusive right-of-way for bicycle travel.

Class II bicycle lanes currently exist on Carpenter Road north and south of the project site, but not along the site frontage. A Class I shared-use path is planned on Carpenter Road north of Maze Boulevard, while a Class IV bikeway is planned on Carpenter Road south of Maze Boulevard (per the

City of Modesto Non-Motorized Transportation Plan [2024]). The planned Class I facility north of Maze Boulevard supersedes the planned Class IV facility identified in the *Stanislaus Council of Governments 2021 Non-Motorized Transportation Master Plan* (2021).

An east-west Class I shared-use path is also planned along Canal Lateral Number Four east of Carpenter Road, about 450 feet north of the project site, the *City of Modesto Non-Motorized Transportation Plan* (2024).

2.5 Transit System

Transit service is provided by Stanislaus Regional Transit Authority (StanRTA). StanRTA operates a fixed-route, Paratransit, and Dial-a-Ride bus service with stops throughout Stanislaus County. There are two nearby transit stops along northbound and southbound Carpenter Road just north of the project site. Both existing bus stops provide signage, but only the bus stop on southbound Carpenter Road provides a bench. Neither bus stop provides a shelter.

Routes 26 and 33 serve the existing northbound bus stop on Carpenter Road, only Route 33 services the bus stop on southbound Carpenter Road. Both routes operate on weekdays and weekends. Additional information is provided in **Table 5**.

Table 5. Nearby Transit Routes

Route	Route Limits	Nearest Stop	Weekdays		Saturday		Sunday	
			Hours	Headway (min)	Hours	Headway (min)	Hours	Headway (min)
26	Modesto Transit Center to Carpenter Rd	Carpenter Rd at Hillview Dr (650 ft)	6:00 AM – 10:24 PM	30	7:30 AM – 8:24 PM	30 - 60	8:00 AM – 6:25 PM	60
33	Modesto Transit Center to Modesto Jr. College	Carpenter Rd at Hillview Dr (500 ft)	6:00 AM – 10:25 PM	30 - 60	7:30 AM – 10:23 PM	60	8:00 AM – 5:53 PM	60

Source: StanRTA website, accessed on December 3, 2025.

3. Project Travel Characteristics

This chapter presents the proposed project's travel characteristics.

3.1 Project Trip Generation

Trip generation refers to the process of estimating the amount of vehicular traffic a project would add to the surrounding roadway network. The residential trip generation was estimated using single family home trip rates published in the *Trip Generation Manual, 12th Edition* (Institute of Transportation Engineers [ITE], 2025). Although the project includes two apartments, trip generation rates for single-family homes were used to provide a conservative analysis.

Typical weekday trip generation for the event center was estimated based on anticipated event programming provided by the applicant (see **Section 1.1.1**) and the following travel assumptions:

- Typical event attendance: 150 people
- All attendees are expected to arrive during the AM peak hour and depart during the PM peak hour
- 90% of attendees are expected to drive alone or carpool to the site, with an average vehicle occupancy of 1.2 persons
- 10% of attendees are expected to use transportation network companies (e.g., Uber, Lyft) to access the site

Table 6 presents the estimated weekday daily, AM peak hour, and PM peak hour vehicle trips for the proposed project. As shown, the project is estimated to generate 310 daily, 141 AM and PM peak hour trips.

Table 6. Project Trip Generation – Typical Weekday

Land Use	Quantity	Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Residential[1]	2 dwelling units	20	0	2	2	2	0	2
Event Center[2]	150 attendees	290	126	13	139	13	126	139
Net-New Project Trips		**310**	**126**	**15**	**141**	**15**	**126**	**141**

Notes:
1. Trip rates based on ITE Land Use Code 210 (Single-Family Detached Housing):
   a. Daily: 9.09 trips per dwelling unit
   b. AM Peak Hour: 0.70 trips per dwelling unit (27% in, 73% out)
   c. PM Peak Hour: 0.93 trips per dwelling unit (62% in, 38% out)
2. Assumes 90% of attendees drive or carpool to the site, with an average vehicle occupancy of 1.2 attendees. The remaining 10% are assumed to use transportation network companies, generating one inbound and one outbound trip during peak hours. All attendees are assumed to arrive during the AM peak hour and depart during the PM peak hour, remaining on-site for the duration of a typical event. Daily trip generation is the sum of AM and PM peak hour trip generation, rounded up to nearest 10.

Source: Fehr & Peers, 2025.

Saturday peak-hour trip generation was estimated for the project and is summarized in **Table 7**. Because Saturday events can extend until 2:00 AM, the analysis focuses on the hour when attendees arrive. All attendees are assumed to arrive within a single hour, representing a conservative approach. As shown in **Table 7**, the project is expected to generate 161 peak hour trips on Saturday. Although Saturday events have more than double the anticipated weekday attendance, Saturday peak hour trips are only 20 higher than weekday trips because weekend events (e.g., weddings, birthday parties, dance parties) are assumed to have higher vehicle occupancy at 2.5 attendees per vehicle versus 1.2 on weekdays.

Table 7. Project Trip Generation – Typical Saturday

Land Use	Quantity	Peak Hour of Generator		
		In	Out	Total
Residential[1]	2 dwelling units	1	1	2
Event Center[2]	358 attendees	144	15	159
	Net-New Project Trips	**145**	**16**	**161**

Notes:
1. Trip rates based on ITE Land Use Code 210 (Single-Family Detached Housing):
    a. Peak Hour of Generator: 2.00 trips per dwelling unit (53% in, 47% out)
2. Assumes 90% of attendees drive or carpool to the site, with an average vehicle occupancy of 2.5 attendees. The remaining 10% are assumed to use transportation network companies, generating one inbound and one outbound trip during peak hours. All attendees are assumed to arrive during the peak hour.

Source: Fehr & Peers, 2025.

The *Trip Generation Manual, 12th Edition* (ITE, 2025) was used to estimate the Saturday peak hour trips for residential and the following event center assumptions were applied to estimate event center trip generation:

- Typical event attendance: 358 people
- All attendees are assumed to arrive during a single hour
- 90% of attendees are expected to drive alone or carpool to the site, with an average vehicle occupancy of 2.5 persons; weekend events such as weddings, birthday parties and dance parties are expected to have higher vehicle occupancy compared to weekday events
- 10% of attendees are expected to use transportation network companies (e.g., Uber, Lyft) to access the site

The Saturday peak hour trip generation analysis is provided only for comparison with weekday peak hour estimates. The intersection analysis in this study focuses on weekday AM and PM peak hours while schools are in session, as these hours represent the highest traffic volumes on streets adjacent to the project site.

The trip generation analysis focuses on typical weekday and Saturday programming anticipated by the applicant. However, events are not expected to occur daily; many weekdays and weekends may have no events scheduled.

3.2 Project Trip Distribution

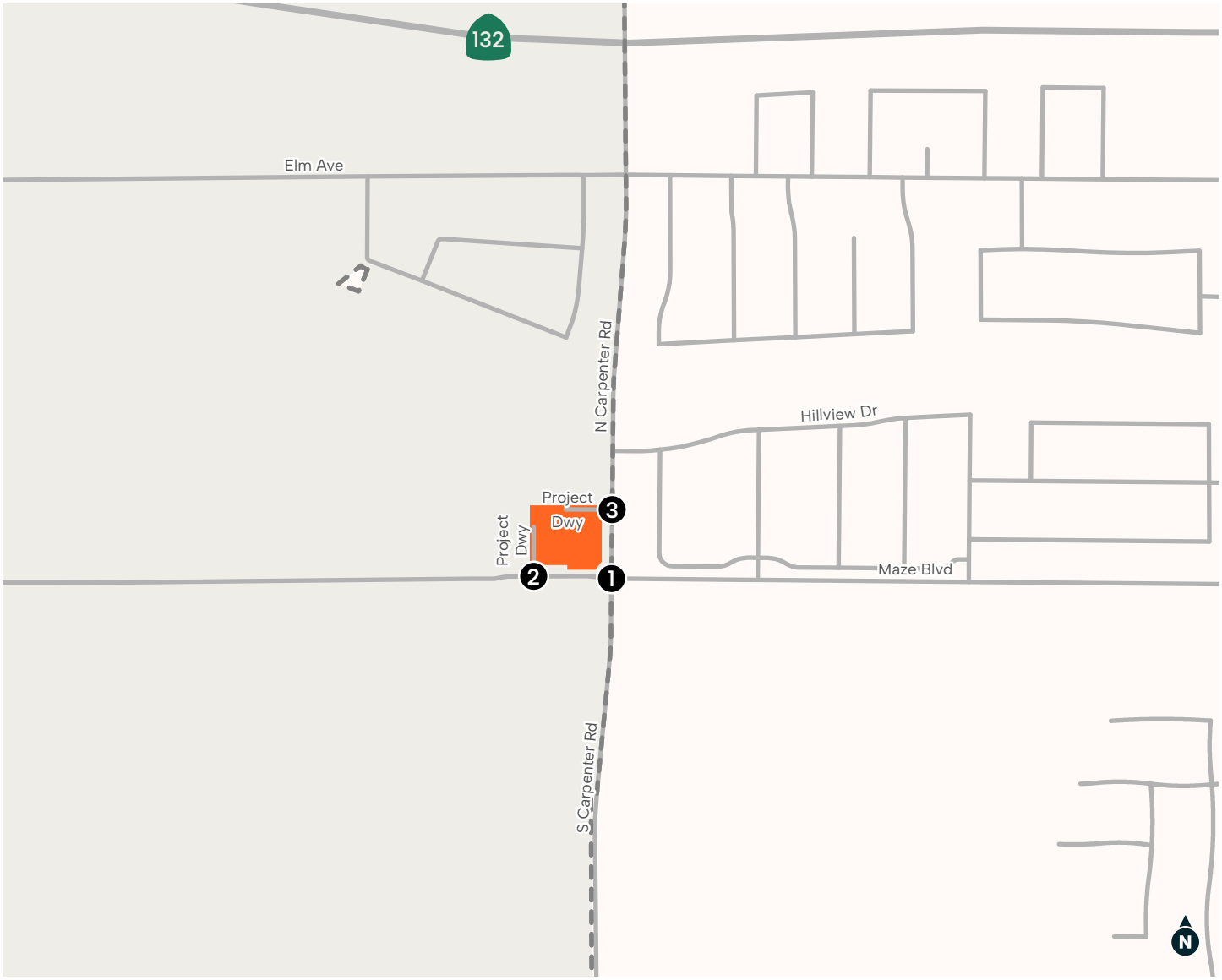
Trip distribution identifies the likely directions and destinations of vehicle trips generated by the project, based on regional travel patterns, surrounding land uses, and roadway connectivity. To estimate trip distribution, Fehr & Peers analyzed population within a 30-mile radius of the project site using U.S. Census data. This analysis resulted in the following trip distribution for the project site:

- 42% of trips to/from the north on Carpenter Road
- 28% of trips to/from the east on Maze Boulevard
- 17% of trips to/from the west on Maze Boulevard
- 13% of trips to/from the south on Carpenter Road

The trip distribution described above was assumed for the residential and event center uses proposed by the project.

3.3 Project Trip Assignment

Weekday trips generated by the project (see **Table 6**) were assigned to the roadway network according to the trip distribution described above. **Figure 4** summarizes the project trip assignment at study intersections.



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FIGURE 4

Project Trip Assignment

Fehr & Peers

4. Non-CEQA Local Transportation Analysis

This chapter presents the non-CEQA LTA results. The LTA includes an evaluation of Existing Plus Project and Near-Term Plus Project conditions, which analyzes operations with the addition of project-generated trips described in Chapter 3.

4.1 Existing Plus Project Analysis

4.1.1 Existing Plus Project Traffic Volumes and Intersection Lane Configurations

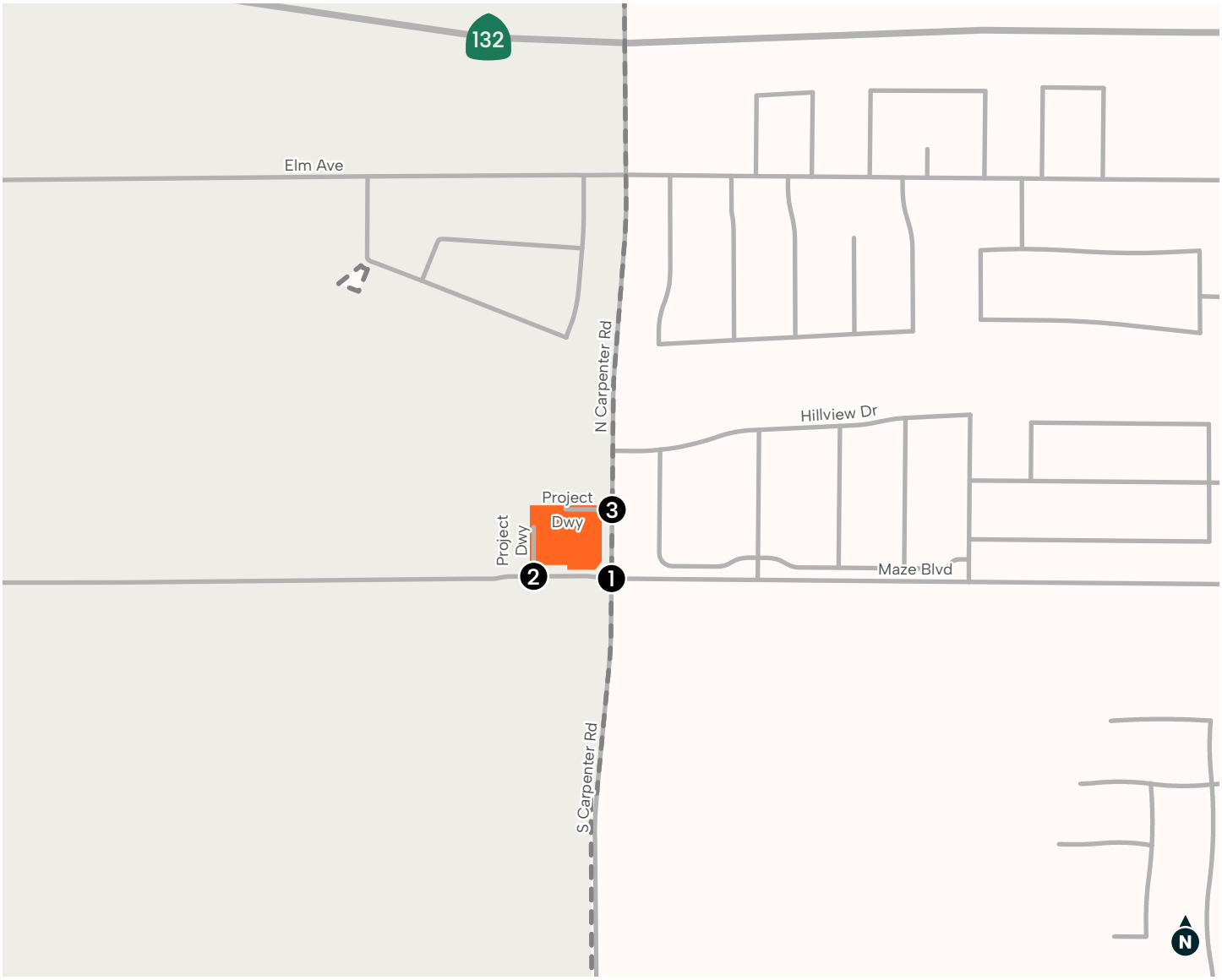
The project trip assignment shown on **Figure 4** added to the Existing conditions peak hour traffic volumes from **Figure 3** to estimate the Existing Plus Project volumes, as shown on **Figure 5**. Intersection lane configurations and traffic controls are also shown on **Figure 5**. The project does not propose modifications to the Maze Boulevard/Carpenter Road intersection.

The site plan shown in **Figure 1** does not indicate whether full or partial access is proposed at the driveways. For this analysis, Fehr & Peers assumed full access at the Maze Boulevard driveway and right-turn-in/right-turn-out access at the Carpenter Road driveway. As shown in **Table 2**, weekday AM and PM peak hour traffic volumes are substantially higher on Carpenter Road than on Maze Boulevard; therefore, the Carpenter Road driveway is assumed to prohibit inbound and outbound left-turn movements

4.1.2 Existing Plus Project Intersection Operations

Existing Plus Project traffic conditions were evaluated using the same methods described in Chapter 1. The Existing Plus Project analysis results are presented in **Table 8**, based on the vehicle volumes presented on **Figure 5**. Detailed intersection LOS calculation worksheets are presented in **Appendix B**.

As shown in **Table 8**, the Maze Boulevard/Carpenter Road intersection is expected to continue operating at LOS C during the AM and PM peak hours with the addition of project traffic. Therefore, the project is not anticipated to adversely affect peak hour operations at this intersection, given the City of Modesto's LOS D standard. The stop-controlled approaches to both project driveways are expected to operate at LOS C or better during the AM and PM peak hours.



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FIGURE 5

Peak Hour Traffic Volume, Intersection Lane Configurations and Traffic Controls – Existing Plus Project Conditions

Fehr & Peers

Table 8. Intersection Operations – Existing Plus Project Conditions

ID	Intersection	Control Type[1]	Peak Hour	Existing		Existing Plus Project	
				Delay (s)[2]	LOS[2]	Delay (s)[2]	LOS[2]
1.	Maze Blvd/ Carpenter Rd	Signal	AM PM	25 30	C C	27 32	C C
2.	Maze Blvd/ Project Driveway	SSSC	AM PM	Does Not Exist		1 (16) 2 (23)	A (C) A (C)
3.	Carpenter Rd/ Project Driveway	SSSC	AM PM	Does Not Exist		0 (11) 0 (14)	A (B) A (B)

Notes:
1. Signal = Signal Control; SSSC = Side-Street Stop Control.
2. All intersections analyzed using Synchro 12, which applies the methodologies in the *Highway Capacity Manual 7th Edition* (Transportation Research Board, 2022). For signalized intersections, average delay (in seconds per vehicle) is the weighted average of all approaches. For SSSC intersections, both the overall intersection delay and (worst-case approach) are reported.

Source: Fehr & Peers, 2025.

4.1.2.1 Existing Plus Project Peak Hour Signal Warrant Analysis

The peak hour volume traffic signal warrant (Warrant 3) for urban conditions, found in the *California Manual on Uniform Traffic Control Devices* (CA MUTCD, Caltrans, 2014) was evaluated for the full access unsignalized driveway on Maze Boulevard. As shown in **Table 9**, the Maze Boulevard driveway is not anticipated to meet the peak hour signal warrant. Detailed signal warrant calculations are provided in **Appendix C.**

Table 9. Intersection Peak Hour Signal Warrant Analysis – Existing Plus Project Conditions

ID	Intersection	Control Type[1]	Existing Plus Project – Peak Hour Warrant Met?
2.	Maze Blvd/Project Driveway	SSSC	No

Notes:
1. SSSC = Side-Street Stop Control.

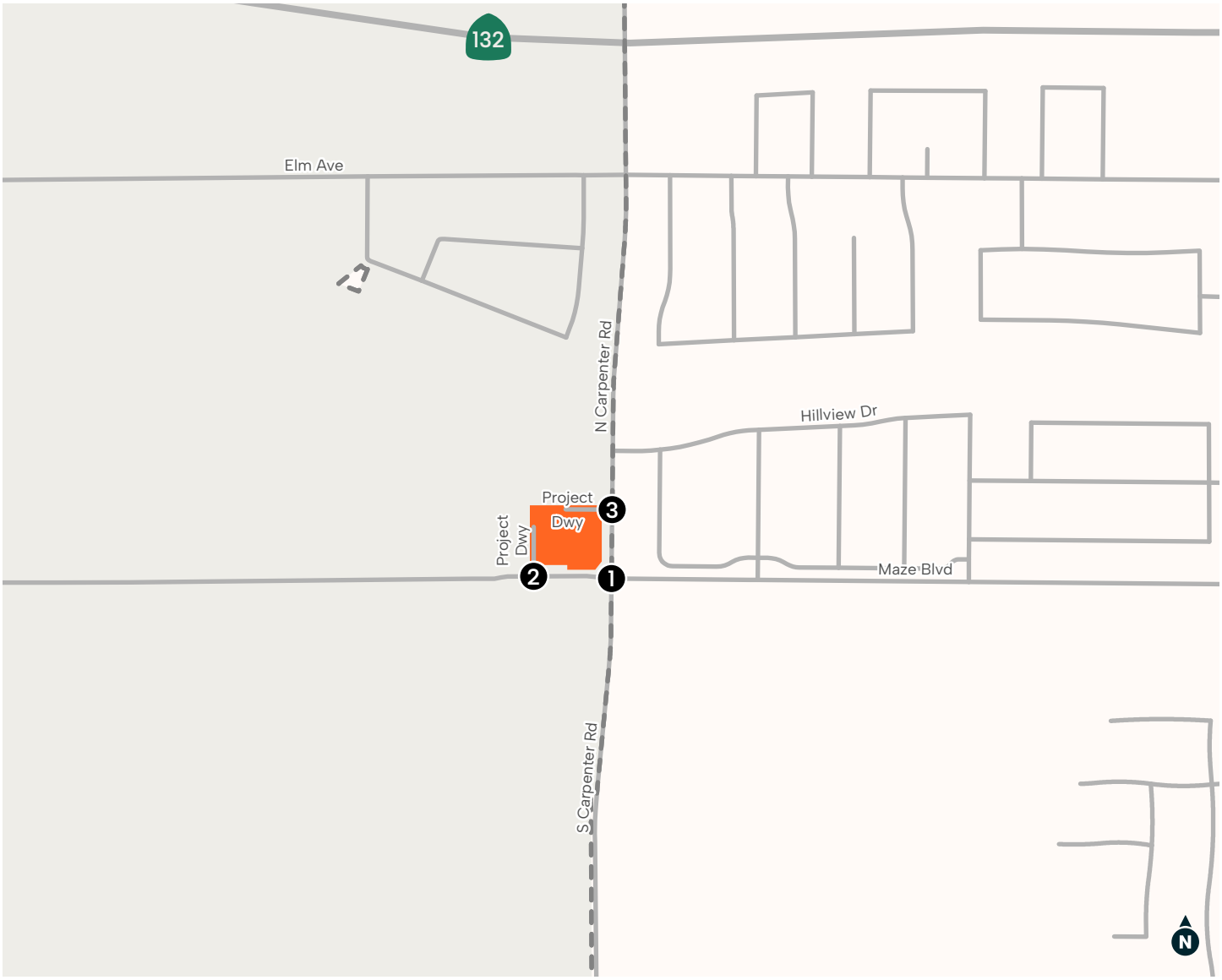
Source: Fehr & Peers, 2025.

4.2 Near-Term Plus Project Analysis

4.2.1 Near-Term Plus Project Traffic Volumes and Intersection Lane Configurations

The Near-Term Plus Project scenario evaluates traffic volumes anticipated under year 2030 conditions. To estimate Near-Term volumes, Fehr & Peers reviewed average annual growth rates from the StanCOG Regional Transportation Plan/Sustainable Communities Strategy travel demand model. The model assumes annual growth rates of 1.00% for jobs and 0.89% for households within the City of Modesto, with similar rates projected for all of Stanislaus County.

Using this information, Fehr & Peers applied a 1.00% annual growth rate to existing peak-hour traffic volumes shown in **Figure 3** over a 5-year period. The resulting Near-Term Plus Project intersection volumes are shown in **Figure 6**. Intersection lane configurations assumptions remained unchanged for this scenario.



G:\GIS\RS\RS2544433_Maze_Carpenter_Cultural_Center\RS2544433_Maze_Carpenter_Cultural_Center.aprx

FIGURE 6

Peak Hour Traffic Volume, Intersection Lane Configurations and Traffic Controls – Near-Term Plus Project Conditions

Fehr & Peers

4.2.2 Near-Term Plus Project Intersection Operations

Near-Term Plus Project traffic conditions were evaluated using the same methods described in Chapter 1. The Near-Term Plus Project analysis results are presented in **Table 10**, based on the vehicle volumes and lane configurations presented on **Figure 6**. Detailed intersection LOS calculation worksheets are presented in **Appendix B**.

As shown in **Table 10**, the Maze Boulevard/Carpenter Road intersection is expected to continue operating at LOS C during the AM and PM peak hours with the addition of project traffic under Near-Term conditions. Therefore, the project is not anticipated to adversely affect peak hour operations at this intersection, given the City of Modesto's LOS D standard. The stop-controlled approaches to both project driveways are expected to operate at LOS C or better during the AM and PM peak hours.

Table 10. Intersection Operations – Near-Term Plus Project Conditions

ID	Intersection	Control Type[1]	Peak Hour	Existing Plus Project		Near-Term Plus Project	
				Delay (s)[2]	LOS[2]	Delay (s)[2]	LOS[2]
1.	Maze Blvd/ Carpenter Rd	Signal	AM PM	27 32	C C	29 34	C C
2.	Maze Blvd/ Project Driveway	SSSC	AM PM	1 (16) 2 (23)	A (C) A (C)	1 (17) 3 (25)	A (C) A (C)
3.	Carpenter Rd/ Project Driveway	SSSC	AM PM	0 (11) 0 (14)	A (B) A (B)	0 (12) 0 (15)	A (B) A (B)

Notes:
1. Signal = Signal Control; SSSC = Side-Street Stop Control.
2. All intersections analyzed using Synchro 12, which applies the methodologies in the *Highway Capacity Manual 7th Edition* (Transportation Research Board, 2022). For signalized intersections, average delay (in seconds per vehicle) is the weighted average of all approaches. For SSSC intersections, both the overall intersection delay and (worst-case approach) are reported.

Source: Fehr & Peers, 2025.

4.2.2.1 Near-Term Plus Project Peak Hour Signal Warrant Analysis

The peak hour volume traffic signal warrant (Warrant 3) for urban conditions, found in the *California Manual on Uniform Traffic Control Devices* (CA MUTCD, Caltrans, 2014) was evaluated for the full access unsignalized driveway on Maze Boulevard. As shown in **Table 11**, the Maze Boulevard driveway is not anticipated to meet the peak hour signal warrant under Near-Term conditions. Detailed signal warrant calculations are provided in **Appendix C.**

Table 11. Intersection Peak Hour Signal Warrant Analysis – Near-Term Plus Project Conditions

ID	Intersection	Control Type[1]	Existing Plus Project - Peak Hour Warrant Met?
2.	Maze Blvd/Project Driveway	SSSC	No

Notes:
1. SSSC = Side-Street Stop Control.

Source: Fehr & Peers, 2025.

5. CEQA Transportation Impact Analysis

This chapter presents the applicable transportation-related policies and CEQA transportation impact analysis.

5.1 Applicable Transportation-Related Policies

This section presents potentially applicable federal, state, regional, and local regulatory requirements applicable to the project.

Pursuant to Senate Bill (SB) 743, Public Resources Code (PRC) Section 21099, and California Code of Regulations (CCR) Section 15064.3, generally, VMT has replaced congestion as the metric for determining transportation impacts under CEQA. Section 15064.3 of the CEQA Guidelines provides that VMT is the "most appropriate measure of transportation impacts" and mandates analysis of VMT impacts effective July 1, 2020. A project's effect on automobile delay is no longer a consideration when identifying a significant impact; therefore, the impact of the project on delay-based traffic operations is not addressed in this CEQA TIA.

5.1.1 State

The State of California has enacted several pieces of legislation that outline the state's commitment to encourage land use and transportation planning decisions and investments that reduce VMT and contribute to reductions in greenhouse gas (GHG) emissions in line with state climate goals. Other recent state policies pertain to roadway safety.

5.1.1.1 Senate Bill 743

SB 743, passed in 2013, required the California Governor's Office of Planning and Research (OPR) to develop new guidelines that address transportation metrics under CEQA. OPR published its proposal for the comprehensive updates to the CEQA Guidelines in November 2017 which included proposed updates related to analyzing transportation impacts pursuant to SB 743. The updated CEQA Guidelines were adopted on December 28, 2018; and according to the new CEQA Guidelines Section 15064.3, VMT replaced congestion as the metric for determining transportation impacts. The guidelines state that "lead agencies may elect to be governed by these provisions of this section immediately. Beginning July 1, 2020, the provisions of this section shall apply statewide."

5.1.1.2 Technical Advisory on Evaluating Transportation Impacts in CEQA

The *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR, 2018) ("*Technical Advisory*") provides advice and recommendations to CEQA lead agencies on how to implement the SB 743 changes. This includes technical recommendations regarding the assessment of VMT, thresholds of significance, VMT mitigation measures, and screening thresholds for certain land use projects. Lead agencies may consider and use these recommendations at their discretion and with the provision of substantial evidence to support alternative approaches. The *Technical Advisory* describes considerations agencies may use in selecting VMT metrics, calculation methodologies, and significance thresholds. The *Technical Advisory* does not mandate the use of specific metrics, methodologies or significance thresholds, because agencies have discretion to select those that are appropriate for the local land use and transportation context.

The *Technical Advisory* identifies "screening thresholds" to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed VMT analysis. The *Technical Advisory* suggests that projects meeting one or more of the following criteria should be expected to have a less-than-significant impact on VMT.

- **Small projects** – projects consistent with a Sustainable Communities Strategy (SCS) and local general plan that generate or attract fewer than 110 trips per day.
- **Projects near major transit stops** – certain projects (residential, retail, office, or a mix of these uses) proposed within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor.
- **Affordable residential development** – a project consisting of a high percentage of affordable housing may be a basis to find a less-than-significant impact on VMT.
- **Local-serving retail** – local-serving retail development tends to shorten trips and reduce VMT. The *Technical Advisory* encourages lead agencies to decide when a project will likely be local-serving, but generally acknowledges that retail development including stores larger than 50,000 square feet might be considered regional-serving. The *Technical Advisory* suggests lead agencies analyze whether regional-serving retail would increase or decrease VMT (i.e., not presume a less-than-significant).
- **Projects in low VMT areas** – residential and office projects that incorporate similar features (i.e., density, mix of uses, transit accessibility) as existing development in areas with low VMT will tend to exhibit similarly low VMT.

The *Technical Advisory* also provides guidance on impacts to transit. Specifically, the *Technical Advisory* suggests that lead agencies generally should not treat the addition of new transit users as an adverse impact. As an example, the *Technical Advisory* suggests that "an infill development may add riders to transit systems and the additional boarding and alighting may slow transit vehicles, but it also adds destinations, improving proximity and accessibility.

Regarding trucks, the *Technical Advisory* first points out that CEQA Section 15064 refers to automobiles when referencing VMT. The document then offers a definition that automobiles consist of on-road passenger vehicles, including cars and light duty trucks. It further states that "Heavy-duty truck VMT could be included for modeling convenience and ease of calculation." No further guidance is provided relating to how to address travel impacts of trucks, though Appendix 1 (Considerations About Which VMT to Count) and Appendix 2 (Induced Travel: Mechanisms, Research, and Additional Assessment Approaches) repeatedly refer to automobiles (and do not mention trucks) when describing these topics.

5.1.2 Regional

5.1.2.1 2022 Regional Transportation Plan/Sustainable Communities Strategy (StanCOG, 2022)

The Stanislaus Council of Governments (StanCOG) serves as the regional planning entity for Stanislaus County and its incorporated municipalities, which include Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford. Designated as the Metropolitan Planning Organization (MPO) under federal law, StanCOG is responsible for coordinating regional transportation planning efforts and delivering technical guidance and data-driven support to its member agencies.

In August 2022, StanCOG adopted the *2022 Regional Transportation Plan and Sustainable Communities Strategy* (*2022 RTP/SCS*, StanCOG). This document serves as the region's long-range transportation plan and provides guidance for decisions about transportation spending priorities.

Chapter 2 outlines goals for the *2022 RTP/SCS*. Goals and objectives that may be relevant to this study include:

- Goal 1: Mobility & Accessibility – Improve the ability of people and goods to move between desired locations and provide a variety of modal and mobility options.
- Goal 2: Social Equity – Promote equitable access to opportunities by ensuring all populations share in the benefits of transportation improvements and are provided a range of transportation and housing choices.
- Goal 3: Economic and Community Vitality – Foster job creation, business attraction, retention, and expansion by improving quality of life. Facilitate economic development and opportunities through infrastructure investments that support goods movement within and through the region, including but not limited to the county's strategic freight corridors.
- Goal 4: Sustainable Development Pattern – Provide a mix of land uses and compact development patterns and encourage infill development to preserve agricultural land and natural resources.
- Goal 5: Environmental Quality – Consider environmental impacts when making transportation investments and minimize impacts on clean air and natural resources. Support infrastructure investments that facilitate vehicle electrification and the provision of electrification infrastructure in public and private parking facilities and structures.
- Goal 6: Safety and Health – Operate and maintain the transportation system to ensure public safety and security; and improve the health of residents by improving air quality and providing more transportation options.
- Goal 7: System Preservation – Maintain transportation system in a state of good repair; and protect investment by maximizing use of existing transportation facilities.
- Goal 10: Congestion Management – Maintain or reduce congestion as compared to current levels.

The SR 132 West Phase 1 expressway improvements from N. Dakota Avenue to Needham Street are listed in the RTP project list; however, these improvements were completed in 2022. Phase 2 improvements, which will widen the existing expressway to four lanes, are also listed and are expected to be constructed by 2027. Class IV bikeway improvements on Carpenter Road from Paradise Road to Briggsmore Avenue are also listed.

5.1.2.2 2024 Congestion Management Process (StanCOG, 2024)

The Congestion Management Process (CMP) is a federally required, performance-based planning approach focused on achieving clear congestion management outcomes. StanCOG's 2024 CMP uses innovative transportation analytics leveraging big data from mobile phones. Developed collaboratively with local, state, and federal representatives, the 2024 CMP offers reliable, timely information on the current performance of Stanislaus County's transportation system to guide regional transportation planning and sustainable community strategies.

The following segments near the project site and are part of the CMP network:

- Maze Boulevard from SR 99 to the western County line

- Carpenter Road from Whitmore to Briggsmore Avenue

According to the CMP, both Maze Boulevard and Carpenter Road operate at LOS B or better during the AM and PM peak hours based on 2023 traffic data.

5.1.2.3 2024 Regional Transportation Improvement Program (StanCOG, 2024)

The *2024 Regional Transportation Improvement Program* (*2024 RTIP*, StanCOG) is a prioritized list of state highway and local road projects in Stanislaus County aimed at enhancing mobility, reducing congestion, and improving transportation-related air quality. Prepared by StanCOG every two years as required by state guidelines, the *2024 RTIP* supports the programming and implementation of transportation improvement projects over a 5-year programming period.

The SR 132 West Phase 3 improvements, which will extend the expressway from N. Dakota Avenue to Gates Road, are listed in the RTIP.

5.1.2.4 2021 Non-Motorized Transportation Master Plan (StanCOG, 2021)

The *2021 Non-Motorized Transportation Master Plan* (StanCOG) presents strategies to support non-motorized travel in Stanislaus County including walking, bicycles, electric bikes, scooters, skateboards, wheelchairs, and other mobility devices. Building on the 2013 StanCOG Non-Motorized Transportation Master Plan, it introduces new tools and analyses to help prioritize regional projects that support the region's transportation goals and improve walking and biking networks. The Plan aims to assist StanCOG staff, the County, and local agencies in creating safe and accessible travel options for people of all ages and abilities, reducing reliance on cars.

The plan proposed to develop the Non-Motorized Transportation Backbone Network. The Backbone Network is a network of bicycling and pedestrian facilities that link major destinations and residential areas to areas of countywide significance, such as transit routes and employment centers.

The *2021 Non-Motorized Transportation Master Plan* (StanCOG) recommends the following bikeway improvements within the project site vicinity:

- Class IV separated bikeway on Carpenter Road from Briggsmore Avenue to Paradise Road

The planned Class I facility north of Maze Boulevard identified in the *Non-Motorized Transportation Plan* (City of Modesto, 2024) supersedes the planned Class IV facility identified in the *Stanislaus Council of Governments 2021 Non-Motorized Transportation Master Plan* (2021).

5.1.3 Local

Goals, policies, and objectives from various planning documents published by the City of Modesto are relevant to the project.

5.1.3.1 City of Modesto Urban Area General Plan (2019)

The *City of Modesto Urban Area General Plan* (2019) provides a long-term framework and policy guide for the City's growth, development, and land use. It establishes goals, policies, and programs to guide the City's housing, transportation, economic development, public services, environmental protection, and quality of life. The *plan* aims to ensure safe and sustainable development that meets the needs of current and future residents while preserving the City's character and resources.

The *City of Modesto Urban Area General Plan* (2019) Road Circulation Diagram indicates that Maze Boulevard, classified as a four-lane minor arterial, will be widened to four lanes from Carpenter Road to N. Dakota Avenue. Carpenter Road, also a minor arterial, is planned to be widened to four lanes from Maze Boulevard to Whitmore Avenue.

Relevant transportation policies outlined in the *City of Modesto Urban Area General Plan* (2019) include:

- Policy V.A.1 Gap Closures: Identify gaps in the pedestrian and bicycle transportation systems and plan facilities to close those gaps.
- Policy V.A.2 Encourage Pedestrians and Bicycle Use: Streets, pedestrian paths, and bike paths contribute to a system of fully connected routes to all destinations. Their designs encourage pedestrian and bicycle use when small and spatially defined by buildings, trees, and lighting, and when high-speed traffic is discouraged.
- Policy V.A.5 Mediating Mode Conflicts: In the case of conflict between motorized and non-motorized transportation modes, roadway or right-of-way features may be added or altered to protect pedestrians and bicyclists, consistent with Urban Area General Plan goals.
- Policy V.A.6 Level of Service and Mitigating Travel Demand: Level of Service and Quality of Service (see Tables V-1 and V-2, respectively) for all transportation modes (vehicle, transit, bicycle and pedestrian) on City roadways should be improved over time consistent with the financial resources reasonably available to the City and without unreasonably burdening property owners or developers. On roadways where the automobile LOS is expected to be level F, consider mitigation measures other than road widening, such as the addition of bicycle lanes, improved pedestrian access, improved transit service, and the establishment of walkable development patterns to improve the quality of service for all travel modes.
- Policy V.B.2 Traffic Study: If required, a Comprehensive Traffic Study should conform to the City of Modesto *Traffic Impact Study Criteria*. These *Criteria* will be amended to reflect general plan goals and policies, including definition of metrics for all both motorized and non-motorized transportation modes.
- Policy V.C.5 Travel Mitigation Outside of Downtown: Outside of the downtown area, consider and balance the effects of automobile traffic mitigation on non-automobile travel – particularly in areas where the city is attempting to improve conditions that support non-automobile travel – when considering solutions to traffic circulation problems.
- Policy V.C.6 Prioritizing Transportation Investments: Strive to achieve quality of service, as depicted in Table V-2 (FDOT Figure 1-2, 2009) for each non-automobile travel mode appropriate to the location in the City.
    1. Downtown Area: Pedestrian and bus quality of service should be A/B. Bicycle quality of service should be C/D or better. *(Air quality, public health, energy conservation, environmental justice)*
    2. Baseline Developed Area: Pedestrian quality of service should be C/D on arterial streets and A/B on local and collector streets. Bicycle quality of service should be A/B on local and collector streets, C/D on arterial streets, and E/F on expressways. Bus quality of service should range from C/D to E/F, depending upon boardings. Consider improving accessibility along impacted routes by implementing Transportation Demand Management strategies.
- Policy V.D.1 Median Refuges: Add median refuges along arterials and four-lane collectors in areas where pedestrian traffic is to be facilitated to give pedestrians a safe halfway point for street crossings.

- Policy V.D.2 Bulb-outs: Add sidewalk bulb-outs in areas where pedestrian traffic is to be facilitated to reduce crossing distance and improve visibility of pedestrians to other roadway users.
- Policy V.D.5 ADA Compliance: Construct or modify curb ramps and sidewalks to comply with the Americans with Disabilities Act.
- Policy V.D.7 Street Trees: Plant and maintain large species trees along streets to separate pedestrians from moving traffic for safety and to create an inviting walking environment.
- Policy V.E.3 Opportunities to Add Bicycle Facilities: When streets are repaired or resurfaced, add bicycle facilities to those streets as appropriate with striping, stencils, and/or signage.
- Policy V.E.8 Bicycles at Signalized Intersections: Protected intersection design features, bike boxes and bicycle detection systems may be used to delineate bicycle facilities, improve safety, and allow bicycle traffic to trigger the green phase of a traffic signal. In accordance with California Vehicle Code Section 21450.5, sensors that detect the presence of a waiting bicycle should be added to signalized intersections when signals are installed, upgraded and/or maintained. Other markings and signage may be used as approved by the City Engineer.
- Policy V.F.3 Minimum Service Density: Provide service on a half-mile grid where feasible to make the service as accessible as possible. Newly developed areas should provide a street pattern capable of accommodating transit service on a half-mile grid. Sidewalks should be provided in the development of new roadway systems to accommodate bus stops, and to minimize walking distance between them.
- Policy V.F.7 Bus Pullouts: Consider Bus pullouts with new development in the Planned Urbanizing Area to support transit passenger loading and unloading.
- Policy V.F.8 Park-and-Ride: Work with new development to provide park-and-ride spaces to promote and support transit ridership.
- Policy V.H.1 Roadway Facilities, defined: The roadway network consists of the facility types listed below. Figures V-1 through V-6 of the General Plan constitute the Transportation Diagram, which describes the proposed general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other facilities within the Modesto Urban Area.
    1. Freeway – This classification defines the highest volume, total access–control highways with high design speeds (55–65 mph).
    2. State Highway – This classification applies to streets that are acquired, laid-out, constructed, improved, or maintained as a state highway pursuant to constitutional or legislative authorization. This facility type can be designated a freeway, expressway, arterial, or other roadway classification.
    3. Expressway – The purpose of an expressway is to facilitate automobile and transit trips across town rapidly. Bicycles can be accommodated. Pedestrians are generally not expected. Expressways should have signalized intersections or roundabouts at arterial streets (one mile apart) and right-turn-only access to collector streets (one-half mile apart). The City Engineer has authority to design Expressway intersections (within City right-of-way), consistent with provisions contained within the City's Standard Specifications, on a case-by-case basis. Expressways may include Class I, II or IV bicycle facilities. Driveway access from fronting properties should not be allowed without specific authorization from the City Council (see Policy V.H.15).
    4. Arterial Street – Arterials allow movement of people by all modes and provide safe and convenient access to businesses for people using any travel mode. Arterial streets may be classified either as principal or minor arterials. A principal arterial

typically has six lanes, while a minor arterial has four lanes. All arterials should have on-street bicycle facilities. Driveway access from fronting properties should be designed according to the City's Standard Specifications.

5. Collector Street – Collectors are primarily lined with residential development and serve a function similar to that of local streets, but with higher traffic volumes. Collector streets serve pedestrian and bicycle traffic, as well as automobiles and sometimes transit. Collectors may be classified either as "major" or "minor;" a major collector typically has four lanes, while a minor collector has two lanes. Driveway access from fronting properties should be designed according to the City's Standard Specifications.
6. Local Street – The primary purpose of local streets is to connect people to their neighbors and neighborhood. Cars are not excluded, but they are not the focus of transportation. Driveway access from fronting properties should be designed according to the City's Standard Specifications.

- Policy V.H.2 Level of Service: LOS "D" is the threshold of significance for measuring traffic impacts.
- Policy V.H.3 Coordinate Planning Efforts. Coordinate the City's streets and highways system with Caltrans', the County's, and other jurisdictions' existing facilities and plans.
- Policy V.H.5 Driveway Consolidation. Consolidate driveways to reduce potential vehicle-pedestrian conflicts.
- Policy V.H.8 Intersection Control: The type(s) of intersection control(s) (e.g. traffic signal, traffic circle, roundabout, etc.) will be determined by the City Engineer at the time of project design.
- Policy V.H.9 Standard Specifications. The City's Standard Specifications Manual applies to the construction of new roadway facilities. More design details are provided in the City's adopted *Standard Specifications*.
- Policy V.H.13 Truck Routes. Evaluate the need to identify new truck routes and the potential abandonment of existing truck routes due to increased truck traffic, increased size of trucks, and conflicts with pedestrian-oriented areas and noise-sensitive land uses.
- Policy V.H.15 Expressways: This classification defines high-volume, access-controlled roadways. Expressway locations / alignments are shown in the Circulation and Transportation Diagram, Figures V-1 and V-2. Street Details in the City of Modesto's Standard Specifications illustrate the intersection cross-section requirements for expressway intersections with arterial and collector streets, which are summarized on the following exhibit within this policy. This General Plan provides for expressways throughout the City. Continue to include these expressways in the Circulation and Transportation plan and to implement them in cooperation with the development community according to applicable design standards.
    1. Regulate and limit the number and design of expressway access locations in order to ensure the overall operational viability of expressways in the community.
    2. Any consideration of access to expressways is contingent on the ability of an applicant to provide a properly designed solution consistent with the adopted City standard specifications for access to expressways. The City Engineer may approve variations and deviations from adopted standard specifications pursuant to Section 7-1.701(I)(2) of the Municipal Code.
    3. Any access to expressways from private parcels will be at the sole expense of the property owner, including any reconstruction of the expressway that may be necessitated.

4. Expressway access to non-residential uses may be allowed on a case-by-case basis per the following criteria:
    - When an applicant demonstrates to the City Council's satisfaction that economic purposes are clearly restricted by denial of access to a particular parcel, and when the applicant demonstrates to the City Council's satisfaction that there are either no or only highly restrictive alternative access solutions available to a particular parcel; or,
    - For infill site developments, when an applicant demonstrates to the City Council's satisfaction that the economic benefits derived from development of the remnant parcel override the need to limit access to that parcel; or,
    - It is recognized that City of Modesto emergency facilities, such as police and fire stations, may be located on expressways and that direct access would be desirable. In these cases, direct access is allowed subject to approval by the City Engineer. Design of such access should have City Council approval prior to implementation.
5. The City has adopted access management policies that include design standards for expressway access (General Plan Amendment 2001-02, August 28, 2001, modified by General Plan Amendment 2010-01). The purpose of the guidelines and design standards is to provide safe ingress and egress to adjacent parcels while at the same time not degrading the carrying capacity, flow, and efficiency of the expressway

As previously noted, SB 743 prohibits the use of automobile delay and LOS as performance measures for determining transportation impacts under CEQA. Therefore, General Plan policies focused on intersection LOS significance thresholds were not evaluated as part of this study.

5.1.3.2 Non-Motorized Transportation Plan (City of Modesto, 2024)

The *Non-Motorized Transportation Plan* (City of Modesto, 2024) is a strategic framework aimed at improving and promoting walking, biking, and other forms of non-motorized travel within the city. It focuses on enhancing safety, connectivity, accessibility, and infrastructure to encourage residents to choose active transportation modes, thereby supporting healthier lifestyles, reducing traffic congestion, and minimizing environmental impacts. The plan outlines specific projects, policies, and programs designed to create a more pedestrian- and bicycle-friendly community in Modesto. Relevant transportation policies and actions outlined in the Plan include:

- Policy 1: Integrate bicycle and pedestrian network and facility needs into all City planning documents and capital improvement projects.
    - Action 1.5: Ensure that all traffic impact studies, analyses of proposed street changes, and development projects address impacts on bicycling and walking facilities.
- Policy 2: Coordinate with other agencies and stakeholders to incorporate and implement Plan policies and recommendations.
- Policy 3: Design a low-stress bikeway network to serve people of all ages and abilities.
- Policy 4: Design a connected, convenient, and comfortable pedestrian network to serve people of all ages and abilities.
    - Action 4.1: Include sidewalks on all new or retrofitted roadways.
    - Action 4.6: Plan and develop well-connected streets, sidewalks, and pathways that provide the most direct paths of travel for pedestrians. Provide connections between or through cul-de-sacs and remove barriers to walking where feasible.

- Policy 5: Develop an easy-to-read, unified, and comprehensive wayfinding system for people walking and biking.
- Policy 9: Ensure that bicyclists and pedestrians have accommodation in construction zones.
- Policy 10: Maintain designated facilities to be comfortable and free of hazards to people walking and bicycling.
    - Action 10.2: Trim overhanging and encroaching vegetation to maintain a clear travel path along pedestrian and bicycle facilities.
    - Action 10.5: Incorporate maintenance needs into the design of separated bikeways and trails to ensure proper maintenance after construction.
- Policy 13: Increase bicycling and walking through targeted marketing and promotion.

The *Non-Motorized Transportation Plan* (City of Modesto, 2024) includes a list of proposed non-motorized transportation improvements. The following lists proposed improvements in the project vicinity:

- Class I shared-use path on Carpenter Road from Maze Boulevard to Briggsmore Avenue
- Class IV bikeway on Carpenter Road from Maze Boulevard to Chicago Avenue
- Class I shared-use path is also planned along Canal Lateral Number Four from Carpenter Road to SR 99

5.1.3.3 Standard Specifications (City of Modesto, 2014)

The City of Modesto *Standard Specifications* (2014) establishes design standards roadway and intersection improvements within the city. These specifications ensure consistency, quality, safety, and compliance with applicable regulations throughout the planning, design, and construction phases of municipal infrastructure and development projects.

5.2 Project Specific Impacts

This section summarizes the transportation impact analysis required under CEQA, specifically addressing the transportation-focused checklist summarized in **Table 12** and outlined in Appendix G of the CEQA Guidelines for evaluating development project impact.

Impact determinations are described in detail below.

Table 12. CEQA Transportation Checklist

Project Impact Evaluation	Significant & Unavoidable Impact	Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			✓	
b. Conflict or be inconsistent with CEQA Guidelines, section 15064.3, subdivision (b)?			✓	
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		✓		
d. Result in inadequate emergency access?		✓		

Source Appendix G, CEQA Guidelines.

5.2.1 Thresholds of Significance

The following thresholds of significance are used to determine whether implementing the proposed project would result in a significant environmental impact. The thresholds are based on guidance from Appendix G of the CEQA Guidelines, OPR's Technical Advisory, and policies of City of Modesto. The proposed project would cause a significant impact if it would:

5.2.1.1 Roadway Network

a. For project land use components whose VMT impacts are otherwise not presumed to be less-than-significant based on the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR, December 2018) thresholds, exceed the applicable VMT threshold as follows:
    - Residential: If project generated VMT per capita exceeds 85% of baseline citywide VMT per capita
    - Event Center: Net increase in total VMT

b. Conflict with adopted policies, plans, or programs regarding roadway network improvements.

5.2.1.2 Active Transportation Network

c. Conflict with adopted policies, plans, or programs regarding bicycle or pedestrian facilities.

5.2.1.3 Transit Services and Facilities

d. Disrupt existing or planned transit facilities or conflict with adopted policies, plans, or programs regarding transit facilities or service.

e. Create a demand for transit that is currently unmet.

5.2.1.4 Hazards

f. Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses.

5.2.1.5 Emergency Access

g. Project results in inadequate emergency access.

With respect to the first significance criterion (Roadway Network), and as described later in this report, the proposed residential units are considered a small project and are presumed to have a less than significant impact. Event centers are considered locally serving and are also presumed to have a less than significant impact.

5.2.2 Transportation Impact Analysis

The project-specific impact analysis is summarized below by transportation discipline.

5.2.2.1 Roadway Network VMT Impacts

Impact TR-1*: Less Than Significant VMT Impacts Caused by Residential and Event Center Uses*

As shown in **Table 6**, the residential units are estimated to generate 20 weekday trips, well below the 110 daily trip screening threshold recommended by OPR's *Technical Advisory* for small projects, which can be presumed to have a **less than significant VMT impact**.

The event center can be considered local-serving because it improves destination proximity for similar land uses. The proposed event center is expected to redistribute trips rather than create new ones, as demand for these services is relatively fixed and venue choice depends on convenience, quality, and available amenities. Improving destination proximity would shorten travel distances and reduce VMT. Additionally, the event center introduces land use diversity in an otherwise residential and rural area. Therefore, the event center meets the local-serving screening criteria described in the *Technical Advisory* and can be presumed to have a **less than significant VMT impact**.

5.2.2.2 Roadway Network Plan Impacts

Impact TR-2*: Conflicts with Adopted Policies, Plans or Programs Regarding Auto Network Improvements*

Maze Boulevard and Carpenter Road segments along the project frontage are classified as four-lane minor arterials in the *City of Modesto Urban Area General Plan* (2019), while Maze Boulevard east of Carpenter Road is classified as a two-lane minor collector. Carpenter Road is currently a four-lane facility, but Maze Boulevard provides only two lanes along the project frontage. The site plan indicates that this two-lane configuration would remain, which conflicts with the General Plan's planned four-lane facility. In addition, the project frontage improvements do not meet the applicable street section (see **Figure 7**) and intersection design standards (see **Figure 8**) outlined in the City of Modesto *Standard Specifications* (2014) for Maze Boulevard. Although Carpenter Road meets the 80-foot curb-to-curb width standard for minor arterials, the proposed sidewalk improvements do not comply with the *Standard Specifications* (2014).

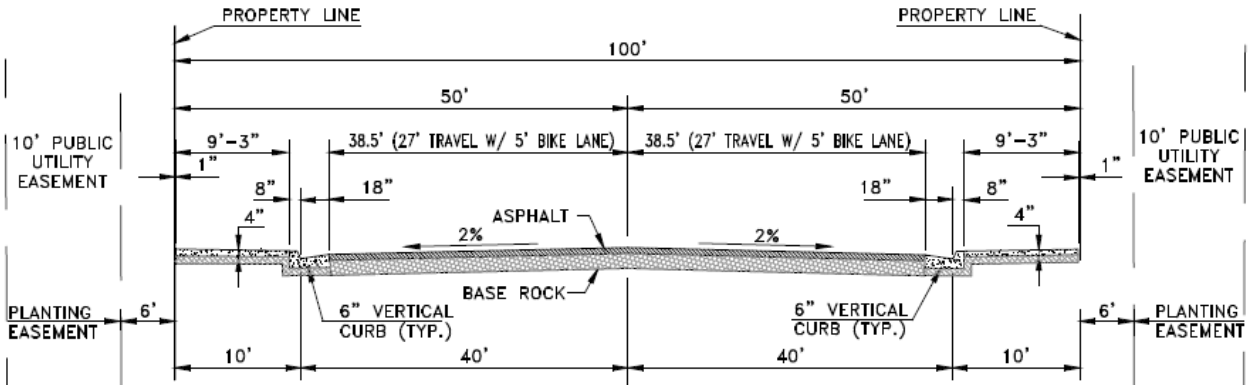


Figure 7. Minor Arterial Design Standard (Source: *Standard Specifications* (2014])

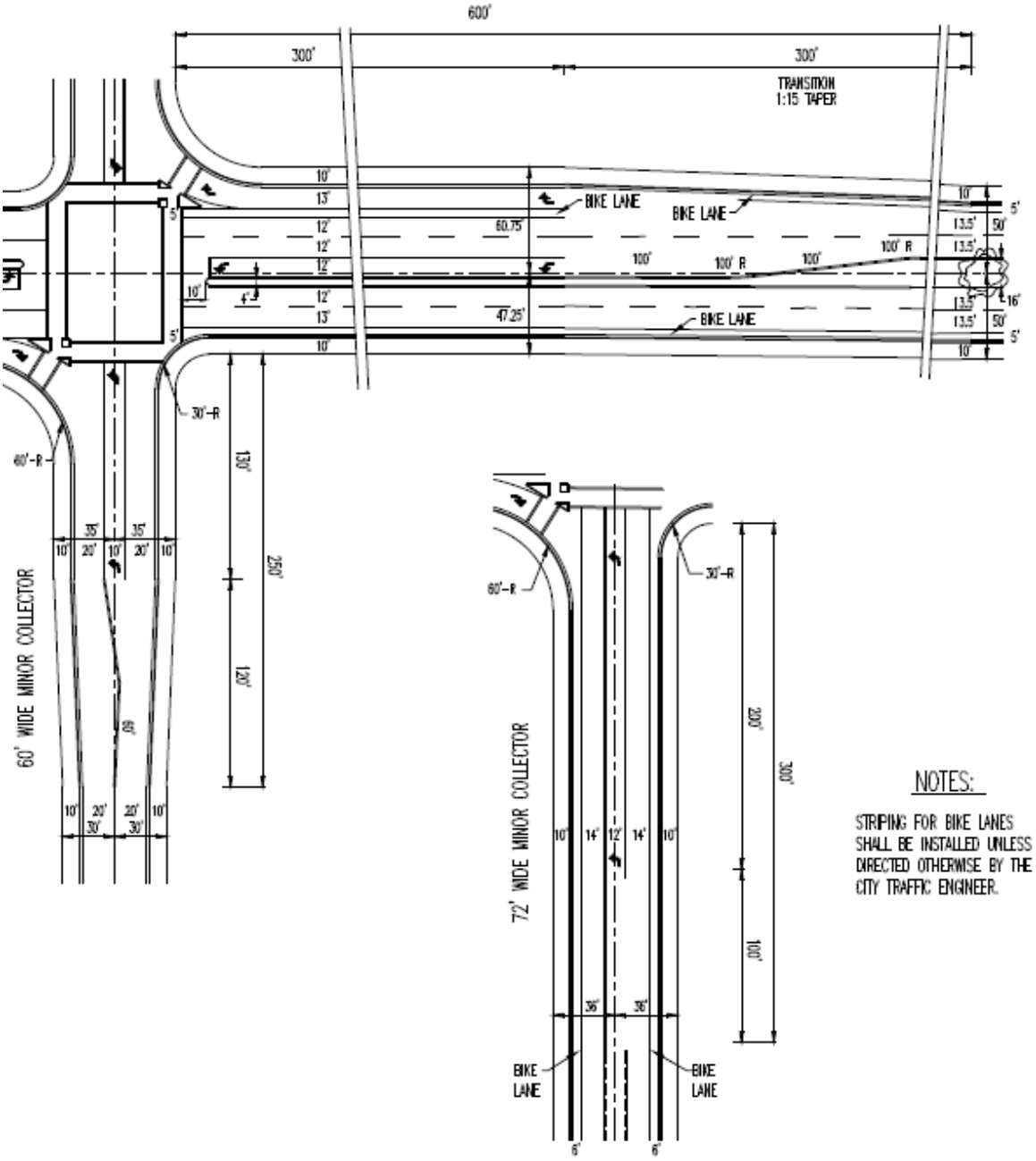


Figure 8. Minor Arterial/Minor Collector Design Standard (Source: *Standard Specifications* (2014])

The Maze Boulevard right-of-way (ROW) along the project frontage is currently under Caltrans jurisdiction; however, it is planned to be relinquished as part of the SR 132 West expressway project and transferred to the City of Modesto and/or Stanislaus County. The timing of this transfer is currently unknown. For this evaluation, City of Modesto design standards are referenced since Modesto is the lead agency and the project site would be annexed into the City if approved.

Although the proposed Maze Boulevard frontage improvements conflict with the planned four-lane improvements identified in the General Plan, the following General Plan goals support maintaining the two-lane segment:

- **Goal V.A**: Provide meaningful transportation choices, increase non-automobile mode share and facilitate complete streets.
- **Goal V.B**: Reduce trip lengths and vehicle miles traveled.
- **Goal V.C**: Consider revisions to the transportation system in a context-sensitive manner and evaluate the effects of new development and changes to the City's transportation infrastructure on all modes of travel (train, bus, car, bicycle, walking).
- **Goal V.H**: Support a healthy, safe Modesto by reducing trip lengths and vehicle miles traveled per capita, reducing collision rates, supporting the increased use of alternative modes, and helping reduce greenhouse gas emissions and other air pollutants, while balancing the transportation needs of all travelers.

Furthermore, construction of the remaining SR 132 West improvements is expected to divert regional through traffic from Maze Boulevard to the SR 132 West corridor. This shift would reduce traffic volumes along the project's Maze Boulevard frontage, thereby decreasing the need for capacity-increasing improvements on Maze Boulevard. Maintaining a two-lane minor arterial segment aligns with the General Plan goals by providing shorter pedestrian crossing distances, supporting safer access for pedestrians and bicyclists (especially near schools), and helping prevent induced VMT typically associated with capacity-increasing projects. For these reasons, the impact is considered **less than significant**. However, the project applicant should coordinate with City of Modesto staff to confirm frontage improvements to be required for the project.

> ***Recommendation 1:*** *Coordinate with City of Modesto staff to confirm whether the two-lane Maze Boulevard segment can be maintained along the project frontage or if the site plan should be modified to accommodate widening to four lanes.*

The assessment of sidewalk, bikeway and driveway safety impacts are summarized in the following sections.

5.2.2.3 Active Transportation Network Impacts

Impact TR-3*: Conflicts with Adopted Policies, Plans or Programs Regarding Bicycle or Pedestrian Facilities*

The project proposes five-foot-wide sidewalks along the Maze Boulevard and Carpenter Road frontages; however, as shown in **Figure 7**, minor arterials require a minimum sidewalk width of 10 feet. This is considered a **significant impact**.

> ***Mitigation Measure TR-3****: Revise the project site plan to provide minimum 10-foot-wide sidewalks along the Maze Boulevard and Carpenter Road frontages. Sidewalks and associated curb ramps shall be designed to City of Modesto standards.*
>
> ***Responsible Party****: Project Applicant*
>
> ***Significance After Mitigation****: Less Than Significant*

The project does not propose bikeway improvements along Maze Boulevard or Carpenter Road. Planned bikeway improvements are not identified for Maze Boulevard in either the City of Modesto *Non-Motorized Transportation Plan* (2024) or StanCOG's *2021 Non-Motorized Transportation Master Plan*; therefore, the project does not conflict with planned improvements on this segment.

The City's *Non-Motorized Transportation Plan* (2024) does recommend a Class I shared-use path along Carpenter Road from Maze Boulevard to Briggsmore Avenue; however, that plan does not specify which side of Carpenter Road the Class I facility should be implemented on. Although the project does not propose a Class I facility along its frontage, it does not preclude or conflict with its future implementation, as the future path can be accommodated within the existing ROW while maintaining current lane configurations. Therefore, the project's impact on planned bicycle facilities on Carpenter Road and Maze Boulevard is considered **less than significant**.

Although the project does not conflict with the planned Class I shared-use path along Carpenter Road north of Maze Boulevard, it is recommended that the project implement a minimum 12-foot-wide Class I shared-use path along the Carpenter Road frontage in place of the required 10-foot-wide sidewalk. Implementing the Class I facility would support General Plan complete streets and active transportation goals.

> ***Recommendation 2:*** Revise project site plan to provide a *minimum 12-foot-wide Class I shared-use path along the Carpenter Road frontage in place of the required 10-foot-wide sidewalk.*

5.2.2.4 Transit Network Impacts

Impact TR-4*: Inadequate Transit Service to Meet Demand*

The project would not eliminate or adversely affect existing transit access. StanRTA currently operates Routes 26 and 33, with bus stops located on Carpenter Road just north of the project site. These existing bus stops are within a five-minute walking distance of the project site. Therefore, this impact is considered **less than significant**, and no mitigation is required.

5.2.2.5 Roadway Safety Impacts

Impact TR-5*: Increased Hazards due to Geometric Design Features*

The project proposes a new driveway on Maze Boulevard approximately 230 feet west of Carpenter Road and another on Carpenter Road about 190 feet north of Maze Boulevard. The site plan does not indicate any changes to lane configurations or traffic controls within the curb-to-curb roadway width at either driveway. This analysis assumes the Maze Boulevard driveway would be full-access, allowing inbound and outbound left turns, while the Carpenter Road driveway is assumed to be right-turn in/right-turn out only. Inbound and outbound left-turn access at the Carpenter Road driveway is not recommended due to existing peak hour traffic volumes, roadway width, and its proximity to the Maze Boulevard intersection. If inbound and outbound left-turn access is necessary for the project applicant, it can be accommodated at the Maze Boulevard driveway, provided it meets applicable design standards.

When evaluating new driveways proposed by development projects, it is essential to consider both corner sight distance and stopping sight distance, as defined in the *California Highway Design Manual* (HDM, Caltrans).

Corner sight distance (CSD) applies specifically to intersections and driveways. It is the distance required for a driver entering or crossing a roadway to see approaching traffic and make safe decisions. Adequate CSD ensures that vehicles can enter or exit a site without causing unsafe conditions for themselves or others.

Stopping sight distance (SSD) refers to the minimum length of roadway ahead that must be visible to a driver to allow sufficient time to perceive a hazard and come to a complete stop safely. This distance varies based on design speed and roadway conditions and is critical for ensuring safe operation at intersections, driveways, and other points of conflict.

Roadway speed is a critical factor in determining adequate sight distance at project driveways. Private driveways connecting to public roadways must provide sufficient CSD and SSD to ensure safe vehicle movements. Along the project frontage, Maze Boulevard has a posted speed limit of 50 mph, compared to 40 mph along Carpenter Road.

Table 13 presents the minimum SSD and CSD requirements for the driveways and cross streets. Both driveways meet the minimum SSD and CSD for the posted speed limits based on the configurations shown in the current site plan (see **Figure 1**). However, if the City of Modesto requires the project to widen Maze Boulevard along the site frontage, the project driveway would be set back an additional 12 feet or more. This could introduce obstructions from existing trees on the west side of the driveway, reducing the CSD to approximately 400 feet.

As shown in **Table 4**, 20 collisions were reported near the Maze Boulevard/Carpenter Road intersection between July 1, 2020, and June 30, 2025. All collisions resulted in injury, and 60 percent were rear-end collisions. High approach speeds are a common contributing factor to rear-end collisions. Given the 50 mph posted speed limit on Maze Boulevard and the high number of collisions observed during the latest five-year period, adding a new full-access driveway on Maze Boulevard would increase collision hazards between left-turning vehicles exiting the driveway and eastbound through traffic. This impact is considered **significant**, and its severity would be greater if the driveway is set back further to accommodate potential widening along the Maze Boulevard frontage.

Table 13. Stopping Sight Distance and Corner Sight Distance at Project Driveways

Driveway Location	Posted Speed Limit	Minimum HDM Requirement		CSD at Project Driveways	
		SSD (ft)	CSD (ft)	CSD (ft)	Adequate Sight Distance Provided?
Maze Boulevard	50 mph	430	550	>550	Yes
Carpenter Road	40 mph	300	440	>440	Yes

Source: Fehr & Peers, 2025.

The following mitigation measure is recommended for the Maze Boulevard driveway.

> ***Mitigation Measure TR-5A****: The project applicant shall design the Maze Boulevard driveway intersection in accordance with applicable Caltrans, City of Modesto, and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances. In addition, the applicant shall coordinate with Caltrans, the City of Modesto, and/or Stanislaus County to reduce the posted speed limit to 35 miles per hour or lower along Maze Boulevard in the vicinity of the project site. Improvements to support a reduced speed limit may include but are not limited to: new speed limit signage, dynamic speed feedback sign(s), advance driveway warning sign(s), roadway restriping, dedicated eastbound Maze Boulevard left-turn lane width adequate deceleration length, and improved street lighting. Furthermore, "Keep Clear" striping shall be installed along eastbound Maze Boulevard in front of the project driveway.*
>
> *The project applicant shall maintain landscaping adjacent to the project driveway to prevent sight-distance conflicts. Shrubs should not exceed two and a half feet in height, and tree canopies should be at least six feet above the ground. The project applicant shall ensure that any monument signage (if proposed) near the project driveway does not interfere with sight distance for drivers entering or exiting the site.*
>
> ***Responsible Party****: Project Applicant, in coordination with Caltrans, City of Modesto and/or Stanislaus County*
>
> ***Significance After Mitigation****: Less Than Significant*

The public ROW along the Maze Boulevard frontage is currently under Caltrans jurisdiction. The SR 132 West project includes plans to transfer ROW from Caltrans to either the City of Modesto or Stanislaus County; however, the timing and extent of this transfer is not yet known. For these reasons, the applicant needs to coordinate with all three agencies to implement site access improvements on Maze Boulevard. If Caltrans has jurisdiction during the development's encroachment permit application phase, the project applicant may be required to prepare an Intersection Safety and Operational Assessment Process (ISOAP) evaluation to review proposed site access improvements. If required, the ISOAP process would identify site access lane configurations, traffic controls, and speed-reducing improvements in compliance with Caltrans policies and design standards.

The Carpenter Road driveway is assumed to operate as a right-turn-in/right-turn out only driveway. However, the project site plan does not provide improvements that would prohibit inbound or outbound left-turn movements at the Carpenter Road driveway. The lack of improvements would

allow inbound or outbound vehicles to turn left, leading to an increased collision hazard due to a geometric design feature. This is considered a **significant impact**. The following mitigation measure is recommended for the Carpenter Road driveway.

> ***Mitigation Measure TR-5B****: The project applicant shall design the Carpenter Road driveway intersection in accordance with applicable City of Modesto and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances. Improvements shall include a raised median to prohibit inbound and outbound left-turn movements, "One Way" signage on the median, "Right Turn Only" signage at the project driveway, and "Keep Clear" striping on southbound Carpenter Road in front of the project driveway.*
>
> *The project applicant shall maintain landscaping adjacent to the project driveway to prevent sight-distance conflicts. Shrubs should not exceed two and a half feet in height, and tree canopies should be at least six feet above the ground. The project applicant shall ensure that any monument signage (if proposed) near the project driveway does not interfere with sight distance for drivers entering or exiting the site.*
>
> ***Responsible Party****: Project Applicant, in coordination with City of Modesto and/or Stanislaus County*
>
> ***Significance After Mitigation****: Less Than Significant*

The driveway design shown in the site plan in **Figure 1** would increase collision hazards at both driveways due to a combination of lane configurations, posted speed limits, existing traffic volumes (see **Table 2**), and collision history (see **Table 4**). Additional coordination with Caltrans, the City of Modesto, and/or Stanislaus County is necessary to establish design requirements for improvements that ensure safe site access at both project driveways.

5.2.2.6 Emergency Access Impacts

Impact TR-6*: Inadequate Emergency Access*

The nearest fire station is City of Modesto Fire Station 4, located at 1505 Blue Gum Avenue, approximately 1.5 miles north of the project site. The project site includes two driveways, each providing a minimum clear width of 26 feet. As shown in the site plan in **Figure 1**, the internal drive aisle network maintains a clear width of 26 feet along the north-site drive aisles; however, the northern east-west drive aisle provides only a 25-foot clear width.

The proposed event center has a height that extends up to 35 feet. According to Section D104 of the *2025 California Fire Code, Title 24, Part 9*, a minimum width of 26 feet is required for aerial fire access roads serving buildings more than 30 feet in height. Aerial fire access roads must also be located between 15 and 30 feet from the building and positioned parallel to one entire side of the building. Furthermore, buildings less than 62,000 sf in gross building area that exceed 30 feet in height must provide one aerial fire access road. An exception to the aerial fire access road requirement is allowed if the building is equipped with approved automatic sprinkler system and enclosed stairway with roof access. The project site plan provides one aerial fire access on the west side of the building, located 29 feet from the building face; however, this access is closest to a building face that is less than 30 feet in height. The aerial fire access road is more than 30 feet from a

building face that exceeds 30 feet in height. Furthermore, the building floor plan does not identify any enclosed stairways with roof access. This is considered a **significant impact**.

> ***Mitigation Measure TR-6****: Revise the project site plan to provide one aerial fire access road with a minimum 26-foot clear width, located within 15 to 30 feet from a building face that is greater than 30 feet in height. Alternatively, equip the building with automatic sprinkler system and provide an enclosed stairway with roof access. Or confirm with the Fire Department that the proposed aerial fire access road is acceptable.*
>
> ***Responsible Party****: Project Applicant*
>
> ***Significance After Mitigation****: Less Than Significant*

As discussed in Section 1.2, public comments raised concerns regarding increased traffic volumes hindering emergency response times for nearby schools and surrounding neighborhoods. As shown in **Table 8**, the project is only anticipated to only increase average delay at the Maze Boulevard/Carpenter Road intersection by two seconds during the commute peak hours. Furthermore, emergency vehicles would maintain right-of-way over vehicles. Trips generated by the project would not prevent access for emergency vehicles. The addition of project-generated traffic at study intersections would have a negligible effect on emergency vehicle circulation, as all vehicles are required to yield to emergency vehicles.

The final site plan must be approved by the City of Modesto Fire Department to ensure the emergency access routes meet requirements to facilitate the safe movement of emergency vehicles.

5.2.2.7 Cumulative Impacts

A cumulative impact analysis evaluates the combined transportation effects of the proposed project alongside other reasonably foreseeable developments in the surrounding area. Given the proposed project description and based on the findings of the project-level impact analysis described above, the cumulative analysis is expected to yield similar conclusions. Specifically, the project is not anticipated to contribute substantially to cumulative transportation impacts beyond those already identified and addressed at the project level described above. As such, under cumulative conditions, the proposed project is expected to result in **less than significant** transportation impacts pursuant to Appendix G of the CEQA guidelines.

5.2.2.8 Off-Street Parking Assessment

Under CEQA, parking is generally not considered in the transportation impact assessment for the purposes of environmental analysis. However, a non-CEQA parking evaluation was conducted to confirm if the project meets City of Modesto Municipal Code requirements and parking-focused General Plan policies. Section 10-5.102 of the Municipal Code specifies the following minimum parking requirements for multi-family residential developments:

- Studio and one-bedroom units: one parking stall per unit
- Two or more bedrooms: two parking stalls per unit

Proposed apartments would be two-bedroom dwellings. The Municipal Code also specifies a minimum of one parking stall per 50 sf of assembly floor area. **Table 14** compares the minimum parking requirements to the proposed parking supply. The project requires a minimum of four parking

spaces for residents and 106 spaces for the event center, for a total of 110 spaces. The site plan proposes 112 parking spaces, which meets the City of Modesto's minimum parking requirements.

Table 14. Minimum Off-Street Parking Requirements

Land Use Type	Quantity	Minimum Parking Ratio[1]	Minimum Parking Requirement (stalls)
Two-Bedroom Apartments	2 dwelling units	2 stalls per unit	4
Event Center	5,300 sf assembly hall area	1 stall per 50 sf of assembly floor area	106
		Minimum Parking Required	**110**
		Total Parking Proposed	**112**
		Parking Surplus	**2**

Notes:
1. Based on parking requirements specified in Section 10-5.102 of City of Modesto Municipal Code for multi-family residential and assembly hall developments.

Source: Fehr & Peers, 2025.

5.2.2.8.1 ACCESSIBLE PARKING

Minimum accessible parking requirements are specified in Section 1109A.1 of the *2025 California Building Code, Volumes 1 and 2, Title 24, Part 2* (CBC), which goes into effect on January 1, 2026. The 2025 CBC requires that a minimum of 2% of the covered (ground-floor) multifamily dwelling units for each unit type be provided with accessible parking; at least one space of each type of parking facility shall be made accessible even if the total number exceeds 2%. In addition, five accessible parking stalls must be provided for parking lots 100 – 150 stalls in size. **Table 15** summarizes the accessible parking requirements for the project. A minimum of six accessible parking stalls are required for the site, including one stall for assigned resident parking and five stalls for event center parking. The project proposes three accessible stalls, missing the minimum requirement by three standard accessible stalls.

Table 15. Minimum Accessible Parking Requirements

Covered Dwelling Unit Type	Quantity	Minimum Parking Requirement[1]	Accessible Parking Requirement[1]	Minimum Parking Supply (stalls)
Apartments	2 dwelling units	4 stalls	2%	1
Event Center	108 parking stalls	106 stalls	5 stalls	5
			Minimum Accessible Parking Required	**6**
			Total Accessible Parking Proposed	**3**
			Accessible Parking Deficit	**-3**

Notes:
1. Based on parking requirements specified in Sections 10-5.102 and 11B-208.2 of City of Modesto Municipal Code for multi-family residential developments and public/commercial buildings.
2. Based on parking requirements specified in Section 1109A.1 of the *2025 California Building Code Volumes 1 and 2, Title 24, Part 2*.

Source: Fehr & Peers, 2025.

Per Section 1109A.8.6 of the 2025 CBC, a minimum of one accessible stall must be van-accessible. The project proposes one van-accessible stall, meeting the minimum requirement.

> ***Recommendation 3****: Revise project site plan to provide three additional standard accessible stalls for the event center. Stalls shall be designed in accordance to the 2025 California Building Code, Volumes 1 and 2, Title 24, Part 2.*

5.2.2.8.2 ELECTRIC VEHICLE PARKING

Minimum electric vehicle (EV) parking requirements are specified in Sections 4.106.4.2.2 and 5.106.5.3of the *2025 California Green Building Standards Code, Title 24, Part 11* (CALGreen), which goes into effect on January 1, 2026. The applicable minimum requirements are summarized for the following EV parking types:

- **EV Capable**: Parking stalls designed with the infrastructure (e.g., conduit and panel capacity) to support future installation of EV charging stations, but without the actual chargers installed.
- **EV Ready**: Parking stalls equipped with a dedicated branch circuit, including all necessary raceways (conduit or wiring), terminating in a receptacle, outlet, or charger location, to support future Level 2 EV charging.
- **EV Charging Stations (EVCS)**: Fully equipped stations with installed EV chargers that provide electricity to charge electric vehicles; may vary in charging speed (Level 2 or DC fast charging).
- **EV Accessible Charging Station (Accessible EVCS)**: EV charging station that is compliant with accessibility standards (e.g., ADA), ensuring that individuals with disabilities can safely and conveniently use the charging equipment.

Per Sections 4.106.4.2.2 and 5.106.5.3 of CALGreen, the project is required to provide 25 EV capable parking stalls, of which 12 should be EVCS including two accessible EVCS stalls. The residential development is required to provide two EV ready parking stalls, one per dwelling unit. As shown in **Table 16**, the project does not propose any EV parking.

Table 16. Minimum Off-Street Accessible Parking Requirement

Land Use	Size	Total Proposed Parking Supply (stalls)	Minimum EV Parking Requirement (stalls)[1]	Proposed EV Parking Supply (stalls)	EV Parking Deficit (stalls)[1]
Apartments	2 dwelling units	4	2 (0) [1]	0 (0) [0]	-2 (0) [-1]
Event Center	8,106 sf	108	25 (12) [2]	0 (0) [0]	-25 (-12) [-2]
Total	**--**	**112**	**27 (12) [3]**	0 (0) [0]	**-27 (-12) [-3]**

Notes:
1. Based on accessible EV parking requirements specified in Section 5.106.5.3 of the *2025 California Green Building Standards Code, Title 24, Part 11*. Accessible EV parking requirements specified in Section 11B-228.3.1 of the *2025 California Building Code, Title 24, Part 2.* Information displayed as: Total EV Capable & EV Ready & EVCS stalls (EVCS total stalls) [Accessible EVCS stalls only].

Source: Fehr & Peers, 2025.

The 2022 and 2025 CALGreen updates allow City of Modesto to determine that compliance with EV parking requirements is not feasible based upon one of the following conditions:

- Where there is no local utility power supply.
- Where the local utility is unable to supply adequate power.
- Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements may adversely impact the construction cost of the project.

The final site plan must be approved by the City of Modesto to ensure that adequate EV facilities are provided on-site to support the proposed development.

> ***Recommendation 4****: Provide EV-ready, EV-capable, and EVCS (Electric Vehicle Charging Station) off-street parking installations in accordance with the 2025 CALGreen requirements, unless exceptions to the minimum EV requirements are justified and approved by the City of Modesto.*

5.2.2.8.3 PARKING DIMENSIONS

Section 10-5.105 of the City of Modesto Municipal Code requires standard 90-degree parking stalls to be at least nine feet wide and 18 feet long, with drive aisles at least 24 feet wide. The project proposes stalls that are nine feet wide and 16 feet long, with aisle widths ranging from 25 to 26 feet throughout the site. While the stalls are shorter than 18 feet, the Municipal Code allows a reduction of up to 2.5 feet for stalls adjacent to landscaped areas or walkways. Since all stalls meet this condition, the project complies with the minimum dimension requirements for standard parking stalls. Parking stalls directly adjacent to the north side of the residential units are 18 feet in length.

Two accessible parking stalls proposed by the project provide a minimum width of nine feet, an adjacent five-foot-wide access aisle, and a length of 18 feet. One of the accessible stalls is 12 feet wide. These dimensions meet the minimum standards for both standard-accessible and van-accessible stalls as specified in Section 1109A.8.6 of the CBC.

5.2.2.8.4 BICYCLE PARKING

The upcoming 2025 CALGreen update (effective January 1, 2026) provides minimum bicycle parking requirements for the facility types described below.

- **Short-term bicycle parking** is intended for visitors and should be located within 200 feet of building entrances. Acceptable parking facilities include, but not limited to:
    - Permanently anchored bicycle parking devices, racks, or lockers in an unsheltered, open area.
    - Covered or uncovered enclosures with permanently anchored bicycle parking devices or racks.
- **Long-term bicycle parking** is designed for residents and must provide secure, sheltered storage for extended use. Long-term bicycle parking facilities include, but not limited to:
    - Covered, lockable enclosures with permanently anchored bicycle parking devices or racks.
    - Lockable bicycle storage rooms with permanently anchored bicycle parking devices or racks.
    - Lockable, weatherproof, permanently anchored bicycle lockers.

The minimum short-term and long-term bicycle parking requirements for the project are summarized in **Table 17**. As shown, the event center must provide at least 72 short-term bicycle parking spaces, equal to 20% of peak daily visitors, but it is not required to provide long-term stalls since it is not a tenant-occupied building. The apartments must provide at least two short-term spaces and one long-term facility with capacity for at least one bicycle. The site plan provided in **Figure 1** does not specify any short-term or long-term bicycle parking facilities.

> ***Recommendation 5:*** *Provide at least 74 short-term bicycle parking spaces within 200 feet of building entrances, along with a long-term facility for at least one bicycle, unless exceptions are justified and approved by the City of Modesto.*

Table 17. Minimum Bicycle Parking Requirements

Bicycle Parking Type	Quantity	Minimum Bicycle Parking Ratio[1]	Minimum Bicycle Parking Requirement
Apartments			
Short-Term	1,570 sf	1 bicycle per 10,000 sf, but not less than two bicycles	2 bicycles
Long-Term	2 units	1 bicycle per 2 units	1 bicycle
Event Center			
Short-Term	358 peak daily visitors	20% of peak daily visitor	72 bicycles
Long-Term	8,106 sf	Not Applicable	0 bicycles
		Short-Term Bicycle Parking Total	**74 bicycles**
		Long-Term Bicycle Parking Total	**1 bicycle**

Notes:
1. Based on parking requirements specified in Sections 4.106.4.4 and 5.106.4.1 of the *2025 California Green Building Standards Code, Title 24, Part 11* for multi-family residential developments.

Source: Fehr & Peers, 2025.

6. Conclusions

The proposed project is expected to generate approximately 310 daily trips and 141 AM and PM peak hour trips on typical weekdays. Saturday peak hour trips are only about 20 higher than weekday peak hour trips because weekend events (e.g., weddings, birthday parties, dance parties) are assumed to have higher vehicle occupancy.

The project would increase traffic volumes at the adjacent Maze Boulevard/Carpenter Road intersection; however, the intersection is expected to continue operating at an acceptable LOS during the weekday AM and PM peak hours when local schools are in session, under both Existing and Near-Term Plus Project conditions. Both project driveways are expected to operate at an acceptable LOS during AM and PM peak hours under these conditions; however, additional improvements are needed at both driveways to mitigate increased collision hazards due to geometric design. The mitigation measures are described below.

Pursuant to SB 743, VMT has replaced congestion as the metric for determining transportation impacts under CEQA. Section 15064.3 of the CEQA Guidelines provides that VMT is the "most appropriate measure of transportation impacts" and mandates analysis of VMT impacts effective July 1, 2020. A project's effect on automobile delay and LOS is no longer a consideration when identifying a significant impact under CEQA. The project's impact on VMT is less than significant. However, the project is expected to cause the following significant impacts on the transportation system:

> ***Impact TR-3****: Conflicts with adopted policies, plans or programs regarding bicycle or pedestrian facilities. Specifically, the proposed five-foot wide sidewalks on the Maze Boulevard and Carpenter Road frontages do not meet the minimum 10-foot-wide City of Modesto design standard.*
>
> ***Impact TR-5A****: Increased hazards due to geometric design features. Specifically, the Maze Boulevard project driveway on Maze Boulevard would increase collision hazard as currently designed.*
>
> ***Impact TR-5B****: Increased hazards due to geometric design features. Specifically, the Maze Boulevard project driveway on Maze Boulevard would increase collision hazard as currently designed.*
>
> ***Impact TR-6****: Inadequate emergency access as the project does not provide adequate aerial fire access road given that the event center building height exceeds 30 feet.*

The following mitigation measures are recommended to mitigate the significant impacts described above. If implemented, all mitigation measures are expected to reduce impacts to less than significant.

> ***Mitigation Measure TR-3****: Revise the project site plan to provide minimum 10-foot-wide sidewalks along the Maze Boulevard and Carpenter Road frontages. Sidewalks and associated curb ramps shall be designed to City of Modesto standards.*
>
> ***Responsible Party****: Project Applicant*
>
> ***Significance After Mitigation****: Less Than Significant*

***Mitigation Measure TR-5A**: The project applicant shall design the Maze Boulevard driveway intersection in accordance with applicable Caltrans, City of Modesto, and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances. In addition, the applicant shall coordinate with Caltrans, the City of Modesto, and/or Stanislaus County to reduce the posted speed limit to 35 miles per hour or lower along Maze Boulevard in the vicinity of the project site. Improvements to support a reduced speed limit may include but are not limited to: new speed limit signage, dynamic speed feedback sign(s), advance driveway warning sign(s), roadway restriping, dedicated eastbound Maze Boulevard left-turn lane width adequate deceleration length, and improved street lighting. Furthermore, "Keep Clear" striping shall be installed along eastbound Maze Boulevard in front of the project driveway.*

The project applicant shall maintain landscaping adjacent to the project driveway to prevent sight-distance conflicts. Shrubs should not exceed two and a half feet in height, and tree canopies should be at least six feet above the ground. The project applicant shall ensure that any monument signage (if proposed) near the project driveway does not interfere with sight distance for drivers entering or exiting the site.

***Responsible Party**: Project Applicant, in coordination with Caltrans, City of Modesto and/or Stanislaus County*

***Significance After Mitigation**: Less Than Significant*

***Mitigation Measure TR-5B**: The project applicant shall design the Carpenter Road driveway intersection in accordance with applicable City of Modesto and/or Stanislaus County standards to ensure adequate lane configurations, traffic controls, and corner sight distances. Improvements shall include a raised median to prohibit inbound and outbound left-turn movements, "Right Turn Only" signage on both the median and the project driveway, and "Keep Clear" striping installed on southbound Carpenter Road in front of the project driveway.*

The project applicant shall maintain landscaping adjacent to the project driveway to prevent sight-distance conflicts. Shrubs should not exceed two and a half feet in height, and tree canopies should be at least six feet above the ground. The project applicant shall ensure that any monument signage (if proposed) near the project driveway does not interfere with sight distance for drivers entering or exiting the site.

***Responsible Party**: Project Applicant, in coordination with City of Modesto and/or Stanislaus County*

***Significance After Mitigation**: Less Than Significant*

***Mitigation Measure TR-6**: Revise the project site plan to provide one aerial fire access road with a minimum 26-foot clear width, located within 15 to 30 feet from a building face that is greater than 30 feet in height. Alternatively, equip the building with automatic sprinkler system and provide an enclosed stairway with roof access. Or confirm with the Fire Department that the proposed aerial fire access road is acceptable.*

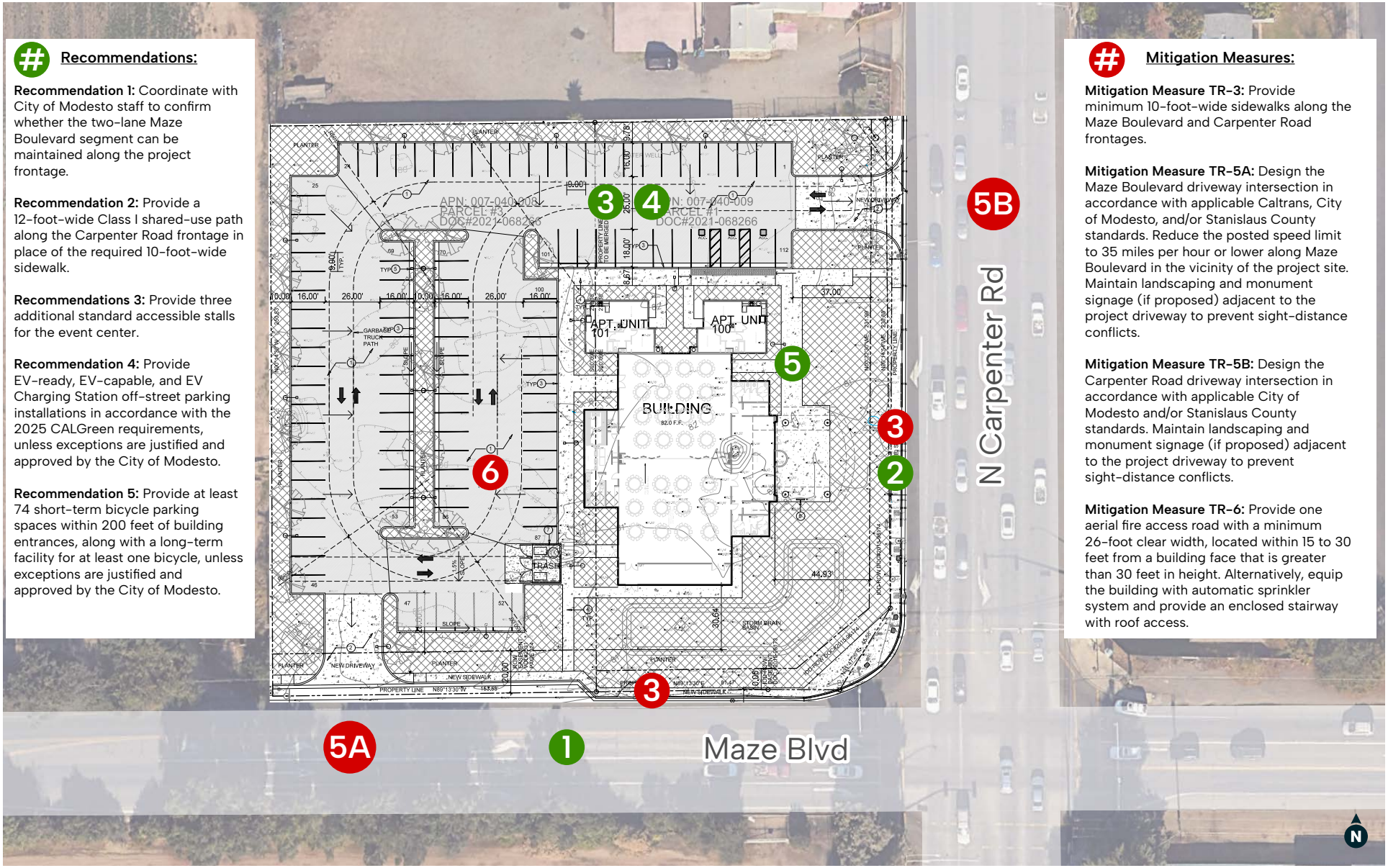
***Responsible Party**: Project Applicant*

***Significance After Mitigation**: Less Than Significant*

Although not required under CEQA, Fehr & Peers the following actions and site plan improvements are recommended:

> ***Recommendation 1:*** *Coordinate with City of Modesto staff to confirm whether the two-lane Maze Boulevard segment can be maintained along the project frontage or if the site plan should be modified to accommodate widening to four lanes.*
>
> ***Recommendation 2:*** Revise project site plan to provide a *minimum 12-foot-wide Class I shared-use path along the Carpenter Road frontage in place of the required 10-foot-wide sidewalk.*
>
> ***Recommendation 3****: Revise project site plan to provide three additional standard accessible stalls for the event center. Stalls shall be designed in accordance to the 2025 California Building Code, Volumes 1 and 2, Title 24, Part 2.*
>
> ***Recommendation 4****: Provide EV-ready, EV-capable, and EVCS (Electric Vehicle Charging Station) off-street parking installations in accordance with the 2025 CALGreen requirements, unless exceptions to the minimum EV requirements are justified and approved by the City of Modesto.*
>
> ***Recommendation 5:*** *Provide at least 74 short-term bicycle parking spaces within 200 feet of building entrances, along with a long-term facility for at least one bicycle, unless exceptions are justified and approved by the City of Modesto.*

Mitigation measures and recommended improvements are also highlighted in **Figure 9**.



Site Plan Source: Edmond Jacobs Architect, December 4, 2024.

FIGURE 9

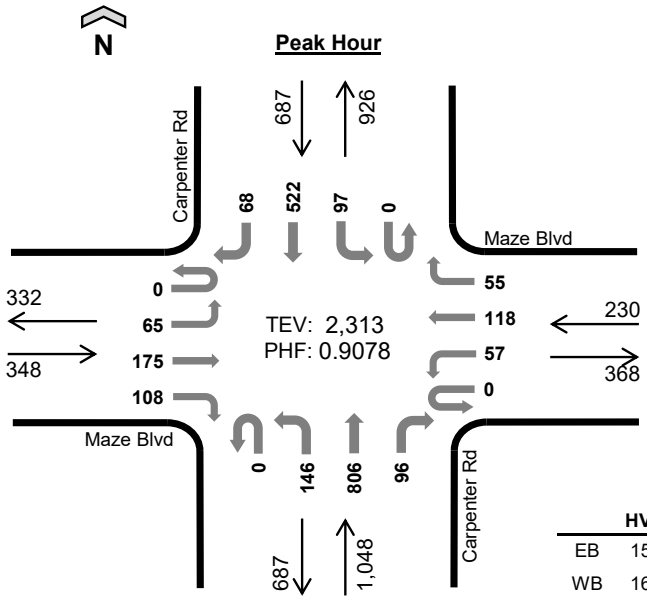
Project Mitigation Measures and Site Recommendations – Transportation

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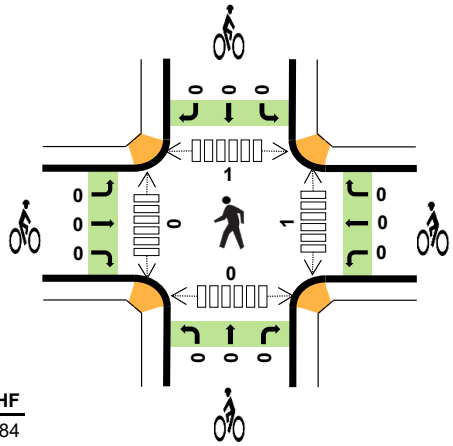
Appendix A. Intersection Count Worksheets

Carpenter Rd
Maze Blvd

Date: 9/25/2025
Count Period: 7:00 AM to 9:00 AM
Peak Hour: 7:30 AM to 8:30 AM



	HV%	PHF
EB	15%	0.84
WB	16%	0.80
NB	3%	0.87
SB	4%	0.80
TOTAL	6%	0.91



Peak Hour Count Summaries

Peak Hour Interval Start		Maze Blvd Eastbound				Maze Blvd Westbound				Carpenter Rd Northbound				Carpenter Rd Southbound				15-min Total	Rolling Hour Total
		UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:30 AM		0	12	47	25	0	14	30	15	0	34	191	27	0	26	130	20	571	0
7:45 AM		0	19	53	31	0	16	37	19	0	27	189	30	0	35	161	20	637	0
8:00 AM		0	16	42	31	0	16	24	12	0	49	178	21	0	15	113	11	528	0
8:15 AM		0	18	33	21	0	11	27	9	0	36	248	18	0	21	118	17	577	2,313
Pk Hr	All	0	65	175	108	0	57	118	55	0	146	806	96	0	97	522	68	2,313	
	HV	0	2	43	7	0	4	24	9	0	4	22	3	0	0	20	5	143	
	HV%	-	3%	25%	6%	-	7%	20%	16%	-	3%	3%	3%	-	0%	4%	7%	6%	

Note: For complete count summary (all intervals), see following pages.
*** Heavy Vehicle Classifications include FHWA Classes 4-13.*
*** Count Summaries include heavy vehicles, but exclude bicycles in overall count.*

Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	E	W	N	S	Total
7:30 AM	12	7	7	5	*31*	0	0	0	0	*0*	0	0	0	0	*0*
7:45 AM	15	11	2	9	*37*	0	0	0	0	*0*	1	0	0	0	*1*
8:00 AM	19	10	11	8	*48*	0	0	0	0	*0*	0	0	1	0	*1*
8:15 AM	6	9	9	3	*27*	0	0	0	0	*0*	0	0	0	0	*0*
Peak Hour	52	37	29	25	*143*	0	0	0	0	*0*	1	0	1	0	*2*

Project Manager CA
(415) 757-7714
norcal.projectmanager@idaxdata.com

Count Summaries - All Vehicles

Interval Start	Maze Blvd				Maze Blvd				Carpenter Rd				Carpenter Rd				15-min Total	Rolling Hour Total
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM	0	4	32	11	0	5	33	5	0	31	123	9	0	7	70	13	343	0
7:15 AM	0	4	44	16	0	3	43	8	0	36	149	12	0	9	93	12	429	0
7:30 AM	**0**	**12**	**47**	**25**	**0**	**14**	**30**	**15**	**0**	**34**	**191**	**27**	**0**	**26**	**130**	**20**	**571**	**0**
7:45 AM	**0**	**19**	**53**	**31**	**0**	**16**	**37**	**19**	**0**	**27**	**189**	**30**	**0**	**35**	**161**	**20**	**637**	**1,980**
8:00 AM	**0**	**16**	**42**	**31**	**0**	**16**	**24**	**12**	**0**	**49**	**178**	**21**	**0**	**15**	**113**	**11**	**528**	**2,165**
8:15 AM	**0**	**18**	**33**	**21**	**0**	**11**	**27**	**9**	**0**	**36**	**248**	**18**	**0**	**21**	**118**	**17**	**577**	**2,313**
8:30 AM	0	21	57	14	0	14	50	16	1	36	193	21	0	11	96	21	551	2,293
8:45 AM	0	10	33	16	0	8	22	9	0	25	233	16	0	17	112	13	514	2,170
Count Total	0	104	341	165	0	87	266	93	1	274	1,504	154	0	141	893	127	4,150	
Pk Hr All	**0**	**65**	**175**	**108**	**0**	**57**	**118**	**55**	**0**	**146**	**806**	**96**	**0**	**97**	**522**	**68**	**2,313**	
Pk Hr HV	**0**	**2**	**43**	**7**	**0**	**4**	**24**	**9**	**0**	**4**	**22**	**3**	**0**	**0**	**20**	**5**	**143**	
Pk Hr HV%	**-**	**3%**	**25%**	**6%**	**-**	**7%**	**20%**	**16%**	**-**	**3%**	**3%**	**3%**	**-**	**0%**	**4%**	**7%**	**6%**	

Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	E	W	N	S	Total
7:00 AM	13	7	10	6	*36*	0	0	0	0	*0*	0	0	0	0	*0*
7:15 AM	17	7	19	7	*50*	0	0	0	0	*0*	0	0	0	0	*0*
7:30 AM	**12**	**7**	**7**	**5**	**31**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
7:45 AM	**15**	**11**	**2**	**9**	**37**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**0**	**0**	**1**
8:00 AM	**19**	**10**	**11**	**8**	**48**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**1**
8:15 AM	**6**	**9**	**9**	**3**	**27**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
8:30 AM	20	13	8	4	*45*	0	0	0	1	*1*	0	0	0	0	*0*
8:45 AM	13	5	10	11	*39*	0	0	0	0	*0*	0	10	0	0	*10*
Count Total	115	69	76	53	*313*	0	0	0	1	*1*	1	10	1	0	*12*
Peak Hour	**52**	**37**	**29**	**25**	***143***	**0**	**0**	**0**	**0**	***0***	**1**	**0**	**1**	**0**	**2**

Project Manager CA
(415) 757-7714
norcal.projectmanager@idaxdata.com

Count Summaries - Heavy Vehicles

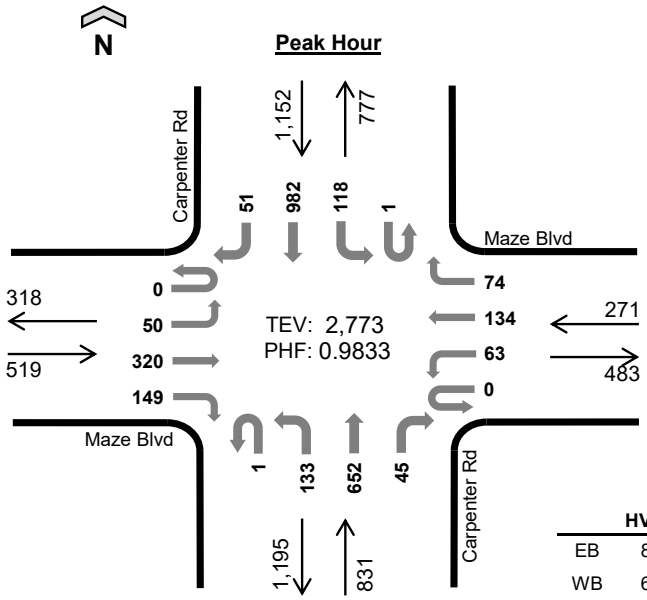
Interval Start	Maze Blvd				Maze Blvd				Carpenter Rd				Carpenter Rd				15-min Total	Rolling Hour Total
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM	0	0	13	0	0	1	6	0	0	3	6	1	0	1	5	0	36	0
7:15 AM	0	0	14	3	0	0	6	1	0	8	10	1	0	0	5	2	50	0
7:30 AM	**0**	**0**	**10**	**2**	**0**	**0**	**4**	**3**	**0**	**2**	**4**	**1**	**0**	**0**	**4**	**1**	**31**	**0**
7:45 AM	**0**	**0**	**14**	**1**	**0**	**2**	**6**	**3**	**0**	**0**	**2**	**0**	**0**	**0**	**7**	**2**	**37**	**154**
8:00 AM	**0**	**2**	**14**	**3**	**0**	**1**	**8**	**1**	**0**	**1**	**9**	**1**	**0**	**0**	**6**	**2**	**48**	**166**
8:15 AM	**0**	**0**	**5**	**1**	**0**	**1**	**6**	**2**	**0**	**1**	**7**	**1**	**0**	**0**	**3**	**0**	**27**	**143**
8:30 AM	0	0	18	2	0	0	13	0	0	3	4	1	0	0	3	1	45	157
8:45 AM	0	1	11	1	0	0	3	2	0	6	4	0	0	0	9	2	39	159
Count Total	0	3	99	13	0	5	52	12	0	24	46	6	0	1	42	10	313	
Pk Hr Heavy	**0**	**2**	**43**	**7**	**0**	**4**	**24**	**9**	**0**	**4**	**22**	**3**	**0**	**0**	**20**	**5**	**143**	

Count Summaries - Bikes

Interval Start	Maze Blvd				Maze Blvd				Carpenter Rd				Carpenter Rd				15-min Total	Rolling Hour Total
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
7:45 AM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
8:00 AM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
8:15 AM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Count Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	
Pk Hr Bike	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	

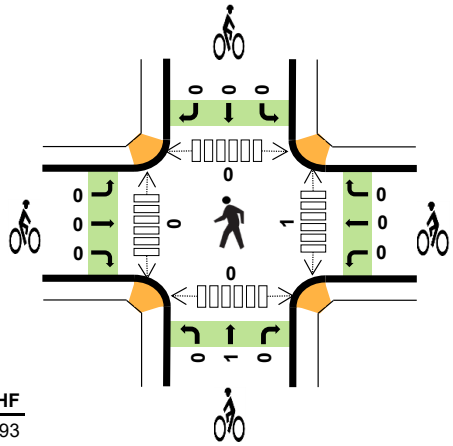
Project Manager CA
(415) 757-7714
norcal.projectmanager@idaxdata.com

Carpenter Rd
Maze Blvd



	HV%	PHF
EB	8%	0.93
WB	6%	0.76
NB	6%	0.88
SB	2%	0.97
TOTAL	5%	0.98

Date: 9/25/2025
Count Period: 2:00 PM to 6:00 PM
Peak Hour: 3:45 PM to 4:45 PM



Peak Hour Count Summaries

Peak Hour Interval Start		Maze Blvd Eastbound				Maze Blvd Westbound				Carpenter Rd Northbound				Carpenter Rd Southbound				15-min Total	Rolling Hour Total
		UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
3:45 PM		0	11	93	27	0	12	31	13	0	31	159	12	0	22	257	10	678	0
4:00 PM		0	9	77	37	0	20	37	16	1	37	168	9	1	35	236	16	699	0
4:15 PM		0	19	75	45	0	20	44	25	0	24	143	12	0	32	251	15	705	0
4:30 PM		0	11	75	40	0	11	22	20	0	41	182	12	0	29	238	10	691	2,773
Pk Hr	All	0	50	320	149	0	63	134	74	1	133	652	45	1	118	982	51	2,773	
	HV	0	1	31	9	0	2	10	4	0	10	36	0	0	0	21	2	126	
	HV%	-	2%	10%	6%	-	3%	7%	5%	0%	8%	6%	0%	0%	0%	2%	4%	5%	

Note: For complete count summary (all intervals), see following pages.
*** Heavy Vehicle Classifications include FHWA Classes 4-13.*
*** Count Summaries include heavy vehicles, but exclude bicycles in overall count.*

Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	E	W	N	S	Total
3:45 PM	9	3	7	6	*25*	0	0	0	0	*0*	0	0	0	0	*0*
4:00 PM	10	2	15	6	*33*	0	0	1	0	*1*	0	0	0	0	*0*
4:15 PM	11	7	17	7	*42*	0	0	0	0	*0*	0	0	0	0	*0*
4:30 PM	11	4	7	4	*26*	0	0	0	0	*0*	1	0	0	0	*1*
Peak Hour	41	16	46	23	*126*	0	0	1	0	*1*	1	0	0	0	*1*

Project Manager CA
(415) 757-7714
norcal.projectmanager@idaxdata.com

Count Summaries - All Vehicles

Interval Start	Maze Blvd Eastbound				Maze Blvd Westbound				Carpenter Rd Northbound				Carpenter Rd Southbound				15-min Total	Rolling Hour Total
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
2:00 PM	0	11	79	24	0	10	26	21	0	27	191	20	0	24	205	17	655	0
2:15 PM	0	5	79	26	0	17	17	13	0	25	168	14	0	18	184	9	575	0
2:30 PM	0	11	89	21	0	12	29	14	0	21	148	19	0	27	162	4	557	0
2:45 PM	0	9	99	30	0	18	23	24	0	25	173	22	0	43	202	13	681	2,468
3:00 PM	0	22	71	34	0	24	22	13	0	32	157	14	0	40	235	11	675	2,488
3:15 PM	0	5	74	39	0	15	22	20	0	26	160	17	0	40	218	18	654	2,567
3:30 PM	0	16	97	44	0	14	44	13	0	25	158	17	0	32	200	12	672	2,682
3:45 PM	**0**	**11**	**93**	**27**	**0**	**12**	**31**	**13**	**0**	**31**	**159**	**12**	**0**	**22**	**257**	**10**	**678**	**2,679**
4:00 PM	**0**	**9**	**77**	**37**	**0**	**20**	**37**	**16**	**1**	**37**	**168**	**9**	**1**	**35**	**236**	**16**	**699**	**2,703**
4:15 PM	**0**	**19**	**75**	**45**	**0**	**20**	**44**	**25**	**0**	**24**	**143**	**12**	**0**	**32**	**251**	**15**	**705**	**2,754**
4:30 PM	**0**	**11**	**75**	**40**	**0**	**11**	**22**	**20**	**0**	**41**	**182**	**12**	**0**	**29**	**238**	**10**	**691**	**2,773**
4:45 PM	0	7	83	28	0	10	29	16	0	28	168	18	0	30	236	16	669	2,764
5:00 PM	0	12	82	39	0	14	31	14	0	30	144	12	0	27	227	25	657	2,722
5:15 PM	0	9	87	22	0	17	33	15	0	39	158	16	0	24	240	22	682	2,699
5:30 PM	0	15	74	25	0	9	41	12	0	42	175	25	0	48	221	16	703	2,711
5:45 PM	0	17	89	35	0	10	33	12	0	28	165	13	0	29	218	12	661	2,703
Count Total	0	189	1,323	516	0	233	484	261	1	481	2,617	252	1	500	3,530	226	10,614	
Pk Hr All	**0**	**50**	**320**	**149**	**0**	**63**	**134**	**74**	**1**	**133**	**652**	**45**	**1**	**118**	**982**	**51**	**2,773**	
Pk Hr HV	**0**	**1**	**31**	**9**	**0**	**2**	**10**	**4**	**0**	**10**	**36**	**0**	**0**	**0**	**21**	**2**	**126**	
Pk Hr HV%	**-**	**2%**	**10%**	**6%**	**-**	**3%**	**7%**	**5%**	**0%**	**8%**	**6%**	**0%**	**0%**	**0%**	**2%**	**4%**	**5%**	

Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	E	W	N	S	Total
2:00 PM	15	5	12	8	*40*	0	0	0	0	*0*	3	0	0	0	*3*
2:15 PM	13	2	11	8	*34*	0	0	0	0	*0*	0	0	0	0	*0*
2:30 PM	9	6	2	9	*26*	0	0	0	0	*0*	0	0	0	0	*0*
2:45 PM	10	6	8	5	*29*	0	0	0	0	*0*	0	0	0	0	*0*
3:00 PM	10	3	6	9	*28*	1	0	0	0	*1*	2	0	0	0	*2*
3:15 PM	13	4	2	11	*30*	0	0	0	0	*0*	4	0	0	0	*4*
3:30 PM	13	6	7	11	*37*	0	0	0	0	*0*	0	0	0	0	*0*
3:45 PM	**9**	**3**	**7**	**6**	**25**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
4:00 PM	**10**	**2**	**15**	**6**	**33**	**0**	**0**	**1**	**0**	**1**	**0**	**0**	**0**	**0**	**0**
4:15 PM	**11**	**7**	**17**	**7**	**42**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
4:30 PM	**11**	**4**	**7**	**4**	**26**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**0**	**0**	**1**
4:45 PM	7	4	10	8	*29*	0	0	0	0	*0*	0	0	0	0	*0*
5:00 PM	8	3	1	7	*19*	0	0	0	0	*0*	0	0	0	0	*0*
5:15 PM	1	3	6	3	*13*	0	0	0	0	*0*	0	0	0	0	*0*
5:30 PM	6	1	3	1	*11*	0	0	0	0	*0*	0	0	0	0	*0*
5:45 PM	4	2	3	3	*12*	0	0	0	0	*0*	0	0	0	0	*0*
Count Total	150	61	117	106	*434*	1	0	1	0	*2*	10	0	0	0	*10*
Peak Hour	**41**	**16**	**46**	**23**	***126***	**0**	**0**	**1**	**0**	***1***	**1**	**0**	**0**	**0**	**1**

Project Manager CA
(415) 757-7714
norcal.projectmanager@idaxdata.com

Count Summaries - Heavy Vehicles

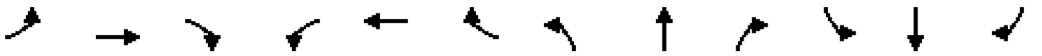
Interval Start	Maze Blvd				Maze Blvd				Carpenter Rd				Carpenter Rd				15-min Total	Rolling Hour Total
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
2:00 PM	0	0	13	2	0	1	2	2	0	2	10	0	0	0	6	2	40	0
2:15 PM	0	0	8	5	0	0	2	0	0	2	8	1	0	1	6	1	34	0
2:30 PM	0	1	7	1	0	1	3	2	0	0	2	0	0	1	8	0	26	0
2:45 PM	0	0	9	1	0	0	3	3	0	0	6	2	0	1	4	0	29	129
3:00 PM	0	0	8	2	0	0	3	0	0	1	5	0	0	2	7	0	28	117
3:15 PM	0	0	12	1	0	0	3	1	0	0	2	0	0	3	6	2	30	113
3:30 PM	0	1	9	3	0	0	6	0	0	1	6	0	0	6	4	1	37	124
3:45 PM	**0**	**0**	**9**	**0**	**0**	**0**	**2**	**1**	**0**	**2**	**5**	**0**	**0**	**0**	**6**	**0**	**25**	**120**
4:00 PM	**0**	**0**	**7**	**3**	**0**	**1**	**1**	**0**	**0**	**4**	**11**	**0**	**0**	**0**	**5**	**1**	**33**	**125**
4:15 PM	**0**	**1**	**8**	**2**	**0**	**1**	**5**	**1**	**0**	**2**	**15**	**0**	**0**	**0**	**6**	**1**	**42**	**137**
4:30 PM	**0**	**0**	**7**	**4**	**0**	**0**	**2**	**2**	**0**	**2**	**5**	**0**	**0**	**0**	**4**	**0**	**26**	**126**
4:45 PM	0	0	6	1	0	0	3	1	0	1	8	1	0	0	7	1	29	130
5:00 PM	0	0	6	2	0	1	2	0	0	0	1	0	0	0	5	2	19	116
5:15 PM	0	0	1	0	0	0	3	0	0	0	6	0	0	0	2	1	13	87
5:30 PM	0	0	6	0	0	0	0	1	0	0	3	0	0	0	1	0	11	72
5:45 PM	0	0	4	0	0	0	2	0	0	0	3	0	0	0	3	0	12	55
Count Total	0	3	120	27	0	5	42	14	0	17	96	4	0	14	80	12	434	
Pk Hr Heavy	**0**	**1**	**31**	**9**	**0**	**2**	**10**	**4**	**0**	**10**	**36**	**0**	**0**	**0**	**21**	**2**	**126**	

Count Summaries - Bikes

Interval Start	Maze Blvd				Maze Blvd				Carpenter Rd				Carpenter Rd				15-min Total	Rolling Hour Total
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
2:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:00 PM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1
3:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
3:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
3:45 PM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**
4:00 PM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**0**	**0**	**0**	**0**	**1**	**1**
4:15 PM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**
4:30 PM	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Count Total	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	2	
Pk Hr Bike	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**0**	**0**	**0**	**0**	**1**	

Project Manager CA
(415) 757-7714
norcal.projectmanager@idaxdata.com

Appendix B. Intersection LOS Analysis Worksheets



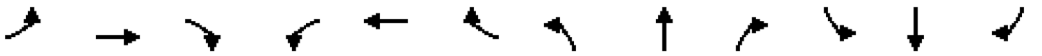
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	65	175	108	57	118	55	146	806	96	97	522	68
Future Volume (veh/h)	65	175	108	57	118	55	146	806	96	97	522	68
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811
Adj Flow Rate, veh/h	71	192	119	63	130	60	160	886	105	107	574	75
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Percent Heavy Veh, %	6	6	6	6	6	6	6	6	6	6	6	6
Cap, veh/h	92	290	246	87	184	85	204	1242	147	139	1251	557
Arrive On Green	0.05	0.16	0.16	0.05	0.16	0.16	0.12	0.40	0.40	0.08	0.36	0.36
Sat Flow, veh/h	1725	1811	1535	1725	1173	541	1725	3098	367	1725	3441	1533
Grp Volume(v), veh/h	71	192	119	63	0	190	160	492	499	107	574	75
Grp Sat Flow(s),veh/h/ln	1725	1811	1535	1725	0	1714	1725	1721	1744	1725	1721	1533
Q Serve(g_s), s	2.9	7.0	5.0	2.5	0.0	7.4	6.4	17.0	17.0	4.3	9.0	2.3
Cycle Q Clear(g_c), s	2.9	7.0	5.0	2.5	0.0	7.4	6.4	17.0	17.0	4.3	9.0	2.3
Prop In Lane	1.00		1.00	1.00		0.32	1.00		0.21	1.00		1.00
Lane Grp Cap(c), veh/h	92	290	246	87	0	269	204	690	699	139	1251	557
V/C Ratio(X)	0.77	0.66	0.48	0.73	0.00	0.71	0.79	0.71	0.71	0.77	0.46	0.13
Avail Cap(c_a), veh/h	536	1536	1302	536	0	1446	536	973	986	536	1931	860
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	33.1	27.9	27.1	33.1	0.0	28.3	30.3	17.8	17.8	31.9	17.2	15.1
Incr Delay (d2), s/veh	12.9	3.5	2.0	11.0	0.0	4.8	6.6	2.0	1.9	8.6	0.4	0.1
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.5	3.1	1.9	1.3	0.0	3.2	3.0	6.6	6.7	2.0	3.2	0.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	46.0	31.5	29.1	44.1	0.0	33.0	36.9	19.7	19.7	40.4	17.6	15.2
LnGrp LOS	D	C	C	D		C	D	B	B	D	B	B
Approach Vol, veh/h		382			253			1151			756	
Approach Delay, s/veh		33.4			35.8			22.1			20.6	
Approach LOS		C			D			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	8.2	17.8	12.9	31.8	8.4	17.6	10.3	34.5
Change Period (Y+Rc), s	4.6	* 6.5	4.6	* 6.1	4.6	6.5	4.6	* 6.1
Max Green Setting (Gmax), s	22.0	* 60	22.0	* 40	22.0	59.7	22.0	* 40
Max Q Clear Time (g_c+I1), s	4.5	9.0	8.4	11.0	4.9	9.4	6.3	19.0
Green Ext Time (p_c), s	0.1	2.2	0.3	5.8	0.1	1.7	0.2	9.4

Intersection Summary	
HCM 7th Control Delay, s/veh	24.7
HCM 7th LOS	C

Notes

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.



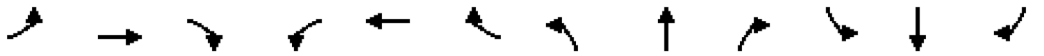
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	50	320	149	63	134	74	134	652	45	119	982	51
Future Volume (veh/h)	50	320	149	63	134	74	134	652	45	119	982	51
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826
Adj Flow Rate, veh/h	51	327	152	64	137	76	137	665	46	121	1002	52
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Percent Heavy Veh, %	5	5	5	5	5	5	5	5	5	5	5	5
Cap, veh/h	71	425	360	83	265	147	173	1251	86	154	1281	571
Arrive On Green	0.04	0.23	0.23	0.05	0.24	0.24	0.10	0.38	0.38	0.09	0.37	0.37
Sat Flow, veh/h	1739	1826	1547	1739	1103	612	1739	3292	227	1739	3469	1547
Grp Volume(v), veh/h	51	327	152	64	0	213	137	350	361	121	1002	52
Grp Sat Flow(s),veh/h/ln	1739	1826	1547	1739	0	1715	1739	1735	1785	1739	1735	1547
Q Serve(g_s), s	2.5	14.6	7.3	3.2	0.0	9.4	6.7	13.6	13.7	5.9	22.3	1.9
Cycle Q Clear(g_c), s	2.5	14.6	7.3	3.2	0.0	9.4	6.7	13.6	13.7	5.9	22.3	1.9
Prop In Lane	1.00		1.00	1.00		0.36	1.00		0.13	1.00		1.00
Lane Grp Cap(c), veh/h	71	425	360	83	0	411	173	659	678	154	1281	571
V/C Ratio(X)	0.72	0.77	0.42	0.77	0.00	0.52	0.79	0.53	0.53	0.78	0.78	0.09
Avail Cap(c_a), veh/h	440	1260	1068	440	0	1177	440	798	821	440	1584	706
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	41.2	31.2	28.4	40.9	0.0	28.7	38.3	20.9	21.0	38.8	24.3	17.9
Incr Delay (d2), s/veh	12.8	4.0	1.1	14.0	0.0	1.4	7.9	0.9	0.9	8.4	2.4	0.1
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.3	6.5	2.8	1.6	0.0	3.8	3.2	5.6	5.7	2.8	8.8	0.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	54.0	35.2	29.4	54.9	0.0	30.1	46.2	21.9	21.8	47.2	26.7	18.0
LnGrp LOS	D	D	C	D		C	D	C	C	D	C	B
Approach Vol, veh/h		530			277			848			1175	
Approach Delay, s/veh		35.4			35.9			25.8			28.4	
Approach LOS		D			D			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	8.7	26.8	13.2	38.2	8.1	27.4	12.3	39.1
Change Period (Y+Rc), s	4.6	* 6.5	4.6	* 6.1	4.6	6.5	4.6	* 6.1
Max Green Setting (Gmax), s	22.0	* 60	22.0	* 40	22.0	59.7	22.0	* 40
Max Q Clear Time (g_c+I1), s	5.2	16.6	8.7	24.3	4.5	11.4	7.9	15.7
Green Ext Time (p_c), s	0.1	3.7	0.3	7.8	0.1	1.9	0.2	6.7

Intersection Summary	
HCM 7th Control Delay, s/veh	29.7
HCM 7th LOS	C

Notes

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	71	176	108	57	153	55	162	806	96	100	524	68
Future Volume (veh/h)	71	176	108	57	153	55	162	806	96	100	524	68
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811
Adj Flow Rate, veh/h	78	193	119	63	168	60	178	886	105	110	576	75
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Percent Heavy Veh, %	6	6	6	6	6	6	6	6	6	6	6	6
Cap, veh/h	101	341	289	84	227	81	222	1210	143	143	1186	528
Arrive On Green	0.06	0.19	0.19	0.05	0.18	0.18	0.13	0.39	0.39	0.08	0.34	0.34
Sat Flow, veh/h	1725	1811	1535	1725	1274	455	1725	3098	367	1725	3441	1533
Grp Volume(v), veh/h	78	193	119	63	0	228	178	492	499	110	576	75
Grp Sat Flow(s),veh/h/ln	1725	1811	1535	1725	0	1729	1725	1721	1744	1725	1721	1533
Q Serve(g_s), s	3.4	7.3	5.1	2.7	0.0	9.4	7.5	18.4	18.4	4.7	9.9	2.5
Cycle Q Clear(g_c), s	3.4	7.3	5.1	2.7	0.0	9.4	7.5	18.4	18.4	4.7	9.9	2.5
Prop In Lane	1.00		1.00	1.00		0.26	1.00		0.21	1.00		1.00
Lane Grp Cap(c), veh/h	101	341	289	84	0	308	222	672	682	143	1186	528
V/C Ratio(X)	0.77	0.57	0.41	0.75	0.00	0.74	0.80	0.73	0.73	0.77	0.49	0.14
Avail Cap(c_a), veh/h	504	1444	1224	504	0	1372	504	914	927	504	1815	808
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	34.9	27.7	26.9	35.4	0.0	29.3	31.9	19.6	19.6	33.8	19.4	17.0
Incr Delay (d2), s/veh	11.6	2.0	1.3	12.6	0.0	4.9	6.6	2.5	2.5	8.5	0.4	0.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.7	3.1	1.9	1.4	0.0	4.1	3.5	7.4	7.5	2.2	3.7	0.9
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	46.5	29.8	28.2	47.9	0.0	34.2	38.5	22.1	22.1	42.3	19.8	17.2
LnGrp LOS	D	C	C	D		C	D	C	C	D	B	B
Approach Vol, veh/h		390			291			1169			761	
Approach Delay, s/veh		32.6			37.1			24.6			22.8	
Approach LOS		C			D			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	8.3	20.7	14.3	32.0	9.0	19.9	10.8	35.5
Change Period (Y+Rc), s	4.6	* 6.5	4.6	* 6.1	4.6	6.5	4.6	* 6.1
Max Green Setting (Gmax), s	22.0	* 60	22.0	* 40	22.0	59.7	22.0	* 40
Max Q Clear Time (g_c+I1), s	4.7	9.3	9.5	11.9	5.4	11.4	6.7	20.4
Green Ext Time (p_c), s	0.1	2.2	0.4	5.8	0.1	2.0	0.2	9.0

Intersection Summary	
HCM 7th Control Delay, s/veh	26.7
HCM 7th LOS	C

Notes

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

Intersection	
Int Delay, s/veh	0

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	5	0	932	687	54
Future Vol, veh/h	0	5	0	932	687	54
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	0	5	0	1024	755	59

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	-	407	-	0	-	0
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	7.02	-	-	-	-
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	3.36	-	-	-	-
Pot Cap-1 Maneuver	0	582	0	-	-	-
Stage 1	0	-	0	-	-	-
Stage 2	0	-	0	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	-	582	-	-	-	-
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	11.24	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	-	582	-	-
HCM Lane V/C Ratio	-	0.009	-	-
HCM Ctrl Dly (s/v)	-	11.2	-	-
HCM Lane LOS	-	B	-	-
HCM 95th %tile Q(veh)	-	0	-	-

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	21	348	332	51	7	3
Future Vol, veh/h	21	348	332	51	7	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	120	-	-	-	0	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	23	382	365	56	8	3

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	421	0	-	0	821	393
Stage 1	-	-	-	-	393	-
Stage 2	-	-	-	-	429	-
Critical Hdwy	4.16	-	-	-	6.46	6.26
Critical Hdwy Stg 1	-	-	-	-	5.46	-
Critical Hdwy Stg 2	-	-	-	-	5.46	-
Follow-up Hdwy	2.254	-	-	-	3.554	3.354
Pot Cap-1 Maneuver	1117	-	-	-	339	647
Stage 1	-	-	-	-	673	-
Stage 2	-	-	-	-	649	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1117	-	-	-	332	647
Mov Cap-2 Maneuver	-	-	-	-	332	-
Stage 1	-	-	-	-	660	-
Stage 2	-	-	-	-	649	-

Approach	EB	WB	SB
HCM Ctrl Dly, s/v	0.47	0	14.46
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1117	-	-	-	332	647
HCM Lane V/C Ratio	0.021	-	-	-	0.023	0.005
HCM Ctrl Dly (s/v)	8.3	-	-	-	16.1	10.6
HCM Lane LOS	A	-	-	-	C	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1	0



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	103	345	155	63	138	74	134	652	45	129	992	51
Future Volume (veh/h)	103	345	155	63	138	74	134	652	45	129	992	51
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826
Adj Flow Rate, veh/h	105	352	158	64	141	76	137	665	46	132	1012	52
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Percent Heavy Veh, %	5	5	5	5	5	5	5	5	5	5	5	5
Cap, veh/h	135	450	381	83	242	130	172	1215	84	166	1269	565
Arrive On Green	0.08	0.25	0.25	0.05	0.22	0.22	0.10	0.37	0.37	0.10	0.37	0.37
Sat Flow, veh/h	1739	1826	1547	1739	1116	602	1739	3292	227	1739	3469	1545
Grp Volume(v), veh/h	105	352	158	64	0	217	137	350	361	132	1012	52
Grp Sat Flow(s),veh/h/ln	1739	1826	1547	1739	0	1718	1739	1735	1785	1739	1735	1545
Q Serve(g_s), s	5.4	16.3	7.7	3.3	0.0	10.2	7.0	14.4	14.4	6.7	23.6	2.0
Cycle Q Clear(g_c), s	5.4	16.3	7.7	3.3	0.0	10.2	7.0	14.4	14.4	6.7	23.6	2.0
Prop In Lane	1.00		1.00	1.00		0.35	1.00		0.13	1.00		1.00
Lane Grp Cap(c), veh/h	135	450	381	83	0	372	172	640	659	166	1269	565
V/C Ratio(X)	0.78	0.78	0.41	0.77	0.00	0.58	0.80	0.55	0.55	0.79	0.80	0.09
Avail Cap(c_a), veh/h	423	1212	1027	423	0	1134	423	768	790	423	1524	679
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	40.9	31.8	28.6	42.6	0.0	31.8	39.8	22.5	22.5	40.0	25.7	18.8
Incr Delay (d2), s/veh	9.3	4.1	1.0	14.0	0.0	2.1	8.1	1.0	1.0	8.3	2.9	0.1
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.6	7.3	3.0	1.7	0.0	4.3	3.4	6.0	6.1	3.2	9.5	0.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	50.2	35.9	29.6	56.5	0.0	33.8	47.9	23.5	23.5	48.3	28.5	18.9
LnGrp LOS	D	D	C	E		C	D	C	C	D	C	B
Approach Vol, veh/h		615			281			848			1196	
Approach Delay, s/veh		36.7			39.0			27.5			30.3	
Approach LOS		D			D			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	8.9	28.8	13.5	39.2	11.6	26.1	13.2	39.5
Change Period (Y+Rc), s	4.6	* 6.5	4.6	* 6.1	4.6	6.5	4.6	* 6.1
Max Green Setting (Gmax), s	22.0	* 60	22.0	* 40	22.0	59.7	22.0	* 40
Max Q Clear Time (g_c+I1), s	5.3	18.3	9.0	25.6	7.4	12.2	8.7	16.4
Green Ext Time (p_c), s	0.1	4.0	0.3	7.5	0.2	1.9	0.2	6.7

Intersection Summary	
HCM 7th Control Delay, s/veh	31.7
HCM 7th LOS	C

Notes

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	20	0	829	1152	7
Future Vol, veh/h	0	20	0	829	1152	7
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	0	22	0	911	1266	8

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	-	637	-	0	-	0
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	7.02	-	-	-	-
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	3.36	-	-	-	-
Pot Cap-1 Maneuver	0	410	0	-	-	-
Stage 1	0	-	0	-	-	-
Stage 2	0	-	0	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	-	410	-	-	-	-
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	14.3	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	-	410	-	-
HCM Lane V/C Ratio	-	0.054	-	-
HCM Ctrl Dly (s/v)	-	14.3	-	-
HCM Lane LOS	-	B	-	-
HCM 95th %tile Q (veh)	-	0.2	-	-

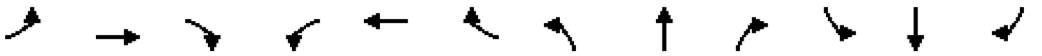
Intersection	
Int Delay, s/veh	2.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	519	318	5	84	21
Future Vol, veh/h	3	519	318	5	84	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	120	-	-	-	0	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	3	570	349	5	92	23

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	354	0	-	0	928	352
Stage 1	-	-	-	-	352	-
Stage 2	-	-	-	-	576	-
Critical Hdwy	4.16	-	-	-	6.46	6.26
Critical Hdwy Stg 1	-	-	-	-	5.46	-
Critical Hdwy Stg 2	-	-	-	-	5.46	-
Follow-up Hdwy	2.254	-	-	-	3.554	3.354
Pot Cap-1 Maneuver	1183	-	-	-	293	683
Stage 1	-	-	-	-	703	-
Stage 2	-	-	-	-	554	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1183	-	-	-	292	683
Mov Cap-2 Maneuver	-	-	-	-	292	-
Stage 1	-	-	-	-	701	-
Stage 2	-	-	-	-	554	-

Approach	EB	WB	SB
HCM Ctrl Dly, s/v	0	0	20.4
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1183	-	-	-	292	683
HCM Lane V/C Ratio	0.003	-	-	-	0.316	0.034
HCM Ctrl Dly (s/v)	8.1	-	-	-	22.9	10.5
HCM Lane LOS	A	-	-	-	C	B
HCM 95th %tile Q (veh)	0	-	-	-	1.3	0.1



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	74	185	113	60	159	58	169	846	101	105	550	71
Future Volume (veh/h)	74	185	113	60	159	58	169	846	101	105	550	71
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811	1811
Adj Flow Rate, veh/h	81	203	124	66	175	64	186	930	111	115	604	78
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Percent Heavy Veh, %	6	6	6	6	6	6	6	6	6	6	6	6
Cap, veh/h	105	353	299	85	232	85	229	1226	146	148	1202	535
Arrive On Green	0.06	0.19	0.19	0.05	0.18	0.18	0.13	0.40	0.40	0.09	0.35	0.35
Sat Flow, veh/h	1725	1811	1535	1725	1265	463	1725	3095	369	1725	3441	1533
Grp Volume(v), veh/h	81	203	124	66	0	239	186	517	524	115	604	78
Grp Sat Flow(s),veh/h/ln	1725	1811	1535	1725	0	1728	1725	1721	1744	1725	1721	1533
Q Serve(g_s), s	3.7	8.1	5.6	3.0	0.0	10.4	8.3	20.6	20.6	5.2	11.0	2.8
Cycle Q Clear(g_c), s	3.7	8.1	5.6	3.0	0.0	10.4	8.3	20.6	20.6	5.2	11.0	2.8
Prop In Lane	1.00		1.00	1.00		0.27	1.00		0.21	1.00		1.00
Lane Grp Cap(c), veh/h	105	353	299	85	0	316	229	681	691	148	1202	535
V/C Ratio(X)	0.77	0.58	0.41	0.78	0.00	0.76	0.81	0.76	0.76	0.78	0.50	0.15
Avail Cap(c_a), veh/h	477	1366	1158	477	0	1297	477	865	877	477	1717	765
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	36.8	29.0	28.1	37.4	0.0	30.8	33.5	20.7	20.7	35.6	20.4	17.8
Incr Delay (d2), s/veh	11.2	2.0	1.3	13.8	0.0	5.2	6.8	3.5	3.5	8.4	0.4	0.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.8	3.5	2.1	1.5	0.0	4.5	3.9	8.6	8.7	2.4	4.1	1.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	48.0	31.1	29.3	51.2	0.0	36.0	40.4	24.2	24.2	44.0	20.9	17.9
LnGrp LOS	D	C	C	D		D	D	C	C	D	C	B
Approach Vol, veh/h		408			305			1227			797	
Approach Delay, s/veh		33.9			39.3			26.7			23.9	
Approach LOS		C			D			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	8.5	22.0	15.2	33.9	9.5	21.1	11.4	37.6
Change Period (Y+Rc), s	4.6	* 6.5	4.6	* 6.1	4.6	6.5	4.6	* 6.1
Max Green Setting (Gmax), s	22.0	* 60	22.0	* 40	22.0	59.7	22.0	* 40
Max Q Clear Time (g_c+I1), s	5.0	10.1	10.3	13.0	5.7	12.4	7.2	22.6
Green Ext Time (p_c), s	0.1	2.3	0.4	6.0	0.1	2.1	0.2	8.9

Intersection Summary	
HCM 7th Control Delay, s/veh	28.4
HCM 7th LOS	C

Notes

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

Intersection	
Int Delay, s/veh	0

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	5	0	978	721	54
Future Vol, veh/h	0	5	0	978	721	54
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	0	5	0	1075	792	59

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	-	426	-	0	-	0
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	7.02	-	-	-	-
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	3.36	-	-	-	-
Pot Cap-1 Maneuver	0	566	0	-	-	-
Stage 1	0	-	0	-	-	-
Stage 2	0	-	0	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	-	566	-	-	-	-
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	11.42	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	-	566	-	-
HCM Lane V/C Ratio	-	0.01	-	-
HCM Ctrl Dly (s/v)	-	11.4	-	-
HCM Lane LOS	-	B	-	-
HCM 95th %tile Q(veh)	-	0	-	-

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	21	365	348	51	7	3
Future Vol, veh/h	21	365	348	51	7	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	120	-	-	-	0	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	23	401	382	56	8	3

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	438	0	-	0	858	410
Stage 1	-	-	-	-	410	-
Stage 2	-	-	-	-	447	-
Critical Hdwy	4.16	-	-	-	6.46	6.26
Critical Hdwy Stg 1	-	-	-	-	5.46	-
Critical Hdwy Stg 2	-	-	-	-	5.46	-
Follow-up Hdwy	2.254	-	-	-	3.554	3.354
Pot Cap-1 Maneuver	1100	-	-	-	322	633
Stage 1	-	-	-	-	661	-
Stage 2	-	-	-	-	636	-
Platoon blocked, %			-	-	-	
Mov Cap-1 Maneuver	1100	-	-	-	315	633
Mov Cap-2 Maneuver	-	-	-	-	315	-
Stage 1	-	-	-	-	647	-
Stage 2	-	-	-	-	636	-

Approach	EB	WB	SB
HCM Ctrl Dly, s/v	0.45	0	14.9
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1100	-	-	-	315	633
HCM Lane V/C Ratio	0.021	-	-	-	0.024	0.005
HCM Ctrl Dly (s/v)	8.3	-	-	-	16.7	10.7
HCM Lane LOS	A	-	-	-	C	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.1	0

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	106	361	162	66	145	78	141	685	47	135	1041	54
Future Volume (veh/h)	106	361	162	66	145	78	141	685	47	135	1041	54
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826	1826
Adj Flow Rate, veh/h	108	368	165	67	148	80	144	699	48	138	1062	55
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Percent Heavy Veh, %	5	5	5	5	5	5	5	5	5	5	5	5
Cap, veh/h	138	462	392	87	250	135	178	1223	84	171	1275	568
Arrive On Green	0.08	0.25	0.25	0.05	0.22	0.22	0.10	0.37	0.37	0.10	0.37	0.37
Sat Flow, veh/h	1739	1826	1547	1739	1115	603	1739	3293	226	1739	3469	1545
Grp Volume(v), veh/h	108	368	165	67	0	228	144	368	379	138	1062	55
Grp Sat Flow(s),veh/h/ln	1739	1826	1547	1739	0	1717	1739	1735	1785	1739	1735	1545
Q Serve(g_s), s	5.9	18.1	8.6	3.7	0.0	11.4	7.8	16.3	16.3	7.5	26.8	2.2
Cycle Q Clear(g_c), s	5.9	18.1	8.6	3.7	0.0	11.4	7.8	16.3	16.3	7.5	26.8	2.2
Prop In Lane	1.00		1.00	1.00		0.35	1.00		0.13	1.00		1.00
Lane Grp Cap(c), veh/h	138	462	392	87	0	385	178	644	663	171	1275	568
V/C Ratio(X)	0.78	0.80	0.42	0.77	0.00	0.59	0.81	0.57	0.57	0.80	0.83	0.10
Avail Cap(c_a), veh/h	398	1140	966	398	0	1067	398	722	743	398	1434	639
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	43.4	33.6	30.0	45.1	0.0	33.4	42.2	24.1	24.1	42.4	27.7	19.9
Incr Delay (d2), s/veh	9.4	4.3	1.0	13.3	0.0	2.1	8.3	1.1	1.1	8.5	4.2	0.1
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.8	8.2	3.3	1.9	0.0	4.8	3.8	6.8	7.0	3.5	11.1	0.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	52.8	37.9	31.0	58.4	0.0	35.4	50.5	25.2	25.2	50.9	31.9	20.0
LnGrp LOS	D	D	C	E		D	D	C	C	D	C	C
Approach Vol, veh/h		641			295			891			1255	
Approach Delay, s/veh		38.6			40.7			29.3			33.5	
Approach LOS		D			D			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	9.4	30.8	14.5	41.4	12.2	28.0	14.1	41.8
Change Period (Y+Rc), s	4.6	* 6.5	4.6	* 6.1	4.6	6.5	4.6	* 6.1
Max Green Setting (Gmax), s	22.0	* 60	22.0	* 40	22.0	59.7	22.0	* 40
Max Q Clear Time (g_c+I1), s	5.7	20.1	9.8	28.8	7.9	13.4	9.5	18.3
Green Ext Time (p_c), s	0.1	4.2	0.3	6.5	0.2	2.0	0.3	6.8

Intersection Summary	
HCM 7th Control Delay, s/veh	34.0
HCM 7th LOS	C

Notes

* HCM 7th computational engine requires equal clearance times for the phases crossing the barrier.

Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	20	0	869	1210	7
Future Vol, veh/h	0	20	0	869	1210	7
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	0	22	0	955	1330	8

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	-	669	-	0	-	0
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	7.02	-	-	-	-
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	3.36	-	-	-	-
Pot Cap-1 Maneuver	0	391	0	-	-	-
Stage 1	0	-	0	-	-	-
Stage 2	0	-	0	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	-	391	-	-	-	-
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Ctrl Dly, s/v	14.75	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	-	391	-	-
HCM Lane V/C Ratio	-	0.056	-	-
HCM Ctrl Dly (s/v)	-	14.8	-	-
HCM Lane LOS	-	B	-	-
HCM 95th %tile Q(veh)	-	0.2	-	-

Intersection	
Int Delay, s/veh	2.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	545	335	5	84	21
Future Vol, veh/h	3	545	335	5	84	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	120	-	-	-	0	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	6	6	6	6	6	6
Mvmt Flow	3	599	368	5	92	23

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	374	0	-	0	976	371
Stage 1	-	-	-	-	371	-
Stage 2	-	-	-	-	605	-
Critical Hdwy	4.16	-	-	-	6.46	6.26
Critical Hdwy Stg 1	-	-	-	-	5.46	-
Critical Hdwy Stg 2	-	-	-	-	5.46	-
Follow-up Hdwy	2.254	-	-	-	3.554	3.354
Pot Cap-1 Maneuver	1163	-	-	-	274	666
Stage 1	-	-	-	-	689	-
Stage 2	-	-	-	-	537	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1163	-	-	-	273	666
Mov Cap-2 Maneuver	-	-	-	-	273	-
Stage 1	-	-	-	-	687	-
Stage 2	-	-	-	-	537	-

Approach	EB	WB	SB
HCM Ctrl Dly, s/v	0.04	0	21.95
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1163	-	-	-	273	666
HCM Lane V/C Ratio	0.003	-	-	-	0.338	0.035
HCM Ctrl Dly (s/v)	8.1	-	-	-	24.8	10.6
HCM Lane LOS	A	-	-	-	C	B
HCM 95th %tile Q(veh)	0	-	-	-	1.4	0.1

Appendix C. Intersection Signal Warrant Analysis Worksheets

Fehr & Peers

Major Street	Maze Blvd
Minor Street	Project Driveway 2

Project	Maze Carpenter Cultural Center
Scenario	Existing Plus Project Condition
Peak Hour	AM Peak Hour

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	7	21	0
Through	0	0	348	332
Right	0	3	0	51
Total	0	10	369	383

Major Street Direction

	North/South
x	East/West

Intersection Geometry

Number of Approach Lanes for Minor Street	1
Total Approaches	3

Worst Case Delay for Minor Street

Stopped Delay (seconds per vehicle)	16.1
Approach with Worst Case Delay	SB
Total Vehicles on Approach	10

Warrant 3A, Peak Hour

	Peak Hour Delay on Minor Approach (vehicle-hours)	Peak Hour Volume on Minor Approach (vph)	Peak Hour Entering Volume Serviced (vph)
Existing Plus Project Condition	**0**	**10**	**762**
Limiting Value	**4**	**100**	**650**
Condition Satisfied?	**Not Met**	**Not Met**	**Met**
Warrant Met	**NO**		

Fehr & Peers

Major Street	Maze Blvd
Minor Street	Project Driveway 2

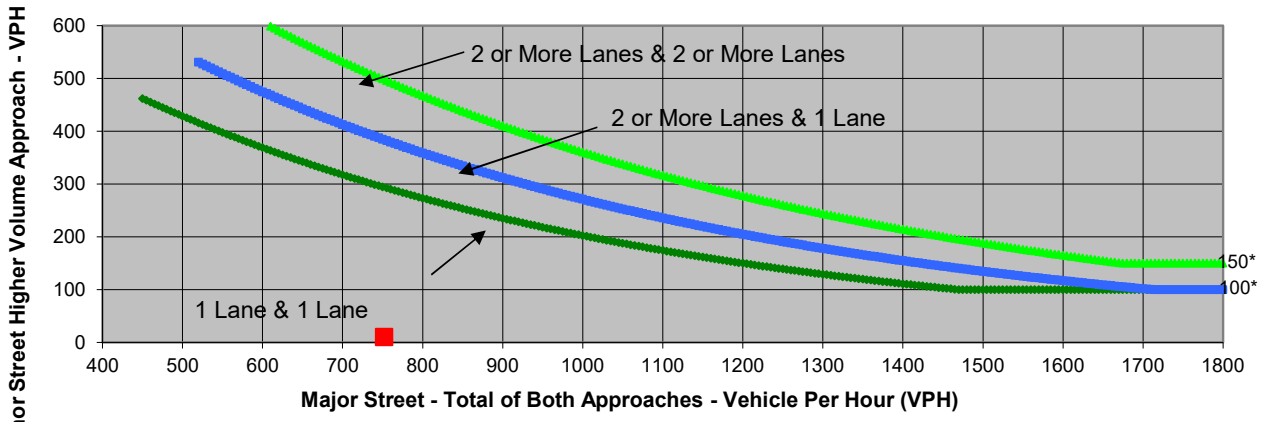
Project	Maze Carpenter Cultural Center
Scenario	Existing Plus Project Condition
Peak Hour	AM Peak Hour

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	7	21	0
Through	0	0	348	332
Right	0	3	0	51
Total	0	10	369	383

Major Street Direction

	North/South
x	East/West



* Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Source: *California Manual on Uniform Traffic Control Devices*, Caltrans, 2014

	Major Street	Minor Street	Warrant Met
	Maze Blvd	Project Driveway 2	
Number of Approach Lanes	**1**	**1**	**NO**
Traffic Volume (VPH) *	**752**	**10**	

* Note: Traffic Volume for Major Street is Total Volume of Both Approches.
Traffic Volume for Minor Street is the Volume of High Volume Approach.

Fehr & Peers

Major Street	Maze Blvd
Minor Street	Project Driveway 2

Project	Maze Carpenter Cultural Center
Scenario	Existing Plus Project Condition
Peak Hour	PM Peak Hour

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	84	3	0
Through	0	0	519	318
Right	0	21	0	5
Total	0	105	522	323

Major Street Direction

	North/South
x	East/West

Intersection Geometry

Number of Approach Lanes for Minor Street	1
Total Approaches	3

Worst Case Delay for Minor Street

Stopped Delay (seconds per vehicle)	23
Approach with Worst Case Delay	SB
Total Vehicles on Approach	105

Warrant 3A, Peak Hour			
	Peak Hour Delay on Minor Approach (vehicle-hours)	**Peak Hour Volume on Minor Approach (vph)**	**Peak Hour Entering Volume Serviced (vph)**
Existing Plus Project Condition	**0.7**	**105**	**950**
Limiting Value	**4**	**100**	**650**
Condition Satisfied?	**Not Met**	**Met**	**Met**
Warrant Met	**NO**		

Fehr & Peers

Major Street	Maze Blvd
Minor Street	Project Driveway 2

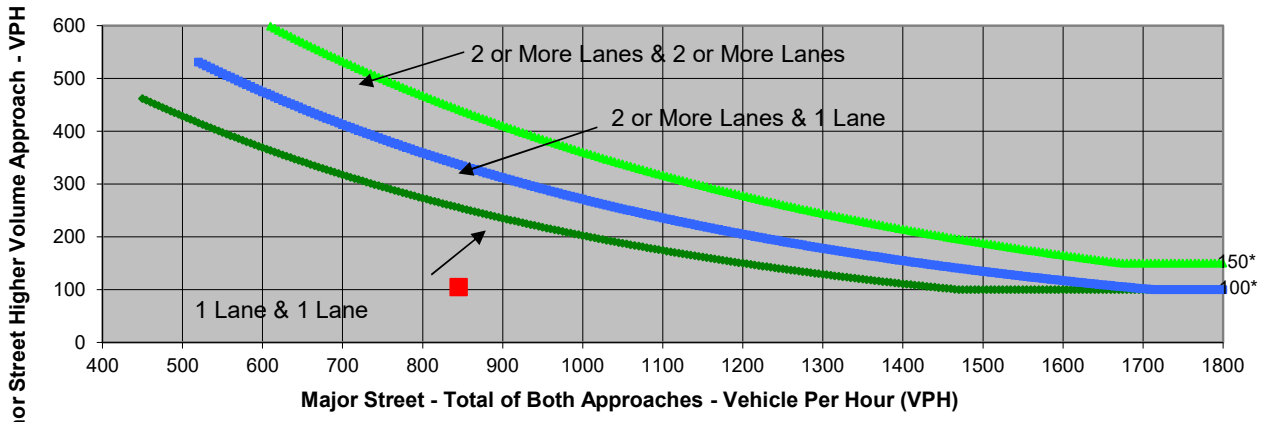
Project	Maze Carpenter Cultural Center
Scenario	Existing Plus Project Condition
Peak Hour	PM Peak Hour

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	84	3	0
Through	0	0	519	318
Right	0	21	0	5
Total	0	105	522	323

Major Street Direction

	North/South
x	East/West



* Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Source: *California Manual on Uniform Traffic Control Devices*, Caltrans, 2014

	Major Street	Minor Street	Warrant Met
	Maze Blvd	Project Driveway 2	
Number of Approach Lanes	**1**	**1**	**NO**
Traffic Volume (VPH) *	**845**	**105**	

* Note: Traffic Volume for Major Street is Total Volume of Both Approches.
Traffic Volume for Minor Street is the Volume of High Volume Approach.

Fehr & Peers

Project	Maze Carpenter Cultural Center
Scenario	Near-Term Condition
Peak Hour	AM Peak Hour
Major Street	Maze Blvd
Minor Street	Project Driveway 2

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	7	21	0
Through	0	0	365	348
Right	0	3	0	51
Total	0	10	386	399

Major Street Direction

	North/South
x	East/West

Intersection Geometry

Number of Approach Lanes for Minor Street	1
Total Approaches	3

Worst Case Delay for Minor Street

Stopped Delay (seconds per vehicle)	16.7
Approach with Worst Case Delay	SB
Total Vehicles on Approach	10

Warrant 3A, Peak Hour			
	Peak Hour Delay on Minor Approach (vehicle-hours)	Peak Hour Volume on Minor Approach (vph)	Peak Hour Entering Volume Serviced (vph)
Near-Term Condition	0	10	795
Limiting Value	4	100	650
Condition Satisfied?	Not Met	Not Met	Met
Warrant Met	NO		

Fehr & Peers

Major Street	Maze Blvd
Minor Street	Project Driveway 2

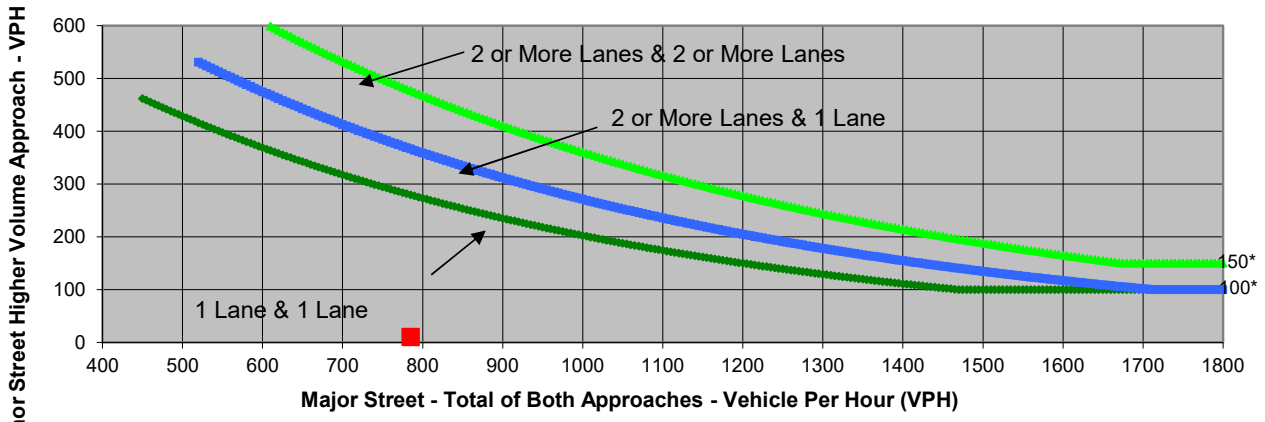
Project	Maze Carpenter Cultural Center
Scenario	Near-Term Condition
Peak Hour	AM Peak Hour

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	7	21	0
Through	0	0	365	348
Right	0	3	0	51
Total	0	10	386	399

Major Street Direction

	North/South
x	East/West



* Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Source: *California Manual on Uniform Traffic Control Devices*, Caltrans, 2014

	Major Street	Minor Street	Warrant Met
	Maze Blvd	Project Driveway 2	
Number of Approach Lanes	**1**	**1**	**NO**
Traffic Volume (VPH) *	**785**	**10**	

* Note: Traffic Volume for Major Street is Total Volume of Both Approches.
Traffic Volume for Minor Street is the Volume of High Volume Approach.

Fehr & Peers

Major Street	Maze Blvd
Minor Street	Project Driveway 2

Project	Maze Carpenter Cultural Center
Scenario	Near-Term Condition
Peak Hour	PM Peak Hour

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	84	3	0
Through	0	0	545	335
Right	0	21	0	5
Total	0	105	548	340

Major Street Direction

	North/South
x	East/West

Intersection Geometry

Number of Approach Lanes for Minor Street	1
Total Approaches	3

Worst Case Delay for Minor Street

Stopped Delay (seconds per vehicle)	24.8
Approach with Worst Case Delay	SB
Total Vehicles on Approach	105

Warrant 3A, Peak Hour			
	Peak Hour Delay on Minor Approach (vehicle-hours)	**Peak Hour Volume on Minor Approach (vph)**	**Peak Hour Entering Volume Serviced (vph)**
Near-Term Condition	**0.7**	**105**	**993**
Limiting Value	**4**	**100**	**650**
Condition Satisfied?	**Not Met**	**Met**	**Met**
Warrant Met	**NO**		

Fehr & Peers

Major Street	Maze Blvd
Minor Street	Project Driveway 2

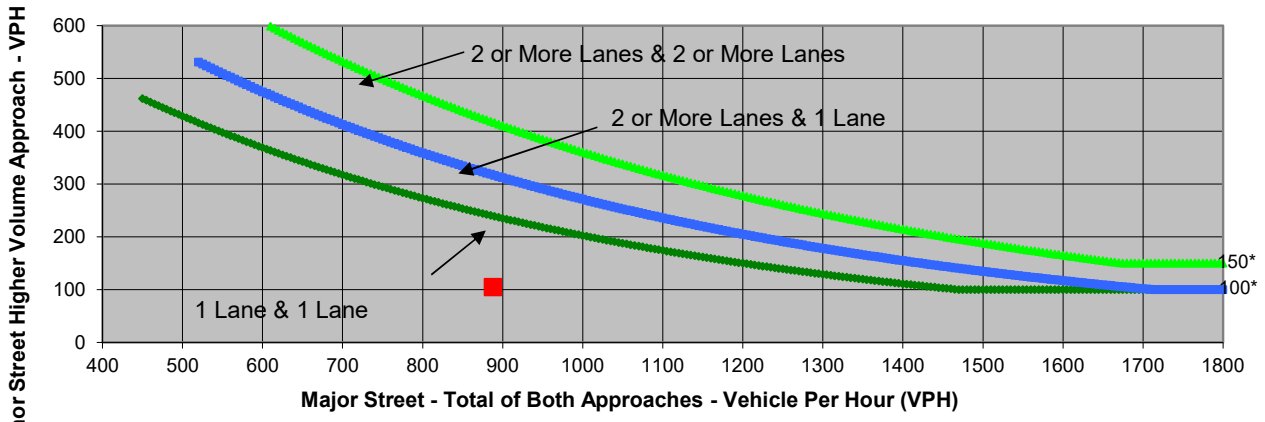
Project	Maze Carpenter Cultural Center
Scenario	Near-Term Condition
Peak Hour	PM Peak Hour

Turn Movement Volumes

	NB	SB	EB	WB
Left	0	84	3	0
Through	0	0	545	335
Right	0	21	0	5
Total	0	105	548	340

Major Street Direction

	North/South
x	East/West



* Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Source: *California Manual on Uniform Traffic Control Devices*, Caltrans, 2014

	Major Street	Minor Street	Warrant Met
	Maze Blvd	Project Driveway 2	
Number of Approach Lanes	**1**	**1**	**NO**
Traffic Volume (VPH) *	**888**	**105**	

* Note: Traffic Volume for Major Street is Total Volume of Both Approches.
Traffic Volume for Minor Street is the Volume of High Volume Approach.

City of Modesto Planning Commission
Minutes
April 7, 2025

Being the hour of 6:00 pm, the meeting was called to order by Chairperson Shanks.

I. ROLL CALL

Commissioners Arroyo, Black, Goriel, Hauselmann, Russell, and Shanks, present

Commissioners Grewal absent

It was moved by Commissioner Russell, seconded by Commissioner Goriel and carried unanimously (6-0) that Commissioner Grewal be excused from this meeting.

II. APPROVAL OF MINUTES

Due to an administrative error meeting minutes for March 17, 2025 will be presented at the next meeting scheduled for April 21, 2025.

III. PUBLIC COMMENT PERIOD IN PERSON

Milt Trieweilir spoke on preserving City of Modesto's agricultural land for future generations and the importance of the City growing up not out.

IV. CONFLICT OF INTEREST DECLARATION

None.

V. CONSENT

None.

VI. PUBLIC HEARINGS

Item A Proposed General Plan Amendment with Annexation to facilitate development of a new event center and two apartment units, 1609 and 1617 Maze Boulevard (APNs 007-040-008, -009); submitted by Abdo Mohamad
Contact Info: Michael Schubert, 577-5267, mschubert@modestogov.com

Motion/Action (Approved)

It was moved by Commissioner Goriel, seconded by Commissioner Black, and carried unanimously (6-0) (Arroyo, Black, Goriel, Hauselmann, Russell, Shanks, ayes; None, noes; Grewal, absent; None, recused) that the Planning Commission continue the proposed General Plan Amendment and Annexation to be continued to a date uncertain.

Item B Martin Project- Tivoli
Contact Info: Michael Hren, 577-5267, mhren@modestogov.com

Motion/Action (Approved)

It was moved by Commissioner Arroyo, seconded by Commissioner Russell, and carried unanimously (6-0) (Arroyo, Black, Goriel, Hauselmann, Russell, Shanks, ayes; None, noes; Grewal, absent; None, recused) that the Planning Commission

adopt **Resolution No. 2025-09** A RESOLUTION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN TO AMEND THE LAND USE ELEMENT TO CHANGE 12.66 ACRES FROM REGIONAL COMMERCIAL USES TO RESIDENTIAL USES (NRB INVESTMENTS, LLC)

Motion/Action (Approved)

It was moved by Commissioner Arroyo, seconded by Commissioner Russell, and carried unanimously (6-0) (Arroyo, Black, Goriel, Hauselmann, Russell, Shanks, ayes; None, noes; Grewal, absent; None, recused) that the Planning Commission adopt **Resolution No. 2025-10** A RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT NO. 4 TO THE TIVOLI SPECIFIC PLAN TO AMEND 19.95 ACRES FROM MEDIUM HIGH DENSITY RESIDENTIAL AND REGIONAL SERVING COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL, AND RECOMMENDING EXCEPTIONS FROM THE TIVOLI SPECIFIC PLAN'S DEVELOPMENT AND DESIGN STANDARDS FOR REDUCED SETBACKS AND LOT SIZES FOR LOTS WITHIN THE 19.95-ACRE PROJECT IN ACCORDANCE WITH SECTION 9.4.1.6 OF THE TIVOLI SPECIFIC PLAN (NRB INVESTMENTS, LLC)

Motion/Action (Approved)

It was moved by Commissioner Arroyo, seconded by Commissioner Russell, and carried unanimously (6-0) (Arroyo, Black, Goriel, Hauselmann, Russell, Shanks, ayes; None, noes; Grewal, absent; None, recused) that the Planning Commission adopt **Resolution No. 2025-11** A RESOLUTION APPROVING AREA PLAN NO. 2 IN THE TIVOLI SPECIFIC PLAN FOR PROPERTY LOCATED EAST OF OAKDALE ROAD, SOUTH OF MABLE AVENUE, NORTH OF THE PLANNED EXTENSION OF BRIDGEWOOD WAY, AND WEST OF A LINE PROJECTED NORTH FROM WOOD SORREL DRIVE (NRB INVESTMENTS, LLC)

Motion/Action (Approved)

It was moved by Commissioner Arroyo, seconded by Commissioner Russell, and carried unanimously (6-0) (Arroyo, Black, Goriel, Hauselmann, Russell, Shanks, ayes; None, noes; Grewal, absent; None, recused) that the Planning Commission adopt **Resolution No. 2025-12** A RESOLUTION APPROVING THE FINAL DEVELOPMENT PLAN FOR THE MARTIN PROJECT, IN THE TIVOLI SPECIFIC PLAN, FOR 185 SINGLE– FAMILY RESIDENTIAL LOTS AND ELEVEN (11) LANDSCAPE LOTS ON PROPERTY LOCATED EAST OF OAKDALE ROAD, SOUTH OF MABLE AVENUE, APPROXIMATELY 0.31 MILES NORTH OF SYLVAN AVENUE, AND WEST OF A LINE PROJECTED NORTH FROM WOOD SORREL DRIVE (NRB INVESTMENTS, LLC)

Motion/Action (Approved)

It was moved by Commissioner Arroyo, seconded by Commissioner Russell, and carried unanimously (6-0) (Arroyo, Black, Goriel, Hauselmann, Russell, Shanks, ayes; None, noes; Grewal, absent; None, recused) that the Planning Commission adopt **Resolution No. 2025-12** A RESOLUTION APPROVING THE VESTING TENTATIVE MAP FOR THE MARTIN PROPERTY (TIVOLI) (NRB INVESTMENTS, LLC)

VII. OTHER BUSINESS

None.

VIII. MATTERS TOO LATE FOR THE AGENDA

None.

XI. ADJOURNMENT

The meeting was adjourned at 6:35 pm.

Original, signed copy on file in CEDD

Tristan Osborn,,AICP, Secretary

FINANCIAL INTEREST DISCLOSURE FORM GUIDELINES

City ordinance requires that all individuals with a material interest in a decision of the City Council must be disclosed. The following is for your assistance in completing the attached disclosure form:

1. For all of the below, corporate names/LLC's/limited partnerships are not acceptable in and of themselves, all individuals with an interest of $2000 or more must be disclosed in these cases.

2. Individuals with a material interest include all property owners.

3. Individuals with a material interest include any developer.

4. Individuals with a material interest include any architect, engineer, or other design professional.

5. Individuals with a material interest include the applicant's attorney or other representative.

6. Individuals with a material interest include any real estate agent who is party to the transaction.

7. Individuals with a material interest include any contractor constructing the project for which the contract has been arranged by the time of the hearing.

The above is for guidance only and not an inclusive list of all individuals at interest. You have a responsibility to determine and list all individuals in accordance with the Tests of Materiality as set forth on the attached.

CITY OF MODESTO CALIFORNIA

California Levine Act Disclosure

California Government Code Section 84308, also known as the "Levine Act", prohibits City "officers" from participating in any action related to a license, permit, or other entitlement for use (a "proceeding") if such member accepts, solicits, or directs political contributions from a party to the proceeding or their agent totaling more than $500 while the proceeding is pending before the agency, and for twelve (12) months following the date a decision concerning the proceeding has been made. The Levine Act also requires disclosure of such contribution by a party to the proceeding.

Section 84308(a)(4) of the Levine Act defines an "officer" as follows: "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency. The term "officer" is further defined 2 Cal. Code Regs. Section 18438.1, which states:

> An officer of an agency includes only those persons who make, participate in making, or in any way attempt to use their official position to influence a decision in the license, permit, or entitlement for use proceeding, or who exercise authority or budgetary control over the agency of officers who may do so, and:
>
> (1) Serve in an elected position, including an official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
> (2) Serve as a member of a board or commission;
> (3) Serve as the chief executive of a state agency, or county, city or district of any kind; or
> (4)Have decision making authority with respect to the proceeding involving a license, permit, or other entitlement for use and is also a candidate for elected office or has been a candidate for elective office in the 12 months prior to the proceeding.

A list of Modesto City Council Board Members can be found online at: Modesto City Council https://modestogov.com/706/Council-Members (modestogov.com). The party making this certification is responsible for determining whether a recipient of a political contribution is a City officer prior to answering the following questions:

1. Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than $500 to any City officer, in the twelve (12) months preceding the date of the submission of your proposals or the anticipated date of any Council action related to this contract?

   ___ YES If yes, please identify the Councilmember(s):

   X NO

2. Do you, or your company, or any agent on behalf of you or your company, anticipate or plan to make any political contribution of more than $500 to any City officer in the twelve (12) months following any Council action related to this contract?

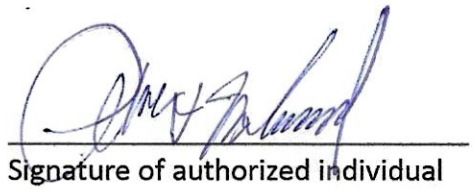
   ___ YES If yes, please identify the Councilmember(s):

   X NO

Answering YES to either of the questions above does not preclude the City of Modesto from awarding a contract to your firm or taking any subsequent action related to the contract. It may, however, preclude the identified City officer from participating in any actions related to such contract.

HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

02/26/2025
Date


Signature of authorized individual

Abdo Mohamad
Company/Applicant Name

FINANCIAL INTEREST DISCLOSURE FORM

All persons included within the meaning of either of the following tests have a material financial interest in an agreement, or application for development rights, submitted for approval or disapproval by the City Council, and shall be identified by the applicant, by name.

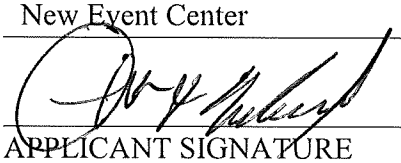
Tests of Materiality:

1. Whether it is foreseeable to a reasonable person that the value of their interest in property available for use by an applicant, or their interest in the applicant itself, may increase or decrease by an amount greater than $2,000.00 as a direct or indirect result of Council action on the applicant's agreement or application for development rights.

2. Whether it is foreseeable to a reasonable person that the person's gross income from the applicant may increase or decrease by a sum greater than $2,000.00 as a direct or indirect result of Council action on the agreement or application for development rights.

It is the legal obligation of all applicants for approval of an agreement or of an application for development rights to verify in writing, under penalty of perjury, that the identity of each person having a material financial interest in the agreement or application or development rights is true, correct and complete. The applicant understands that this information is provided under penalty of perjury, and that intentionally supplying misinformation or deception may result in either invalidation of the agreement or application, or criminal prosecution for misdemeanor violation of the Modesto Municipal Code, or both. Negligent provision of misinformation shall be grounds for invalidation. In accordance with the Modesto Municipal Code, each applicant has a continuing obligation to maintain the truth, accuracy and completeness of the financial interest disclosure information provided below until after final consideration by the City Council of any matter arising out of or relating to the agreement or application.

PROJECT: New Event Center



APPLICANT SIGNATURE

Abdo Mohamad

APPLICANT NAME (*type or print*)

In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website: https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA

NAMES

Property Owner(s) – (Please list name of company and names of individual names of said company)

Abdo Mohamad

Developer(s) – (Please list name of company and names of individual owner(s) of company)

Abdo Mohamad

Architect(s), Engineer(s) or Other Design Professional(s) – (Please list name of company and names of individual owner(s) of company)

Edmond T. Jacobs Architect

Edmond Jacobs

Attorney(s) or Representative(s) – (Please list name of company and names of individual owner(s) of company)

None

Real Estate Agent(s) – (Please list name of company and names of individual owner(s) of company)

None

Contractor(s)

None

Other – (Investors, Trustees, etc.)

None

City of Modesto
Indemnification and Hold Harmless Agreement

The property owner, developer and applicant (collectively, the "Applicant"), together with any and all additional signatories to this agreement and their respective heirs, successors, and assigns shall, at its sole cost and expense, indemnify, defend with counsel selected by the City, protect, release, and hold harmless the City, its officers, employees, commissions, and agents, from any and all claims, actions, or proceedings arising out of or in any way relating to the Applicant's project. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the Applicant, third parties, and the indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the indemnitees. Nothing herein shall prohibit the City from participating in the defense of any claim, action, or proceeding. The City may select its own legal counsel and the Applicant agrees to pay directly, or timely reimburse on a monthly basis, the City for all such court costs, attorney fees, and time referenced herein.

Execution of Agreement: The agreement shall only be executed by an authorized representative of the Applicant. The person(s) executing this agreement represent that they are authorized to enter into this agreement on behalf of the Applicant. If more than one person or entity is named as Applicant for the proposed project, all such persons or entities must sign as indicated below.

Project Name: CARPENTER & MAZE EVENT CENTER

Site Address: 1609, 1617 MAZE BLVD.

Applicant Signature

5/14/26
Date

Print Name: ABDO MOHAMAD

Title: OWNER

Date

Property Owner Signature (*If different than applicant*)

Print Name:

Title:

Additional applicants:

Date:

Applicant (2)

Print Name:

Title:

Date:

Applicant (3)

Print Name:

Title: