

**I. Implementation and Financing**

**A. PLAN IMPLEMENTATION**

As shown in Table 5-1, the Carver-Bangs Specific Plan defines the implementation measures that will guide development within the Plan area:

**1. Action Required for Implementation of the Carver-Bangs Specific Plan**

The following actions are required prior to development of land uses proposed in the Specific Plan:

- (a) Adoption of Prezoning prior to annexation.
- (b) Annexation of Specific Plan area to the City, simultaneously detaching this property from other applicable districts.
- (c) Approval of tentative and final subdivision maps.
- (d) Plot Plan, Conditional Use Permit, or other development entitlement consistent with the underlying zoning designation."

**2. Tentative and Final Subdivision Map Approvals**

Implementation of residential uses in the Plan area will require processing of a tentative map. The tentative map process is governed by the City's Subdivision Ordinance and the State Subdivision Map Act (Sections 66410 et seq.). Tentative and final subdivision map approval requires conformance to the requirements of the Specific Plan and must be consistent with the mitigation measures of the final focused EIR. Residential development projects may be submitted for development plan review following final subdivision map approval.

**3. Implementation of Land Use and Development Standards**

Residential land use and development standards for the Carver-Bangs Specific Plan will be regulated through the City Planning and Zoning Ordinance R-1 and R-3 classifications, as modified by the SP-O Zone. R-1 will be the Principal Underlying Zone for designated single-family residential areas, in accordance with Article 19, Sections 10-2.1901-05 of the City Planning and Zoning Ordinance. R-3 will be the Principal Underlying Zone for designated multi-family residential areas. The SP-O Zone is applied concurrently, to supplement principal underlying zone regulations with certain uses and standards adopted through the specific plan process (Section 10-2.1902, City Planning and Zoning Ordinance).

**4. Specific Plan Amendment Process**

The City requires the following steps be completed to amend specific plans:

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1. Proposals to amend the specific plan must be accompanied by detailed information documenting the change requested and accompanied by textual revisions and revised maps or diagrams.
2. Documentation of the need for amendments should indicate the economic, social, or technical issues that generate that need. Proposals to amend the specific plan also must be accompanied by studies that address such issues as conformance with specific plan principles and policies, compatibility with adopted land uses, and infrastructure requirements.
3. Applications for specific plan amendments also must provide an impact analysis for levels and types of development other than or in excess of the maximums addressed in the certified final EIR [FEIR]. Depending on the nature of the amendment, supplemental environmental analysis may be necessary (according to CEQA legislation [Section 15162 of the State CEQA Guidelines]).
4. City staff will review submitted material and provide staff report to the Planning Commission and City Council for action. Clarification of the individual studies may be required. Staff also will review the amendment for consistency with the General Plan and determine whether the need to amend the Specific Plan can be supported by the conclusions in any of the supplemental studies.
5. Both the Planning Commission and City Council must hold public hearings on specific plan amendments (in accordance with Section 65453 of the State Government Code).

### **B. FINANCING**

The major backbone infrastructure improvements necessary for development of the planning area are a sewer trunk line extension, water mainline extensions, as well as Storm Drainage Facility development. Street improvements are limited primarily to the extension of Prescott Road, American Avenue, and the Pelandale Expressway through the planning area as well as improvement to perimeter streets such as Bangs Avenue and Carver Road. Funding for these improvements will be through a combination of developer and city funding mechanisms. A portion of the improvements are expected to be built in conjunction with the City through the use of CIP funding along with collection of CFF Fees. In addition a Mello-Roos District will need to be formed to pay for the major backbone storm drainage improvements as well as to maintain the proposed landscaping along the Pelandale Avenue Expressway and Prescott Road. The properties will also need to annex to the School Financing Mello-Roos District prior to development to help mitigate impact on school facilities. In

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most cases the development and financing of typical subdivision improvements and major backbone infrastructure required to implement development in the plan area will be provided concurrently with individual parcel development on a pay-as-you-go basis. In cases where additional infrastructure is required for development to occur, fee offsets, credits, and reimbursements will be utilized.

### **1. Purpose of Financing Strategy**

The Modesto Urban Area General Plan contains the following policy statement:

Each Comprehensive Plan should include a long-range financing strategy which provides reasonable estimates of the costs of on- and off-site infrastructure to support the proposed development pattern. The strategy should generally address public funding including schools, for any development project which serves to implement the subject comprehensive plan. If new public facilities are required which will also serve the broader community, the comprehensive plan should include options for broad-based funding mechanisms.

The financing strategy addresses this policy, focusing on the specific needs of Carver-Bangs Specific Plan.

### **2. Characteristics of the Carver-Bangs Specific Plan that Simplify the Financing Strategy**

The Carver-Bangs Specific Plan has several characteristics that simplify public facility funding issues. They are as follows:

**a. Size.** Due to the small size of the planning area (approximately 160 acres), there are no significant public facility deficiencies that cannot be remedied through the typical subdivision process.

**b. Few Property Owners and Independent Facility Requirements.** There are only seven individual property owners with developable area in the planning area. Each of the properties will be able to provide facilities and develop independent of one another once the main facilities are available, pertinent easements granted, and necessary right of way dedicated. For this reason, only a small degree of cooperation among property owners will be necessary to ensure adequate facilities in the project area. When seeking development approvals, each property owner, upon adoption of the Specific Plan, will be bound to the following set of agreements.

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1. Infrastructure improvements shall be built according to the location, size, capacity, and design described in the Specific Plan.
2. Unrestricted access shall be provided, through easements or dedications, for the construction and maintenance of Specific Plan infrastructure projects by other property owners benefiting from such improvements.
3. Reimbursement, where appropriate, shall be paid to or accepted from other property owners for utility infrastructure oversizing or for other extra cost of direct benefit to an owner other than the one making the improvements.
4. Each property owner shall be responsible for the costs of all improvements actually shown on a Tentative Subdivision Map Application.

**c. Adjacent to Existing Urban Development.** The Carver-Bangs Specific Plan directly fronts on Carver Road and Bangs Avenue. Development will require half street improvements along these streets, but generally speaking, no significant road widening will be necessary. Similarly all other urban facilities are available to the Site. Therefore, the normal subdivision process of the City of Modesto will ensure the timely provision of urban services to each development project.

**d. Minimal Offsite Requirements.** The following offsite requirements are required for the buildout of the Carver-Bangs Specific Plan:

**Sanitary Sewer - Extension of Trunk Line from Snyder Avenue, construction of lift station and extension of trunk along Bangs Avenue east to the site.**

**Water - Installation of water main grid system from the developed area to the south.**

**Streets - Extension of American Avenue, Prescott Road, and the Pelandale Expressway will be required in addition to the frontages of Bangs Avenue and Carver Road.**

**Traffic Signals - Traffic Signals will be installed on an as needed basis in conjunction with the Final EIR Traffic Study.**

**Storm Drainage - Positive storm drain systems will be installed in accordance with city standards.**

**Schools - No offsite school improvements are required.**

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**3. Public Facility Funding Sources are Sufficient**

The Carver-Bangs Specific Plan provides a sufficient level of direction for public improvement and community facility requirements. Infrastructure improvements and their specifications are presented in the Specific Plan.

The following financing measures will be used to provide infrastructure to the Carver-Bangs Specific Plan:

<u>FACILITY</u>	<u>FUNDING SOURCE</u>	<u>NET COST TO CITY</u>	<u>SPECIFICATIONS</u>
Streets: Neighborhood & Collector	Developer dedication and improvement of all in tract streets, unless they are private	Not applicable, as the developers will provide 100% financing for these improvements	See Chapter 4, section B and Figure 4-1
Streets: Expressway & Arterial	Capital Facility fees (CFF) & Developer Requirements	None; City staff believes CFF is sufficient to pay project's fair share of major street costs with developer contribution.	See Chapter 4, Section B
Sanitary Sewer Trunks & Sub Trunks	Existing City CFF & CIP Funding	None; because citywide user and connection fees, which are updated from time to time, are sufficient to pay for needed sewer facility. Unknown Cost	See Chapter 4, section C
Sanitary Sewer Laterals and Mains	Developer required improvements	None developers to provide 100% financing.	See Chapter 4 Section D
Water	Existing City fees, developer requirements	None; because citywide user and connection fees, which are updated from time to time, are sufficient to pay for needed water facilities	See Chapter 4 Section D
Storm water Drainage	Existing City fees, developer requirements Mello-Roos District	None; because development will provide 100% financing for these improvements	See Chapter 4, section E
Schools	Developer agreement with school districts	None; because proponent has reached agreement with districts to mitigate school impacts	See Chapter 4, section I

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Parks	Developer agreement, CFF	None; because developer payment of CFF will cover costs.	See Chapter 4, H
Landscape Maintenance, Class I Bike Trails	Developer requirements, landscape district, homeowners association, or Mello-Roos District	None; because district or association would pay for all necessary maintenance	No specifications in this Specific Plan

**4. Miscellaneous Administrative Policies**

The following policies will be used to implement this long-range financing strategy.

**a. Property Owner Financing and Construction of Improvements.** Unless specifically excepted, each property owner will finance and construct improvements presented in the Specific Plan that are directly on or fronting the property; including frontage improvements, utilities, sewer, and water.

**b. Sizing and Timing of Facilities.** The above-referenced facilities will be sized by each property owner in accordance with the Specific Plan for the benefit of the downstream users. In the event that properties develop out of sequence, each property owner is required to provide easements and access that may be necessary to install facilities for the benefit of the other property owner. Each property will reimburse the other for their oversize expense at the time of filing a final subdivision map.

**c. Citywide Fees.** The existing Citywide fees for new construction will prevail for development within the Specific Plan area and are intended to pay for all off-site community facilities unless otherwise excepted.

**d. Citywide Fee Credits.** Property owners may receive credits to the payment of Citywide fees to the extent that there exists any duplication of improvements provided by the property owner versus improvements intended by the fee structure.

**e. Repayment for Oversizing.** Accounting for facility oversizing will be handled by the property owners in accordance with standard accounting practices. Repayment will be enforced by the City at the signing of the aforementioned final subdivision map.