

PLANNING COMMISSION
RESOLUTION NO. 2022-25

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF
AN AMENDMENT TO THE MODESTO URBAN AREA GENERAL PLAN
(ARCADIA DEVELOPMENT 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, 2022-101 and 2022-193, 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 Arcadia Development Company has filed an application for a General Plan Amendment (File No. GPA-22-002) to amend the Land Use Diagram of the General Plan to change 25 acres from Regional Commercial (RC) uses to Residential Uses (R), property located north of Mable Avenue, east of Oakdale Road, within the Tivoli Specific Plan; and

WHEREAS, said application was made concurrently with a proposed amendment to the Tivoli Specific Plan to amend the land use designation of the above 25 acres from Regional Serving Commercial (RSC) to the new designation of Low Density Residential 13 (LDR 13), (File No. SPA-22-001); and

WHEREAS, a public hearing was held by the Planning Commission on October 3, 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 25 acres from Regional Commercial (RC) to Residential (R), and to find as follows:

1. The proposed General Plan amendment would result in Residential uses that would provide for development of new housing within the Tivoli Specific Plan, consistent with the Residential (R) designation.
2. A Negative Declaration, Environmental Assessment No. EA/C&ED No. 2022-20, 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 October 3, 2022, by Commissioner Shanks, who moved its adoption, which motion was seconded by Commissioner Morad, and carried by the following vote:

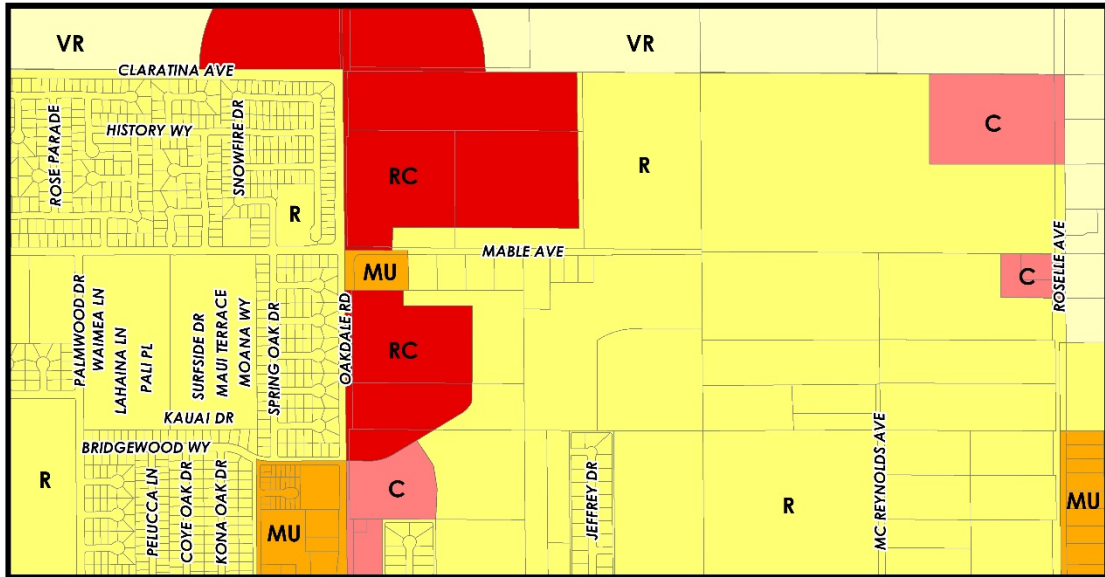
Ayes:	Birring, Pollard, Morad, Shanks, Vohra
Noes:	None
Absent:	Silva, Vazquez
Recused:	None

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

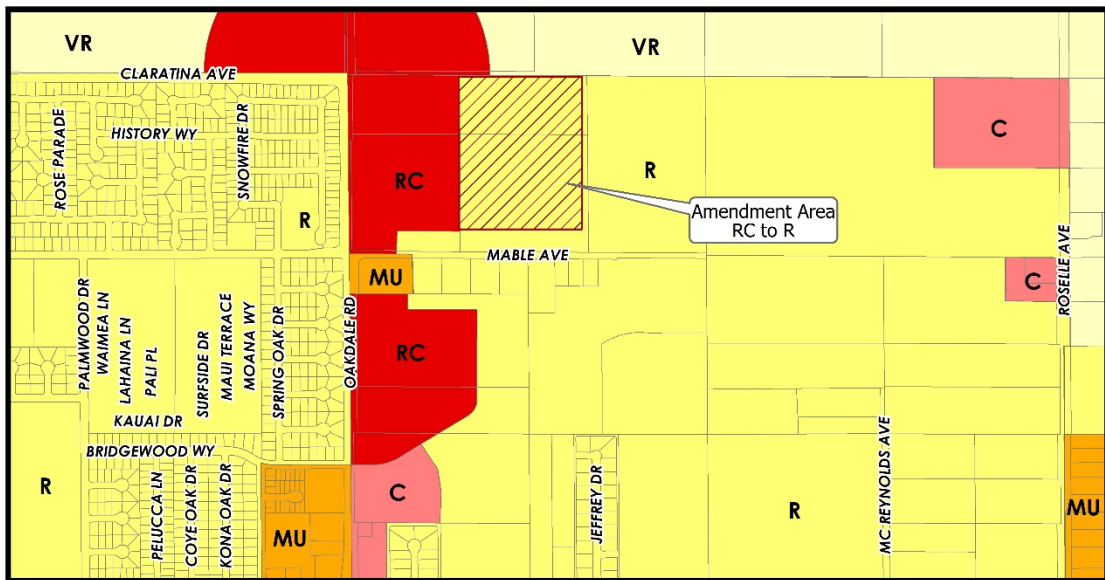
Original, signed copy on file C&EDD

Paul Liu, Acting Secretary

EXHIBIT "A"
GENERAL PLAN AMENDMENT



CURRENT GENERAL PLAN LAND USE



PROPOSED GENERAL PLAN LAND USE