

PLANNING COMMISSION
RESOLUTION NO. 2015-05

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL TO AMEND ARTICLE 5 OF CHAPTER 7 OF TITLE 10 IN ITS ENTIRETY BY REPLACING SECTIONS 10-7.501 THROUGH 10-7.510 WITH NEW SECTIONS 10-7.501 THROUGH 10-7.516, TO AMEND CHAPTER 7, ARTICLE 5, ON PAGE 537 OF THE TABLE OF CONTENTS, AND TO AMEND SECTIONS 10-1.401, 10-3.405, 10-3.406, 10-5.102, AND 10-9.1002 OF THE MODESTO MUNICIPAL CODE TO CREATE NEW DOWNTOWN ZONES

WHEREAS, in October of 2007, the Redevelopment Agency adopted the Redevelopment Master Plan, which established a vision for the redevelopment of downtown Modesto including an implementing policy calling for new zoning for downtown that would facilitate redevelopment and intensification of downtown; and

WHEREAS, in July of 2010, the City Council adopted the Downtown Core Zone, a new zoning and development code for the central part of downtown utilizing form-based code principles, following the policies of the Redevelopment Master Plan; and

WHEREAS, in 2011, the Strategic Growth Council's Proposition 84 Planning Grant was awarded by the State of California to the City of Modesto to fund the development of form-based zoning for the remainder of the downtown area to facilitate enhanced economic development in the downtown area; and

WHEREAS, on June 7, 2012 and September 19, 2012, workshops were held with stakeholders to discuss the proposed project; and

WHEREAS, on June 23, 2014, a workshop was held with local architects to seek input on the proposed project; and

WHEREAS, on November 20, 2014, a workshop was held with the Downtown Partnership Urban Design Team to seek input on the proposed project; and

WHEREAS, on December 11, 2014, a workshop was held with property owners and interested parties to present the proposed project and to seek input; and

WHEREAS, on January 26, 2015, a Planning Commission study session was held on the proposed project; and

WHEREAS, a public hearing was held by the Planning Commission on March 16, 2015, in the Chambers, 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 code amendment (Exhibit A) will benefit the public health, safety, and welfare because it is intended to improve the downtown area through facilitating increased densities and intensification of shared uses; providing additional housing choices and opportunities; ensuring development occurs at a human scale; promoting store frontage and display on public streets; and improving pedestrian circulation.

2. The proposed code amendment will result in an orderly planned use of land because it will help to ensure that new development in downtown is of a type, form and scale that is appropriate to the existing development in downtown.
3. The proposed code amendment is in accordance with the community's objectives as set forth in the General Plan because it will implement the following General Plan goals and policies:
 - a. General Plan Overall Goal I.C.6 (preserving agricultural land by having new development be relatively compact and of reasonably high density) by promoting higher density, mixed-use development in downtown.
 - b. General Plan Economic Development Goal I.D.1. (striving for a jobs/housing balance by encouraging the economic revitalization of downtown) by allowing higher density development and providing incentives such as reduced parking standards to encourage economic development in downtown.
 - c. General Plan Economic Development Goal I.D.2 by strengthening downtown as the focal point of community life and the social, cultural, business, governmental, and entertainment center of the City and by preserving and revitalizing the downtown and making it an identifiable center.
 - d. The rezoning is consistent with the Redevelopment Planning District General Plan designation by assisting in implementing the vision and goals of the Redevelopment Master Plan for downtown.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends to the Council an amendment to Chapter 7 of Title 10 of the Modesto Municipal Code (Zoning Regulations) to amend Article 5 in its entirety so as to replace sections 10-7.501 through 10-7.510 with new sections 10-7.501 through 10-7.516, to amend Chapter 7, Article 5, on page 537 of the Table of Contents, and to amend Sections 10-1.401, 10-3.405, 10-3.406, 10-5.102, and 10-9.1002 as shown in Exhibit A.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on March 16, 2015, by Chris Tyler, who moved its adoption, which motion was seconded by Dennis Smith and carried by the following vote:

Ayes:	Carter, Grewal, Smith Tyler
Noes:	None
Absent:	Escutia-Braaton, Lucas
Recused:	None

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

Original, signed copy on file in CEDD
Patrick Kelly, Secretary

**EXHIBIT A
CODE-11-003**

**Draft on File with the Community and Economic Development Department,
Planning Division**