

ORDINANCE NO. 3695-C.S.

AN ORDINANCE AMENDING SECTIONS 5-3-9 AND 8-3-9 OF THE ZONING MAP TO PREZONE 35.19 ACRES, TO PLANNED DEVELOPMENT ZONE, P-D(607), PROPERTY LOCATED WEST OF MCHENRY AVENUE AND SOUTH OF PELANDALE AVENUE

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Sections 5-3-9 and 8-3-9 of the Zoning Map are hereby amended to classify the following described property in the unincorporated area west of McHenry Avenue and south of Pelandale Avenue P-D(607):

Prezone to P-P-D (607)

All that portion of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 5, Township 3 South, Range 9 East, and a portion of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 5, Township 3 South, Range 9 East, Mount Diablo Meridian, being more particularly described as follows:

BEGINNING at the southwest corner of Lot "A" as shown on that map filed in Volume 52 of Parcel Maps at Page 18, Stanislaus County Records, thence commencing the following ten courses:

1. South  $88^{\circ} 44' 29''$  East, a distance of 182.2 feet, thence;
2. A Tangent Curve with a radius of 5067.5 feet, arc length of 588.27 feet, and chord bearing South  $85^{\circ} 24' 57''$  East, said curve being along the northerly Right-of-Way line of Pelandale Avenue and the southern lot line of the Remainder parcel as shown on that map filed in Volume 49 of Parcel Maps at Page 88, Stanislaus County Records, thence;
3. South  $0^{\circ} 38' 19''$  West, a distance of 118.99 feet to a point at the north corner of Lot "A" as shown on that map filed in Volume 33 of Maps at Page 17, Stanislaus County Records, thence;
4. South  $1^{\circ} 11' 49''$  East, a distance of 184.23 feet to a point at the southeast corner of aforementioned Lot "A" thence;
5. South  $88^{\circ} 48' 11''$  East, a distance of 215.08 feet, thence;
6. South  $1^{\circ} 31' 0''$  East a distance of 1186.82 feet, thence;
7. North  $88^{\circ} 48' 26''$  West, a distance of 524.89 feet, thence;

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8. South 70° 11' 8" West, a distance of 535.66 feet, thence;
9. North 1° 5' 32" West, a distance of 1725.34 feet, thence;
10. South 83° 31' 18" East, a distance of 60.54 feet to the Point of Beginning.

Containing 35.19 Acres, more or less.

APNs: 046-004-011, 046-004-021, 046-009-001, 046-005-008, 046-005-018, 046-005-019, and 055-036-016

SECTION 2. USES. The following uses shall be permitted in said P-D(607)

Zone:

1. A gated single family residential subdivision of no more than 111 dwellings and supporting infrastructure such as a stormwater drainage basin and open space for recreation.
2. Publicly-owned stormwater drainage basins.

SECTION 3. ZONING MAP. Section Maps 5-3-9 and 8-3-9 of the Zoning Map of the City of Modesto are amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in *The Modesto Bee*, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14<sup>th</sup> day of May, 2019, by Councilmember Ridenour, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki,  
Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Ah You

APPROVED: \_\_\_\_\_  
TED BRANDVOLD, Mayor

ATTEST:

By: \_\_\_\_\_  
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: \_\_\_\_\_  
ADAM U. LINDGREN, City Attorney

APPROVED AS TO DESCRIPTION:

By: \_\_\_\_\_  
Community & Economic Development  
Department, Planning Division



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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28<sup>th</sup> day of May, 2019, Councilmember Kenoyer moved its final adoption, which motion being duly seconded by Councilmember Ah You, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour,  
Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: \_\_\_\_\_  
MAYOR, TED BRANDVOLD

ATTEST: \_\_\_\_\_  
STEPHANIE LOPEZ, City Clerk

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