

PLANNING COMMISSION  
RESOLUTION NO. 2021-08

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF  
AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN  
(GRUPE-HUBER COMPANY)

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; and

WHEREAS, the Grupe-Huber Company has filed an application for a General Plan Amendment (File No. GPA-21-003) to amend the Land Use Diagram of the General Plan to change 67 acres from Business Park (BP) uses to Mixed Uses (MU), properties located south of Bangs Avenue, north of Pelandale Avenue and west of American Avenue, within the Kiernan Business Park Specific Plan; and

WHEREAS, said application was made concurrently with a proposed amendment to the Kiernan Business Park Specific Plan to amend the land use designation of the above 67 acres from Business Park (BP) to the new designation of Mixed Use 3 (MU3), (File No. SPA-21-003); and

WHEREAS, a public hearing was held by the Planning Commission on March 7, 2022, 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 amendment to the Land Use Diagram of the General Plan to change the designation of 67 acres from Business Park (BP) to Mixed Use (MU), and to find as follows:

1. The proposed General Plan amendment will allow for diversity in the development of Mixed Uses including Medium-High Density Residential uses within the Kiernan Business Park Specific Plan, consistent with the Mixed Use designation.
2. A Negative Declaration, Environmental Assessment No. EA/C&ED No. 2022-6, was prepared by the City of Modesto that analyzed the proposed General Plan Amendment and the Planning Commission has determined that, on the basis of the whole record before it, there is no substantial evidence that the amendment will have a significant effect on the

environment and that the Negative Declaration should be adopted by the City Council.

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 Land Use Diagram of 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 March 7, 2022, by Commissioner Shanks, who moved its adoption, which motion was seconded by Commissioner Vazquez, and carried by the following vote:

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

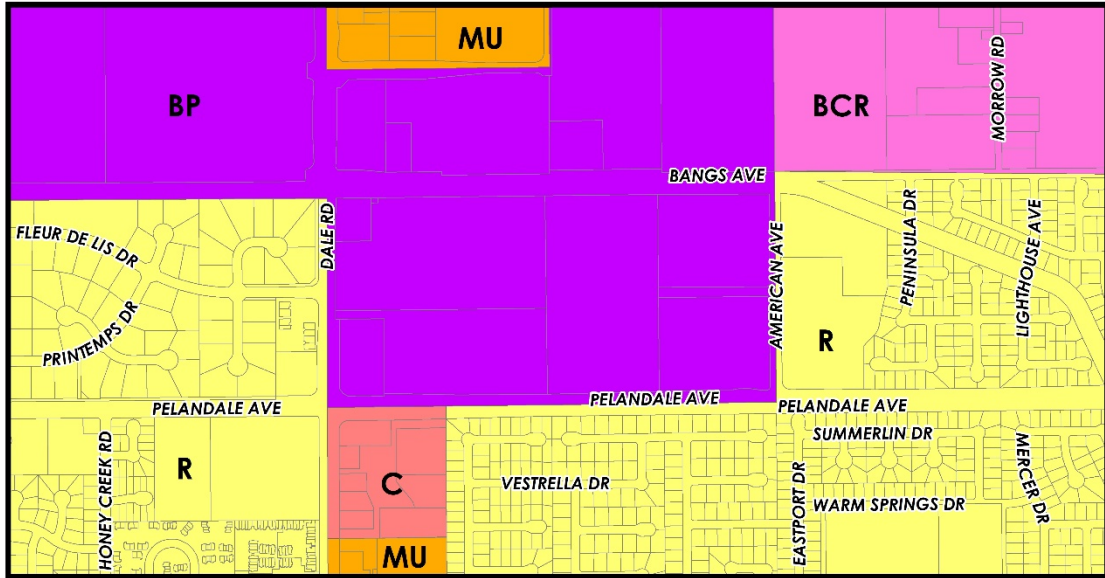
BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file C&EDD

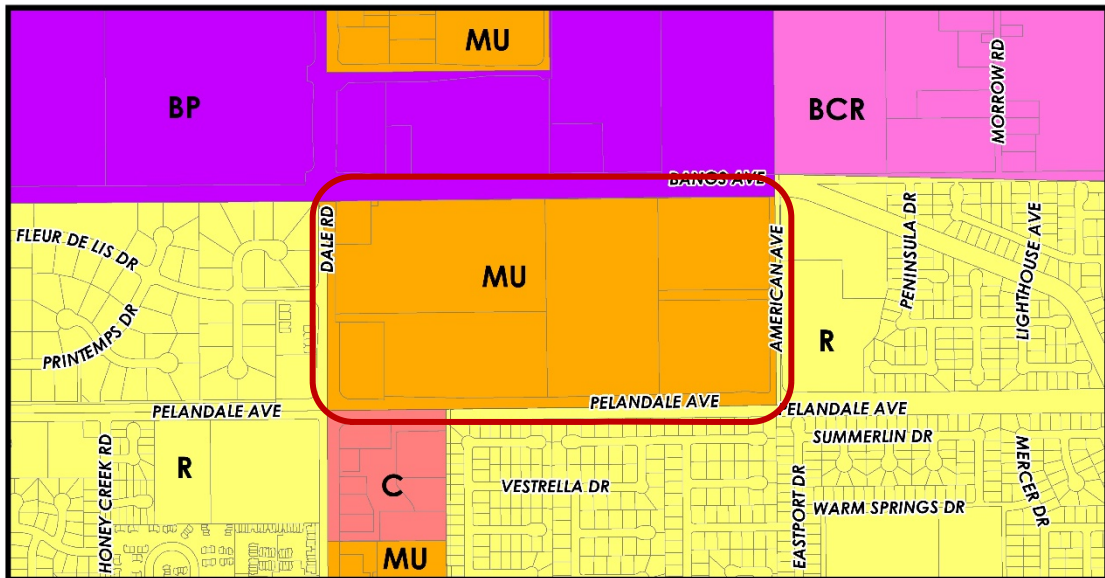
Steve Mitchell, Secretary

# EXHIBIT "A"

## GENERAL PLAN AMENDMENT



**CURRENT GENERAL PLAN LAND USE**



**PROPOSED GENERAL PLAN LAND USE**