

PLANNING COMMISSION
RESOLUTION NO. 2019-27

A RESOLUTION DETERMINING GENERAL PLAN CONFORMITY FOR THE PROPOSED PURCHASE OF THE CITY'S INTEREST IN REAL PROPERTY LOCATED AT 2846 FINCH ROAD (COUNTY OF STANISLAUS)

WHEREAS, the County of Stanislaus is proposing to purchase the property located at 2846 Finch Road, APN 039-010-002; and

WHEREAS, California Government Code Section 65402(b) states that a county shall not acquire real property within the corporate limits of a city if such city has an adopted General Plan applicable to the area, until the location, purpose and extent of the acquisition have been submitted to and reported upon by the planning agency as to the conformity with the General Plan; and

WHEREAS, the City of Modesto Urban Area General Plan designation for the property at 2846 Finch Road is "I," Industrial, which allows for a wide variety of uses, including industrial uses; and

WHEREAS, the proposal for purchase of property does not include a change in land use; therefore, the use of the property will continue to be in conformance with the City of Modesto Urban Area General Plan; and

WHEREAS, the County Board of Supervisors considered the purchase at its regularly scheduled meeting of September 10, 2019, and approved a Notice of Intent to Purchase Real Property for the project site, consistent with Government Code sections 6063 and 25350; and

WHEREAS, the County of Stanislaus requested in a letter dated August 21, 2019, that the Planning Commission render for the subject property, located at 2846 Finch Road, a report of conformity with the City's General Plan; and

WHEREAS, the proposed project is exempt from CEQA pursuant to Section 15312 because the property is surplus to the City's needs, it has no value for wildlife habitat or other environmental purposes, and the use of the property and adjacent properties have not changed since the City of Modesto acquired a financial interest in the property; and

WHEREAS, on September 16, 2019, at its regularly scheduled meeting in the Council Chambers at 1010 Tenth Street in Modesto, California, the Planning Commission reviewed and considered the request by the County of Stanislaus to acquire the property located at 2846 Finch Road.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Modesto that it hereby renders a report finding that the location, purpose, and extent of the acquisition by the County of Stanislaus of the property located at 2846 Finch Road, is in conformance with the City's adopted General Plan.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on September 16, 2019, by Commissioner Pollard , who moved its adoption, which motion was seconded by Commissioner Lucas , and carried by the following vote:

Ayes: Lucas, Pollard, Smith, Vohra, Biring

Noes: None

Absent: Escutia-Braaton, Morad

Recused: None

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

Original, signed copy on file in CEDD
Brad Wall, Acting Secretary