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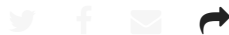
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Sprawl debate rekindled by ballot measure to set boundary for Modesto

By Ken Carlson

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OCTOBER 10, 2015 4:43 PM





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Modesto's political battle over sprawl resumes with Measure I, a proposal to draw an urban limit line on three sides of the city.

Denny Jackman, a former councilman and chief proponent, said the measure will establish firm growth boundaries that cannot be altered without a public vote. It will save farmland and protect land north of the city that is best for recharging groundwater, he added.

Opponents including business and labor groups say it's a job killer and would keep the city from expanding its economic base. They criticize the measure as misleading and an attempt to draw Modesto's future with a felt-tip pen.

The debate called attention this past week to a sloppy, hand-drawn map that Jackman submitted for Measure I. City officials said the map is in such bad condition, they can't read the street names. No map was included in ballot materials to show voters the proposed boundaries.

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According to the text, Measure I's boundaries would roughly follow Morse Road on the west, Kiernan Avenue and Claribel Road on the north, and Whitmore Avenue and the Tuolumne River on the south. It would allow housing and business projects on marginal farmland east of Claus Road and north of Dry Creek.

Northwest of Modesto, it marks an area for business and industrial parks bounded by Pirrone Road, Dale Road and Pelandale Avenue, though any housing subdivisions there would require a vote.

Jackman said it's the same plan approved by the City Council's economic development committee in September 2010. He claimed that former Mayor Jim Ridenour and former Councilman Joe Muratore sat on the proposal, and that his hand was forced when the council OK'd a larger growth blueprint in January 2014.

Jackman, Wood Colony leader Jake Wenger and retired hydrologist Vance Kennedy signed the notice that launched last year's campaign that gathered more than 9,700 valid signatures to put Measure I on the Nov. 3 ballot.

Voter approval of the measure would make the council's long-term planning decisions irrelevant, Jackman said.

"We are saying you won't build to the north and west unless you get approval from the voters," said Jackman, the measure's author, who pushed for a Stamp Out Sprawl initiative in 2008, which put restrictions on housing development on land outside the city limit.

Farmland north of Modesto is highly productive and the best for letting flood irrigation filter down to replenish groundwater, Jackman said.

With 9,000 undeveloped acres for business parks and other types of building, the city still can expand its economic base, he added. "The (opponents') argument is they

must develop on the west side of Highway 99, because they have not been able to develop on the east side of the freeway,” Jackman noted.

Building west of the highway, he said, would require a new fire station and millions of dollars for upgrading freeway interchanges.

Wenger, who’s a Modesto Irrigation District board member, said the “city of Modesto acknowledges it has enough land to meet its needs for 20 years.”

Wood Colony residents west of Modesto have fiercely opposed ideas for city encroachment, though they can’t vote on Measure I.

The “No on Measure I” committee includes business owners, the Modesto Chamber of Commerce, the city police and firefighters unions, Latino Community Roundtable and other union groups.

Chamber President Cecil Russell said the measure has the wrong priorities. It won’t save farmland because county government can approve building next to city borders.

The three-sided urban limit favors certain landowners and pushes development to the east side of Modesto, he said. More housing subdivisions on the east side will worsen traffic congestion, he added.

With a stunted economic base, Russell said, the city can’t collect tax revenue to pay for public safety and will need to raise taxes. The measure places no restrictions on high-density apartments or low-income housing, which could lead to a proliferation of that type of housing, the committee says.

George Petrulakis, a Modesto land-use attorney, spoke against the measure at a Bee editorial board meeting this past week. The measure is a limited plan that proposes business parks in the wrong places, he said.

“If Modesto’s long-term jobs strategy is east, it’s a failure,” Petrulakis said.

During the spirited discussion, Wenger countered that a regional industrial center could develop near the Riverbank ammo plant site when an east-west traffic corridor is built for the county.

The Stamp Out Sprawl group reported raising and spending \$44,000 last year, including \$30,400 spent to circulate petitions. The most recent disclosure showed

\$12,556 raised this year. The biggest contributor, Farmland Working Group of Turlock, has donated \$3,000.

A statement for No on Measure I said it was certified as a committee Sept 24. A mailer paid for by the committee was sent to homes this week, claiming the ballot measure will “make Modesto residents less safe.”

The committee reported a \$3,000 donation from Sylvan Property Management and \$1,000 each from Russell and Attorney David Gianelli.

County Registrar of Voters Lee Lundrigan said the voter materials do not contain the urban limit map because her office only includes what’s requested by the city. An online sample ballot for Modesto voters has a map for Measure H, which consolidates an advisory vote on extending sewer service to county unincorporated islands.

City Clerk Stephanie Lopez said an urban boundary map was not part of the materials sent to the county election office for Measure I. Her office sent an impartial analysis and arguments for and against the measure but didn’t prepare a map because it’s a citizens initiative.

City Planning Manager Patrick Kelly said the hand-drawn map submitted by Jackman is “crude and I can’t read the street names.” He said a marker was used to draw the boundaries over a street map of Modesto.

If the measure is approved by voters, the city will need to graft the urban limit and policies into the general plan, Kelly said. The formal argument for Measure I in the election pamphlet invites voters to look at a boundary map on www.stampoutsprawl.com as a reference.

There are small discrepancies between that online map and the one submitted to the city. As an example, the south boundary formed by Whitmore Avenue goes all the way to Highway 99 on the online map, forming a triangle. It is cut short of the freeway on the other map.

Kelly said staff members possibly would meet with the proponents after the election for clarifications, but that would be done in consultation with the city attorney.

“Election officials should not print or publicize materials in the ballot that are misleading, or that are so unclear as to be potentially misleading,” City Attorney Adam Lindgren said.

Jackman said he drew the boundary map for the notice of intent to gather signatures in March 2014.

In his opinion, the text of the measure sets the boundary lines, and the map serves as a guide if there are questions about them.

Petrulakis said Measure I is vulnerable to lawsuits. It is “rife with ambiguities, including its hand-drawn map, that will most likely result in multiple legal challenges as different property owners realize how their land is affected,” he wrote in an email.

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