

RESOLUTION R24XX-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA CERTIFYING THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR) (SCH# 2024050901) FOR THE CREATION OF A NEW MIXED USE DOWNTOWN ZONING DISTRICT AND UPDATE TO THE MIXED USE COMMERCIAL ZONING DISTRICT TO CONFORM TO THE 2043 GENERAL PLAN UPDATE, AND MAKING CERTAIN FINDINGS CONCERNING SIGNIFICANT IMPACTS, MITIGATION MEASURES AND ALTERNATIVES, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED

WHEREAS, California Government Code Section 65800, et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan; and,

WHEREAS, in order to accomplish Policies and Goals of the City of Manteca 2043 General Plan Update, the City has prepared Municipal Code Amendment, MCA-2024-63 (Zoning Code Text Amendments) to the City's Municipal Code; and,

WHEREAS, approval of the Project constitutes a project as defined under the provisions of the California Environmental Quality Act of 1970, together with related state and local implementation guidelines and policies promulgated thereunder, all as amended to date (collectively, "CEQA"); and

WHEREAS, the City of Manteca (City), as the lead agency, has prepared a Supplemental Environmental Impact Report (SEIR) for the Project pursuant to and in accordance with CEQA; and

WHEREAS, the SEIR was made available for public review from August 14, 2024 to September 13, 2024, in pursuant to and in accordance with CEQA, with no comments received; and

WHEREAS, on September 5, 2024, the Planning Commission of the City of Manteca determined that the SEIR is the appropriate level of environmental review and that the SEIR will supplement the previously certified City of Manteca General Plan Update EIR and Revised Addendum to the General Plan Update EIR (State Clearinghouse #2020019010) and further recommended the City Council adopt a Resolution certifying the SEIR in accordance with CEQA; and,

WHEREAS, the Manteca General Plan Update EIR and Revised Addendum to the General Plan Update EIR (State Clearinghouse #2020019010) identified one or more significant and unavoidable environmental effects of the 2043 General Plan, about which

the City Council made certain findings regarding these effects and has adopted a statement of overriding considerations for any impact that may not be reduced to a less than significant level; and

WHEREAS, CEQA Guidelines Section 15163(e) requires the decision making body to make findings under Section 15091 for significant effects shown in the previous EIR as revised to approve a project for which an SEIR has been prepared; and,

WHEREAS, the SEIR found that the project would have no new significant impacts and no increase in severity in impacts from either the June 2023 recirculated General Plan Update EIR or the February 2024 Revised Addendum to the General Plan Update EIR;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Manteca that:

1. That the above recitals are true and correct and incorporated herein by reference.
2. That the City Council does hereby find and certify that the SEIR has been prepared and completed in compliance with CEQA.
3. The City Council was presented with, and has independently reviewed and analyzed the SEIR, the General Plan EIR (consisting of the General Plan Final EIR dated June 2023 and EIR Addendum dated February 2024), other information in the record and has considered the information contained therein, including any written and oral comments received at the public hearings on the SEIR and the Project, prior to acting upon or approving the Project, and has found that the SEIR represents the independent judgment of the City of Manteca ("City") as lead agency for the Project, and designates the Director of Development Services, office located at 1215 W. Center Street, Ste. 201, Manteca, California 95337, as the custodian of documents and record of proceedings on which the decision of the City is based.
4. The City Council does hereby find and determine that recirculation of the SEIR for further public review and comment is not warranted or required under the provisions of CEQA.
5. The City Council does hereby make findings pursuant to CEQA Guidelines Section 15091(a)(3) in stating that the proposed revisions to the Zoning Ordinance will not increase the severity to impacts identified by the General Plan EIR to be Significant and Unavoidable Impacts, which are as follows:
 - Agricultural and Forest Resources
 - Impact 3.2-1: General Plan implementation would result in the conversion of farmlands, including Prime Farmland, Unique

Farmland, and Farmland of Statewide Importance, to nonagricultural use

- Impact 3.2-2: General Plan Implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract
 - Air Quality
 - Impact 3.3-1: General Plan implementation would conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants
 - Impact 3.3-2: General Plan implementation would expose sensitive receptors to substantial pollutant concentrations
 - Noise
 - Impact 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources
 - Transportation and Circulation
 - Impact 3.14-1: General Plan implementation may result in VMT per dwelling unit and VMT per employee increases that are greater than 85 percent of Baseline conditions
 - Impact 3.14-2: General Plan implementation may conflict with a program, plan, policy or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities
 - Impact 3.14-3: General Plan implementation may increase hazards due to a design feature, incompatible uses, or inadequate emergency access
6. The City Council does hereby find and determines that the SEIR’s revisions to the City’s Zoning Ordinance will have no new significant impacts and no increase in severity in impacts from the General Plan EIR (consisting of the General Plan Final EIR dated June 2023 and EIR Addendum dated February 2024), and therefore does not require a change to the statements of overriding consideration that were adopted for the General Plan EIR or a subsequent Mitigation Monitoring and Reporting Plan (“MMRP”) for the instant approval pursuant to CEQA Guidelines Section 15091(a)(1).

I HEREBY CERTIFY that the foregoing Resolution was introduced and passed at a regular meeting of the City Council of the City of Manteca at a duly noticed public hearing meeting of said City Council held on the ____ day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk

Exhibits:
Exhibit A- Supplemental Environmental Impact Report