

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113 Sacramento, CA 95814

County Clerk
County of: Stanislaus
Address: 1021 T Street Modesto, CA 95354

From:

Public Agency: City of Oakdale
Address: 455 S. Fifth Avenue Oakdale, CA 95361
Contact: Mark Niskanen, City Planner
Phone: (209) 845-3641

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2021060297

Project Title: The Meadowlands Subdivision - GPA, Rezone, and VTSM 2021-04

Project Applicant: Lucky Land and Cattle Company

Project Location (include county): City of Oakdale, County of Stanislaus

Project Description:

The Project consists of a General Plan Amendment, Rezone, and Vesting Tentative Subdivision Map to allow for the development of sixty-two (62) single-family residential units and a landscaped storm drain basin.

This is to advise that the Oakdale City Council has approved the above (Lead Agency or Responsible Agency)

described project on 9/20/2021 and has made the following determinations regarding the above described project.

- 1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

City of Oakdale Public Services Department, 455 S, Fifth Avenue, Oakdale, CA 95361

Signature (Public Agency): [Signature] Title: City Planner

Date: September 21, 2021 Date Received for filing at OPR:



**IN THE CITY COUNCIL
OF THE CITY OF OAKDALE
STATE OF CALIFORNIA
CITY COUNCIL RESOLUTION 2021-095**

**A RESOLUTION OF THE CITY OF OAKDALE CITY COUNCIL
CERTIFYING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING
AND REPORTING PROGRAM FOR THE MEADOWLANDS SUBDIVISION (GENERAL PLAN
AMENDMENT, REZONE, AND VESTING TENTATIVE SUBDIVISION MAP NO. 2021-04) -
LOCATED AT GREGER STREET, OAKDALE, CA ASSESSOR PARCEL NUMBER 063-024-
017**

THE CITY OF OAKDALE CITY COUNCIL DOES HEREBY RESOLVE THAT:

WHEREAS, a request has been submitted by Lucky Land and Cattle, Inc. (P.O. Box 576489, Modesto, CA 95357) Applicant on behalf of the Property Owner of Record (by Mr. Thomas G. Van Ruiten) as to Assessor Parcel Numbers 063-024-017, amend the 2030 General Plan, Rezone the Subject Property from Limited Industrial (L-M) to Single Family Residential (R-1), and to subdivide 13.4 acres into 62 residential lots and a common area lot located at Greger Street, Oakdale, CA. The proposed new residential lots range in size from 6,000 square feet to 11,000 square feet. The Project will connect to the City of Oakdale sewer, water and storm drain services; and,

WHEREAS, an Initial Study (Exhibit A) was prepared in accordance with Section 15063 of the CEQA Guidelines, which concluded that the Proposed Project is within the scope of the previously certified City of Oakdale 2030 General Plan and Final Environmental Impact Report, and that pursuant to Section 15168 of the CEQA Guidelines, a Mitigated Negative Declaration tiered from the 2030 General Plan Final Environmental Impact Report is the appropriate level of environmental review; and

WHEREAS, the Initial Study concluded that while the project may have a potentially significant effect on the environment, the incorporation of mitigation measures would reduce the impact to a less than significant level, and consequently a Mitigation Negative Declaration (SCH No. 2017102067) was prepared; and

WHEREAS, the Initial Study was circulated for a 30-day public review period and posted with the Stanislaus County Clerk Recorder's Office and the State Office of Planning and Research. The 30-day public review period for the proposed Initial Study Negative Declaration began on June 14, 2021 and ended on July 14, 2021; and

WHEREAS, the City received public comments on the draft Initial Study/Mitigated Negative Declaration and no changes to the document were necessary as a result.

WHEREAS, the Oakdale Planning Commission held a duly noticed public hearing on August 4, 2021, and recommended to the City Council certification of the Project's Mitigated Negative Declaration; and,



CITY OF OAKDALE
CITY COUNCIL RESOLUTION 2021-095 Continued

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Oakdale recommends to the City Council making the following findings and determinations:

1. The Proposed Project is not likely to cause substantial environmental damage, or substantially and unavoidable injure fish or wildlife or their habitat.
 - a. As per Sections 15182 and 15162 of the California Environmental Quality Act ("CEQA") Guidelines, this Project is within the scope of the projects covered by the 2030 General Plan Final EIR, and no new environmental document or findings are required by CEQA. Relevant mitigation measures from EIR have been made conditions of project approval.
 - b. There are no substantial changes proposed in the project, which result in new significant environmental effects, or a substantial increase in the severity of previously identified significant effects and, therefore, no major revisions to the EIR are required.
 - c. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects and therefore, no major revisions to the EIR are required.
 - d. There is no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence when the EIR was adopted which shows any of the following: one or more significant effects which is not discussed in the EIR; or, significant effects which were previously examined will be substantially more severe than previously shown; or, previously infeasible mitigation measures or alternatives are now feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or, mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
 - e. In accordance with Section 15074 of the CEQA Guidelines, the City has prepared a Mitigated Negative Declaration (Exhibit B) tiered from the City's 2030 General Plan EIR based on the analysis contained in the Initial Study prepared in accordance with Section 15063 of the CEQA Guidelines, and all appropriate Mitigation Measures presented in the Initial Study have been incorporated into the Project.



**CITY OF OAKDALE
CITY COUNCIL RESOLUTION 2021-095**

f. In accordance with Section 15097 of the CEQA Guidelines, the City has prepared a Mitigation Monitoring and Reporting Program (Exhibit A). All appropriate Mitigation Measures presented in the Initial Study have been incorporated into the MMRP, presented as Exhibit A of this Resolution.

2. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Planning Commission of the City of Oakdale hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

NOW, THEREFORE, BE IT FINALLY RESOLVED BY THE OAKDALE CITY COUNCIL THAT THE ABOVE-RECOMMENDED FINDINGS AND THE INDIVIDUAL ACTIONS AS DESCRIBED ABOVE ARE ADOPTED.

THE FOREGOING RESOLUTION IS HEREBY ADOPTED THIS 20TH DAY OF SEPTEMBER, 2021, by the following vote:

AYES:	COUNCIL MEMBERS: C. Smith, Haney, F. Smith, Chiara, Bairos	(5)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: None	(0)
ABSTAIN:	COUNCIL MEMBERS: None	(0)

SIGNED:

Christopher Smith, Mayor Pro Tem

ATTEST:

Rouze Roberts, City Clerk