

Section 19

Effects on Visual Resources

This section describes how development associated with the *City of Modesto Urban Area General Plan* (UAGP) would affect visual resources.

A. ENVIRONMENTAL SETTING

The following information is provided in accordance with Section 15125 of the California Environmental Quality Act (CEQA) Guidelines. This environmental setting is the baseline for determining whether an impact of the UAGP is significant.

1. Study Area for Direct Impacts

The study area for direct impacts related to visual resources is the UAGP planning area.

2. Study Area for Cumulative Impacts

This analysis will be based on the plan or projection approach to examining cumulative effects, as provided under Section 15130(b)(1)(B) of the State CEQA Guidelines. Pertinent plans and projections to be used for this purpose are the *Stanislaus County General Plan* (County General Plan) and the UAGP. The study area for cumulative impacts on visual resources includes Stanislaus County.

3. Existing Physical Conditions in the Study Areas

a. Overview

The region surrounding Modesto is visually characterized by the many agriculturally and industrially based elements that are seen along the State Route (SR) 99 and Southern Pacific Railroad (SPRR) routes that run northwest to southeast. The landform in the planning area is naturally quite flat, but parts of it have been leveled for agricultural production also. Areas of topographic relief can be found on the valley floor near major waterways in the form of bluffs, terraced floodplains, and remnant channel beds. The floodplains of the Tuolumne and Stanislaus Rivers have such features and are natural greenbelts within the Modesto urban area.

Regionally, the planning area is bounded by the Sierra Nevada to the east and the Coast Ranges to the west. The flatness and openness of the terrain in the planning area allows for expansive views of these mountain ranges in the distance when atmospheric haze is at a minimum.

b. Description of Visual Resources within the Modesto Planning Area

The Tuolumne River runs along the southern edge of Modesto; the Stanislaus River runs roughly parallel to the northern boundary of the Modesto urban area. Dry Creek, a tributary to the Tuolumne River, runs into the Tuolumne River from the northeast, in the southeast of Modesto. There are no designated scenic roadways within the planning area boundary.

Agricultural land and associated infrastructure give the city a scenic character that is rural in nature. Orchards, row crops, vineyards, cleared fields, hay bales, farm structures, farming and ranching equipment (such as tractors), and farmhouses are some of the features that lend to the rural agricultural nature of the area. Islands of urban development bordering the agricultural areas provide contrast to this rural character. Often, agricultural and urban areas have abrupt boundaries, lacking transition from one to the other and each beginning where the other ends.

Like many Central Valley cities along SR99 and the UPRR route that have a long history of agricultural and industrial activities, Modesto has a classic gridded street network in its relatively urban city center / Downtown planning area, surrounded by old, established neighborhoods and mature trees and landscaping. Agriculture- and industry-based buildings such as silos, warehouses, and factory buildings remain visually prominent and contribute to the overall visual quality of the region. Recent development, including big-box and chain commercial shopping areas that are common to new development throughout the state, is also common on the outskirts of Modesto.

4. Existing Policies Applying to the Study Areas

Below is a comprehensive list of major federal, state, and local (Stanislaus County [County] and City of Modesto [City]) policies or summaries of policies in effect that are related to visual resources and may apply to the study area. This list provides the full range of applicable policies that a project within the study area potentially would need to comply with, including policies beyond the jurisdiction of the City. This list of laws, regulations, and programs also serves to describe the circumstances under which this master environmental impact report (Master EIR) analyzed this environmental topic.

A discrete reference number, following the initials of the resource topic, is assigned to each policy or policy summary listed to facilitate its identification elsewhere in this Master EIR or, where appropriate, its incorporation as a mitigation measure into subsequent projects analyzed under this Master EIR (e.g., Visual Resources policies are designated as VS-*X* where *X* is the discrete number).

a. Federal Regulations

No federal regulations related to visual resources are relevant to the proposed UAGP.

b. State Regulations**(1) California Department of Transportation Scenic Highway Program**

There are no state-designated scenic highways in Modesto or in the Modesto planning area (California Department of Transportation 2007).

(2) California State Lands Commission Inventory Regarding Lands Possessing Significant Environmental Values

VR-1: The Tuolumne River is state sovereign land under the jurisdiction of the State Lands Commission. Any activities within the ordinary low water mark are subject to the commission's leasing jurisdiction. The State Lands Commission's significant lands inventory (or inventory of unconveyed state school lands and tide and submerged lands possessing significant environmental values) identifies the Tuolumne River as category B, Limited Use, having significant environmental values. Category B is defined as lands "in which one or more closely related dominant, significant environmental values is present. Limited uses that are compatible with, and nonconsumptive of, such values may be permitted." To provide permanent protection of environmentally significant values, a project must be designed to be consistent with the use classifications assigned under the significant lands inventory. If such consistency could not be accomplished through mitigation or alteration of the project, the project would be denied.

c. City of Modesto Policies

The UAGP provides the following policies related to visual resources.

- VR-2:** 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)
- VR-3:** Apply neighborhood Compatibility Guidelines, Design Guidelines for Commercial & Industrial Development, and other applicable development guidelines, as appropriate to new construction, additions to existing structures, replacement of existing buildings / land uses, and other (non-residential) development... (UAGP Policies III.G.4; III.H.3)
- VR-4:** Visual corridors of the river will be protected and enhanced. (UAGP Policy VII-B.7[a])
- VR-5:** Visual corridors and access points on the riverfront will be recreated through redevelopment. (UAGP Policy VII-B.7[b])

5. Policies That Avoid Impacts

Proposed UAGP Policies VR-2 through VR-5 would reduce, avoid, or mitigate environmental impacts within the existing city limits and within the Planned Urbanizing Area as annexation and development occurs. The full text of these policies is found in Section A-4 above, under *Existing Policies Applying to the Study Area*.

B. CONSIDERATION AND DISCUSSION OF SIGNIFICANT IMPACTS

The following information is provided in accordance with State CEQA Guidelines Section 15126.2.

1. Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, the UAGP amendment would be considered to result in a significant impact if it would:

- a. have a substantial adverse effect on a scenic vista;
- b. substantially damage scenic resources, including trees, rock outcrops, and historic buildings along a state scenic highway;
- c. substantially degrade the existing visual character or quality of the site and its surroundings;
or,
- d. create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

The City has adopted the CEQA thresholds shown above, as well as the following additional thresholds of significance, to analyze the impacts of the UAGP on viewsheds from and of river parks in the planning area – including Dry Creek Park and the Tuolumne River Regional Park (TRRP):

- e. substantially degrade views from riverside areas and parks; and,
- f. substantially degrade views of riverside areas from public roadways and nearby properties.

2. Significant Direct Impacts

a. Baseline Developed Area and Downtown Area

There are no designated scenic vistas or state scenic highways in the UAGP planning area. Therefore, there would be no related impact(s).

The Baseline Developed Area and Downtown Area contain lands that are mostly developed with urban uses and are either not expected to change substantially or would allow increased density. As a result of the UAGP, there would be little change to the existing visual character

and quality of this area, which is already within a developed setting, and its surroundings. Furthermore, the City of Modesto uses Design Guidelines to ensure that new development is attractive and functional. Therefore, any perceived minor impacts related to visual resources that could occur as a result of the proposed Project would be less than significant. Similarly, any views to / from riverside and park areas would not be affected as a result of development consistent with the proposed Project (which includes application of policies VR-3, 4, & 5, above), and any perceived impacts would be less than significant.

Because the Baseline Developed Area and Downtown Area are already developed with urban uses, including existing sources of light and glare, potential impacts related to new sources of light and glare are limited. However, as the proposed UAGP amendment supports infill development, the Project could lead to the introduction of additional light and glare. Additionally, proposed UAGP actions and policies that could lead to an expanded street system and enhanced transit system could also increase light and glare. 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 existing City to a less than significant level.

b. Planned Urbanizing Area

There are no designated scenic vistas in the planning area. The UAGP includes policies that encourage the preservation of views from riverside parks, as well as of riverside areas from public roadways (VR-4 and VR-5, above). Therefore, implementation of the UAGP would not result in any impact related to scenic vistas. Similarly, there are no designated state scenic highways or locally designated scenic routes in the planning area. Therefore, implementation of the UAGP would not result in any impact(s) to these types of resources.

The proposed UAGP would adopt the Growth Strategy Diagram for the Planned Urbanizing Area, as presented in Chapter II. This would allow urban development on land that is flat and vacant, or that is used agriculturally. Such new development would change the visual character of the land; however, the visual quality of the planning area is generally low to moderate (as described above), and any resulting impact(s) would be less than significant.

The UAGP amendment incorporates policies that place value on the preservation of visual resources and important vistas and viewsheds. The proposed planning principles promote and encourage the visual enhancement of neighborhoods, planning districts, and parks (VR-2 & VR-3), by requiring new parks facilities to be provided as the City grows and through application of design guidelines and standards that would ensure attractive new development. The UAGP has specific policies (VR-4 & VR-5) guiding the visual quality of riverside parks under the proposed River Greenway Program, which emphasizes the preservation of views from these parks, which would include the City's two river parks: Dry Creek Park and the TRRP. As the proposed Project would not substantially degrade views from riverside areas and parks, this impact(s) would be less than significant.

Adoption of the Growth Strategy Diagram for the Planned Urbanizing Area, as presented in Chapter II, 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 UAGP 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.

3. Significant Cumulative Impacts

CEQA and the State CEQA Guidelines require the disclosure of significant cumulative environmental impacts; whether a project will make a cumulatively considerable contribution to any such impacts; and, if it will, mitigation measures intended to reduce the project's contribution (Section 15130 of the State CEQA Guidelines). A cumulative impact is one that results from past, present, and probable future projects. A project that has a less than significant direct impact on the environment may make a considerable contribution to a cumulative impact nonetheless.

A cumulative impact analysis first identifies whether a cumulatively significant impact exists in the given resource area. If one does, the analysis determines whether the project will make a considerable contribution to that impact. Where a cumulative impact is severe, even a small contribution may be considerable. Where a project is required to implement or fund its fair share of a mitigation measure designed to alleviate the cumulative impact, its contribution will be rendered less than considerable (Section 15130[a] of the State CEQA Guidelines).

Adoption of the Growth Strategy Diagram for the Planned Urbanizing Area, as presented in Chapter II of the proposed General Plan amendment, 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 currently illuminated. Additionally, the adoption of proposed UAGP actions and policies that could lead to an expanded street system and enhanced transit system also could increase light and glare in the planning area. 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. Proposed General Plan amendment policies VR-2 through VR-5 and the applicable design guidelines would reduce the potential for light and glare-related cumulative impacts to a less than significant level.

C. POLICIES ADOPTED TO MINIMIZE SIGNIFICANT EFFECTS

The following information is provided in accordance with State CEQA Guidelines Section 14126.4.

1. Policies That Reduce Direct Impacts

Proposed UAGP amendment policies listed above (VR-2 through VR-5), as well as the City's adopted *Guidelines for Small-Lot Single-Family Residential Developments* and *Design Guidelines for Commercial & Industrial Development*, would eliminate direct impacts to visual resources by incorporating policies that encourage the preservation and enhancement of visual resources in the planning area.

For impacts related to light and glare, UAGP policy VR-3 would limit the size of fixtures and require that fixtures focus their light to avoid spilling onto nearby properties, reducing the impact from new development in the Planned Urbanizing Area.

2. Policies That Reduce Cumulative Impacts

UAGP policies listed above (VR-2 through VR-5), would ensure that important visual resources are preserved and enhanced and that views from riverside parks in Modesto are protected from the potential effects of new development. Additionally, the adopted policies of the County General Plan ensure the protection and preservation of natural and scenic areas throughout Stanislaus County. With regard to light and glare, UAGP policy VR-3 would reduce the project's contribution to cumulative impacts.

D. MONITORING POLICIES THAT REDUCE IMPACTS

The following information is provided in accordance with Public Resources Code (PRC) Section 211081.6. The mitigation measures identified in the Master EIR have been incorporated into the UAGP and are implemented by that plan. City staff provides the Modesto City Council with an annual report on General Plan implementation. Therefore, no separate mitigation monitoring program is required for the UAGP Master EIR.