

PLANNING COMMISSION
RESOLUTION NO. 2021-21

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN (STL COMPANY LLC)

WHEREAS, a General Plan for the City of Modesto entitled "City of Modesto Urban Area General Plan" (UAGP), was adopted by the City Council by Resolution No. 95-409 on August 15, 1995, in accordance with Section 65300 of the Government Code;

WHEREAS, said General Plan has been amended by Modesto City Council Resolution Nos. 95-584, 96-20, 96-338, 96-639, 97-3, 97-137, 97-158, 98-293, 99-162, 99-564, 2000-303, 2000-633, 2001-47, 2001-476, 2002-154, 2002-526, 2003-101, 2003-122, 2007-066, 2007-599, 2008-142, 2008-583, 2009-419, 2011-253, 2011-254, 2011-436, 2012-430, 2014-17, 2014-422, 2015-262, 2016-34, 2017-21, 2019-109 copies of which are on file in the office of the City Clerk;

WHEREAS, Government Code Section 65358 permits the amendment of General Plans by the legislative body;

WHEREAS, a Master Environmental Impact Report was prepared for the Urban Area General Plan amendment (SCH No. 2014042081), which analyzed the potential environmental effects of the proposed Project; and,

WHEREAS, on March 5, 2019, by Resolution No. 2019-108, the City Council certified the Final Master Environmental Impact Report ("Master EIR") (SCH No. 2014042081) for the Modesto Urban Area General Plan;

WHEREAS, STL Company LLC ("Applicant") desires to amend the UAGP ("Project") to:

1. Change the land designated C, Commercial, in the Fairview Village Specific Plan to VR, Village Residential.

WHEREAS, a public hearing was held by the Planning Commission on December 20, 2021, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Modesto that it hereby recommends that the City Council approve the General Plan amendment changing the designation of 20 acres of C, Commercial, to VR, Village Residential and to find as follows:

1. The proposed General Plan amendment will allow flexibility for development to respond to market conditions, consistent with the Village Residential designation.

2. The general plan amendment will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the General Plan Master EIR (SCH No. 2014042081).
3. No new or additional mitigation measures or alternatives are required.
4. The subsequent project is within the scope of the project covered by the Master EIR.
5. All applicable policies, regulations, and/or mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.
6. The Initial Study, Environmental Assessment No. EA/C&ED 2021-31, provides the substantial evidence to support findings 2-5, noted above.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Modesto that it hereby recommends to the City Council adoption of the proposed amendment to the Urban Area General Plan as described in Exhibit "A," attached hereto and incorporated herein by reference.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on December 20, 2021, by Commissioner Vohra, who moved its adoption, which motion was seconded by Commissioner Morad, and carried by the following vote:

Ayes:	Birring, Morad, Pollard, Silva, Smith, Vohra, Shanks
Noes:	None
Absent:	None
Recused:	None

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

Original, signed copy on file C&EDD

Steve Mitchell, Secretary

EXHIBIT "A"

GENERAL PLAN AMENDMENT

Final documentation on file with the Planning Division of the Community and Economic Development Department.

