

**PLANNING COMMISSION
RESOLUTION NO. 2025-19**

**A RESOLUTION RECOMMENDING TO THE CITY COUNCIL
APPROVAL OF AN AMENDMENT TO PRECISE PLAN NO. 35 SOUTH
TO MODIFY THE CIRCULATION PLAN (DR HORTON BAY INC.)**

WHEREAS, the City Council, on October 16, 1990, adopted the Village One Specific Plan, pursuant to California Government Code Section 65450 et. seq., to implement the Modesto Urban Area General Plan in this area; and

WHEREAS, the Village One Specific Plan is divided into 35 precise plan areas, and a precise plan is required prior to development in each area; and

WHEREAS, a Precise Plan for the portion of Area No. 35 located south of Milnes Road, known as Precise Plan No. 35 South, was approved by the City Council by Ordinance No. 3777-C.S. on January 23, 2024; and

WHEREAS, an application has been filed by DR Horton Bay Inc. for an amendment to the circulation plan of Precise Plan No. 35 South, to facilitate the development of 527 single-family homes, five landscape lots, and a 3.5-acre park, on property located east of Claus Road and north of E. Briggsmore Avenue; and

WHEREAS, said application was made concurrently with an application for the Amendment of the Final Development Plan for the Crossings, in Precise Plan 35, in the Village One Specific Plan, for architectural substitutions; and

WHEREAS, an evaluation, EA/C&ED No. 2025-04 has been performed by staff in accordance with the requirements of Section 15162 of the CEQA Guidelines; and

WHEREAS, the evaluation under Section 15162 of the CEQA Guidelines concluded that no further documentation with regard to CEQA is required for this project; and

WHEREAS, due to the conclusions reached by the Section 15162 analysis, staff has determined that the project is exempt from CEQA pursuant to Section 15182 of the CEQA Guidelines, which exempts residential projects implementing Specific Plans that are undertaken pursuant to and in conformity to the associated Specific Plan, and has prepared a Notice of Exemption, EA/C&ED 2025-03; and

WHEREAS, a public hearing was held by the Planning Commission on April 21, 2025, in the Chambers, Tenth Street Place, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

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

1. The proposed amendment to Precise Plan No. 35 South is consistent with the Village One Specific Plan and the General Plan, because the amendment to the Circulation plan would allow for the development of single-family residential uses that is consistent with the Village One Specific Plan. The amendment would allow for reduced CFD costs, reduced street and landscape maintenance costs, allow for additional on-street parking, and enable larger overall front and rear yards within the development. The General Plan designates the proposed development site as Residential (R), which allows for single-family residential uses.
2. On the basis of evaluation EA/C&ED 2025-004, performed in accordance with the requirements of Section 15162 of the CEQA Guidelines, Subsequent EIRs and Negative Declarations, the Planning Commission has determined that no further documentation with regard to CEQA is required for this project.
3. The Planning Commission has further determined that this project is exempt from CEQA pursuant to Section 15182 of the CEQA Guidelines, Projects

Pursuant to a Specific Plan, part c, subpart 1, which exempts residential projects implementing Specific Plans that are undertaken pursuant to and in conformity to the associated Specific Plan, and hereby adopts Notice of Exemption EA/C&ED 2025-003.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the City Council adoption of an amendment to the Circulation Plan of Precise Plan No. 35 South as stamped approved by the Planning Commission on April 21, 2025, and as shown in **Exhibit “A”**.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on April 21, 2025, by Commissioner Russell, who moved its adoption, which motion was seconded by Commissioner Arroyo and carried by the following vote:

Ayes: Arroyo, Black, Goriel, Grewal, Hauselmann, Russell, Shanks

Noes: None

Absent: None

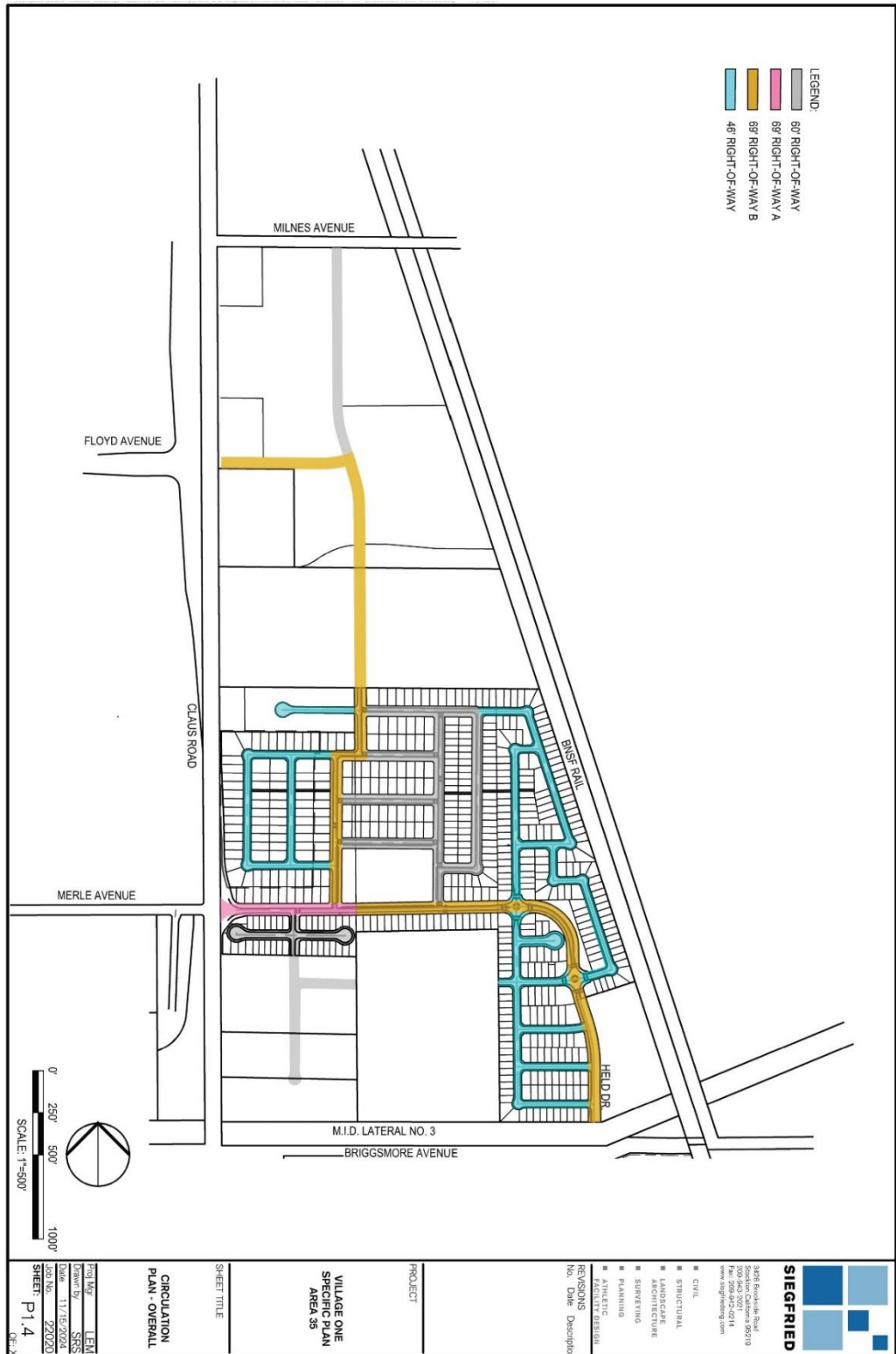
Recused: None

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

Signed copy on file in CEDD

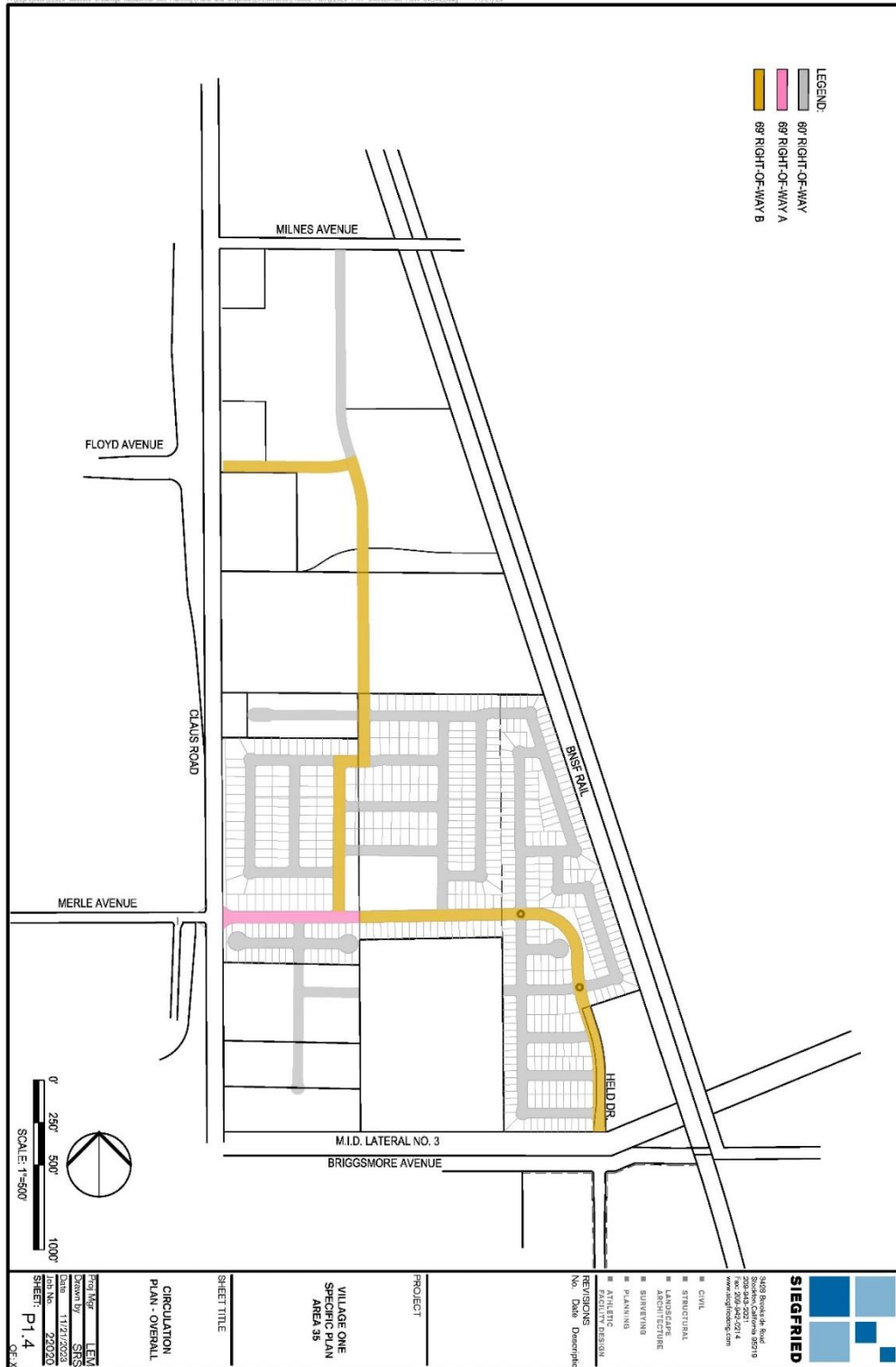
Jessica Hill, Secretary

EXHIBIT A



PROPOSED CIRCULATION PLAN FOR PRECISE PLAN NO. 35 SOUTH

EXHIBIT B



EXISTING CIRCULATION PLAN FOR PRECISE PLAN NO. 35 SOUTH