

**City of Modesto
NOTICE OF DETERMINATION**

FILED

2019 JUL 12 PM 2:25

STANISLAUS CO. CLERK-RECORDER

Phaiwann Prum

**ATTENTION COUNTY CLERK:
PLEASE DO NOT REMOVE BEFORE AUGUST 16, 2019**

TO: County Clerk-Recorder
County of Stanislaus
1021 I Street
Modesto, CA 95354

FROM: City of Modesto
Community & Economic Development Dept.
Planning Division
P.O. Box 642
Modesto, CA 95353

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

Project Title: RZN-19-001 Rezone 1.45 acres from Low Density Residential (R-1) Zone to Medium Density Residential (R-2) Zone.

State Clearinghouse Number: Modesto Urban Area General Plan Master EIR (SCH No. 2014042081)

Contact Person: Jonnie Lan, AICP, Associate Planner (209-577-5267)

Applicants: Ly Nguyen, 116 Corson Avenue, Modesto, 95350 (209-505-8341)

Owner: Mai Nguyen and Gary Dodd

Project Location: 1215 and 1225 W. Roseburg Avenue

Project Description: Rezone of 1.45 acres comprised of two adjacent parcels of land located at 1215 and 1225 W. Roseburg Avenue (APNs 118-018-024 and 118-018-025) from current designations of Low Density Residential (R-1) to Medium High Density Residential (R-2) Zone. Both properties currently each have a dwelling unit on them and a rezone would facilitate the development of a proposed multi-family housing project for 1215 W. Roseburg Avenue, currently being reviewed by staff. The maximum density allowed for the site under the R-2 Zone would be 17 dwelling units total. The applicant is proposing to develop the site to up to 14 units.

This is to advise that the City of Modesto, the lead agency, has approved the above-described project on July 9, 2019, and has made the following determinations, pursuant to Section 21157.1 of the CEQA Guidelines:

The project is within the scope of the Master EIR and no new environmental document or Public Resources Code Section 21081 findings are required. The following findings have been found to be true:

1. An Initial Study was prepared by the City of Modesto that analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Master EIR and whether the subsequent project was described in the Master EIR as being within the scope of the report.
2. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, which was not identified in the Master EIR.
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 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. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

The Initial Study, Environmental Assessment No. EA/C&ED 2019-11, on file at the City of Modesto, Community and Economic Development Department, provides substantial evidence to support findings 1 thru 6, noted above.

This is to certify that the Master EIR is available to the general public at:

City of Modesto, Community & Economic Development Department, Planning Division,
1010 Tenth Street, Modesto, CA 95354



Jonnie Lan, City of Modesto

Date: July 12, 2019 Title: Associate Planner

Governor's Office of Planning & Research

JUL 16 2019

STATE CLEARINGHOUSE



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

Print **StartOver** **Finalize&Email**

RECEIPT NUMBER:
 50 — 2019 — 035
 STATE CLEARINGHOUSE NUMBER (If applicable)
 SCH No. 2014042081

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF MODESTO	LEAD AGENCY EMAIL	DATE 03/06/2019
COUNTY/STATE AGENCY OF FILING Stanislaus	DOCUMENT NUMBER 50-2019-035	

PROJECT TITLE

CITY OF MODESTO GENERAL PLAN AMENDMENT 2040

PROJECT APPLICANT NAME BRAD WALL, MPA, AICP, PRINCIPAL PLANNER	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 577-5273
PROJECT APPLICANT ADDRESS P.O. BOX 642	CITY MODESTO	STATE CA
		ZIP CODE 95353

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency School District Other Special District State Agency Private Entity

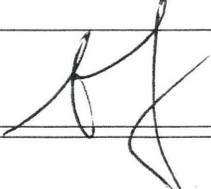
CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|-------------------|
| <input checked="" type="checkbox"/> Environmental Impact Report (EIR) | \$3,271.00 | \$ | <u>3,271.00</u> |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,354.75 | \$ | <u>0.00</u> |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,112.00 | \$ | <u>0.00</u> |
|
 | | | |
| <input type="checkbox"/> Exempt from fee | | | |
| <input type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |
| <hr/> | | | |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | <u>0.00</u> |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | <u>57.00</u> |
| <input type="checkbox"/> Other | | \$ | <u> </u> |

PAYMENT METHOD:

- Cash Credit Check Other

TOTAL RECEIVED \$ 3,328.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE CLERK RECORDER-ADAM LOERA-LEGAL CLERK
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Governor's Office of Planning & Research

JUL 16 2019

STATE CLEARINGHOUSE



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090



State of California - Department of Fish and Wildlife
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Print **StartOver** **Finalize&Email**

RECEIPT NUMBER:
 50 — 2019 — 133
 STATE CLEARINGHOUSE NUMBER (If applicable)
SCH NO. 2014042081

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF MODESTO COMMUNITY & ECONOMIC DEVELOPMENT DEPT. PLANNING DIVISION	LEAD AGENCY EMAIL	DATE 07/12/2019
COUNTY/STATE AGENCY OF FILING Stanislaus	DOCUMENT NUMBER 50-2019-133	

PROJECT TITLE
 RZN-19-001 REZONE 1.45 ACRES FROM LOW DENSITY RESIDENTIAL (R-1) ZONE TO MEDIUM DENSITY RESIDENTIAL (R-2) ZONE

PROJECT APPLICANT NAME LY NGUYEN	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 505-8341
PROJECT APPLICANT ADDRESS 116 CORSON AVENUE	CITY MODESTO	STATE CA
		ZIP CODE 95350

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$	0.00
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<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash Credit Check Other **TOTAL RECEIVED** \$ 57.00

SIGNATURE X <i>Phaivann Prum</i>	AGENCY OF FILING PRINTED NAME AND TITLE PHAIVANN PRUM, LEGAL CLERK
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Governor's Office of Planning & Research
 JUL 16 2019
 STATE CLEARINGHOUSE



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