

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THE CITY COUNCIL CERTIFY THE ENVIRONMENTAL IMPACT REPORT (SCH #2023070657), STATEMENT OF OVERRIDING CONSIDERATION, AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LEBARON RANCH PROJECT (APPLICATION NO. P22-0139)

On February 16, 2022, the applicant, Bear Creek Ventures, LLC submitted a request for Prezoning of 12 parcels combining for a total of 306.03-acres, which include Assessor's Parcel Numbers (APNs) 084-050-01; -02; -03; -06; -07; -08; -14; -25; -26; -27; -28; and 084-030-04. Prezoning designations include a combination of Residential, Low (RL), Residential, Medium (RM), and Residential, High (RH) Density as well as Public Facilities (PF) zoning. Collectively, the "Project"; and

The Project on these 12 legal parcels includes areas for non-development, as well as the development of LeBaron Ranch, would be proposed for future residential, parks, open space, and institutional uses; and

On July 31, 2023, a Notice of Preparation (NOP) was distributed for public review and comment, to evaluate if an Environmental Impact Report (EIR) would be required for the project, and what should be evaluated. The City's NOP period closed on August 30, 2023; and

A Draft Environmental Impact Report (EIR) was prepared for the project, in accordance with the California Environmental Quality Act (CEQA) and distributed locally and through the State Clearinghouse for agency and public comments between August 16, 2024, through September 30, 2024. The Draft EIR identified potentially significant environmental impacts which could occur from development of the Project, and where feasible, application of mitigation measures that would reduce the impacts to a level of less than significant; and

The Draft EIR addressed environmental impacts associated with the proposed Project that are known to the City, and that were raised during the NOP process, or that were raised during the preparation of the Draft EIR. The Draft EIR discussed potentially significant impacts associated with; Aesthetics and Visual Resources; Agricultural Resources; Air Quality; Biological Resources; Cultural Resources/Tribal Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Noise; and Transportation. After analysis, mitigation measures were applied to lessen any significant impacts that resulted from the Project; and

No new significant environmental impacts or issues, beyond those already covered in the LeBaron Ranch DEIR, were raised during the 45-day comment period. Responses to comments received during the comment period do not involve any new significant impacts or add "significantly new information" that would require recirculation of the DEIR

pursuant to CEQA Guidelines section 15088.5. Pursuant to CEQA Guidelines section 15088, all substantive comments are responded to in the Final EIR. Comments received were from; and

A total of six (6) written communications were received during the review period, from:

1. San Joaquin Valley Air Pollution Control District: related to permitting requirements related to emissions.
2. San Joaquin County Environmental Health Department: related to wells, drilling, and hazardous materials storage compliance.
3. Sierra Club, Delta-Sierra Group: related to GHG and transportation impacts.
4. San Joaquin Local Agency Formation Commission: related to general comments in various chapters.
5. Department of Fish and Wildlife: related to mitigation measures that should be incorporated into the EIR to protect species.
6. State of California Central Valley Flood Protection Board: related to flood risks and flood impacts; and

The City, through its environmental consultant, responded to each of the comments as part of the Final EIR, and, where appropriate, modifications have been made to the Draft EIR. Most impact issue areas will be less than significant with mitigation. For this, a Mitigation Monitoring and Reporting Program has also been prepared; and

The Draft EIR also determined that there are four (4) potential environmental effects of the LeBaron Ranch Project that are potentially significant and unavoidable or cannot be mitigated to a less than significant or substantially reduced by the available mitigation measures documented in the EIR. To approve the Project without fully mitigating these impacts requires a specific findings and a Statement of Overriding Consideration (SOC). The SOC describes the anticipated economic, legal, social, technological and/or other benefits or considerations that warrant the City Council's decision to approve the project, even though all of the environmental effects of the project are not fully mitigated; and

The significant and unavoidable impacts identified in the SOC relate to 1) Aesthetics and Visual Resources, 2) Agricultural Resources, 3) Air Quality, and 4) Transportation and Circulation. Because no other feasible mitigation measures are available for these items, the City Council must adopt a Statement of Overriding Consideration with supportive findings; and

In accordance with CEQA Guidelines sections 15092, 15093, and 15094, the Planning Commission must consider the EIR before acting on the Project; and

On June 6, 2025, a public notice for the subject application was published in the local newspaper in accordance with the Stockton Municipal Code (SMC) Section 16.88.030; and

On June 26, 2025, the Planning Commission conducted a public hearing on the application, in compliance with SMC Section 16.88.040, at which point all persons wishing to be heard were provided such opportunity; and

At the June 26, 2025, public hearing, and prior to acting on this request, the Planning Commission considered and recommended certification of an EIR (SCH #2020120283) prepared pursuant to the California Environmental Quality Act (CEQA); now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOW:

1. The foregoing recitals are true and correct and are incorporated by this reference.
2. Based on its review of the entire record herein, the Planning Commission makes the following recommended findings to City Council.
 - a. A Draft Environmental Impact Report (EIR) was prepared for the Project, in accordance with the California Environmental Quality Act (CEQA).
 - b. The Draft EIR identified potentially significant environmental impacts which could occur from development of the Project, and, where feasible, application of mitigation measures that would reduce the impacts to a level of less than significant.
 - c. Potentially significant environmental impacts identified where mitigation measures were not feasible, resulting in the creation of potentially significant and unavoidable environmental impacts. Most potentially significant effects were identified and paired with feasible mitigation measures to reduce them to less than significant levels.
 - d. A Statement of Overriding Considerations is needed to accommodate the four (4) significant and unavoidable impacts identified in the SOC relating to 1) Aesthetics and Visual Resources, 2) Agricultural Resources, 3) Air Quality, and 4) Transportation and Circulation. Because no other feasible mitigation measures are available for these items, the City Council must adopt a Statement of Overriding Consideration with supportive findings.
 - e. The Planning Commission finds that the Final Environmental Impact Report (SCH #2023070657) for the LeBaron Ranch Project has been completed in accordance with the requirements of the California Quality Act (CEQA), CEQA Guidelines, and Stockton Municipal Code (SMC) Section 16.88.040 (Environmental Determination).

- f. The Planning Commission finds the EIR was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and CEQA Guidelines, and constitutes an adequate, accurate, objective, and complete EIR in full compliance with the requirements of CEQA and CEQA Guidelines.
- g. The Planning Commission finds that the EIR has been presented to it, that the Planning Commission has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the Planning Commission's independent judgement and analysis.
- h. The Planning Commission hereby recommends, pursuant to CEQA Guidelines section 15161, and in support of approval of the Project, the City Council adopt the EIR and its Mitigation Monitoring and Reporting Program, attached as Exhibit 1, and Findings of Fact/Statement of Overriding Consideration, attached as Exhibit 2, and incorporated herein.
- i. The Planning Commission hereby recommends that, upon approval of the Project by the City Council, the Community Development Department shall file a Notice of Determination (NOD) with the County Clerk of San Joaquin County and State Office of Planning and Research pursuant to CEQA section 21152.
- j. Pursuant to CEQA section 15091(e), the documents and other materials that constitute the record of proceedings upon which the Planning Commission's decision is based are located in and may be obtained from, the Office of the City Clerk at 425 N. El Dorado Street, 1st Floor, Stockton, CA 95202; the City Clerk is the custodian of records for all matters before the City Council.

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3. Based on its review of the entire record herein, including the June 26, 2025, Planning Commission staff report, all supporting, referenced, and incorporated documents, and all comments received, the Planning Commission recommends that the City Council certify the LeBaron Ranch Final Environmental Impact Report, adopt a Statement of Overriding Consideration, and Mitigation and Monitoring and Reporting Program.

PASSED, APPROVED, and ADOPTED June 26, 2025.

JEFF SANGUINETTI, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission