

ATTACHMENT 1

ORDINANCE O2025-XX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, REPEALING THE EXISTING ZONING MAP AND ADOPTING A NEW ZONING MAP UNDER SECTION 17.20.040 OF CHAPTER 17.20 OF TITLE 17 OF THE MANTECA MUNICIPAL CODE

WHEREAS, the City Council of the City of Manteca adopted the 2043 General Plan on July 18, 2023, and

WHEREAS, the City Council of the City of Manteca adopted a City-initiated Amendment to the 2043 General Plan for the Land Use and Circulation Elements on March 5, 2024; and

WHEREAS, the City Council of the City of Manteca adopted the 6th Cycle Housing Element on October 1, 2024; and

WHEREAS, repealing the existing Zoning Map and adopting a new Zoning Map is necessary to ensure consistency between the General Plan and Zoning as required under California Government Code Section 65860; and

WHEREAS, the proposed Zoning Map will further the implementation of various 2043 General Plan goals, policies, and implementation actions; and

WHEREAS, the proposed Zoning Map will further the implementation of various 6th Cycle Housing Element programs, including but not limited to Program 3: Manage Available Residential Lands; and

WHEREAS, a Finding of Consistency pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15168(c)(2) was prepared for the Zoning Map Project ("the Project") as 1) the proposed project is consistent with the original project; (2) the proposed project implements the original project in order to bring the allowed densities, allowed uses, and sites designated for residential development identified in the 2043 General Plan and Housing Element into consistency with the range of uses and density and intensity of development anticipated for the original project; (3) the proposed project does not propose substantial changes to the original project; (4) the proposed project will not involve substantial changes with respect to the circumstances under which the original project was undertaken, which would require major revisions to the previously-certified EIR due to the involvement of new or substantially more severe significant impacts; and (5) no substantially important new information requiring new analysis of significant effects, mitigation, or alternatives is known that would require major revisions to the previously-certified EIR due to the proposed project, and therefore no further environmental review pursuant to CEQA is required; and

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WHEREAS, the Planning Commission held a Special Meeting on December 4, 2024, to conduct a duly noticed public hearing to consider a resolution recommending that the City Council of the City of Manteca make the necessary CEQA findings and adopt an ordinance repealing the existing Zoning Map and adopt a new Zoning Map; and

WHEREAS, after considering a staff report, a staff presentation, and public testimony the Planning Commission adopted Resolution No. 1675 recommending that the City Council of the City of Manteca make the necessary CEQA findings and adopt an ordinance repealing the existing Zoning Map and adopt a new Zoning Map; and

WHEREAS, at the December 17, 2024 regular meeting of the City Council of the City of Manteca conducted a duly noticed public hearing to consider a Finding of Consistency pursuant to CEQA Guidelines Section 15168(c)(2) and an ordinance repealing the existing Zoning Map and adopt a new Zoning Map under Section 17.20.040 of Chapter 17.20 of Title 17 of the Manteca Municipal Code; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

THE CITY COUNCIL OF THE CITY OF MANTECA DOES FIND AND ORDAIN AS FOLLOWS:

SECTION 1: Findings.

- A. Repealing the existing Zoning Map and adopting a new Zoning Map is necessary to ensure consistency between the General Plan and Zoning as required under California Government Code Section 65860.
- B. The new Zoning Map implements goals, policies, and implementation actions of the 2043 General Plan.
- C. The new Zoning Map implements the 6th Cycle Housing Element's programs, including but not limited to Program 3: Manage Available Residential Lands.

SECTION 2: CEQA Findings. The proposed ordinance has been reviewed with respect to the applicability of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). Adoption of an ordinance regarding a new Zoning Map is within the scope of the adopted certified Environmental Impact Report for the 2043 General Plan (SCH# 2020019010) General Plan EIR)) and the Manteca Citywide Rezone, therefore the Project is found consistent with the General Plan EIR pursuant to CEQA Guidelines Section 15168(c)(2), because 1) the proposed project is consistent with the original project; (2) the proposed project implements the original project in order to bring the allowed densities, allowed uses, and sites designated for residential development identified in the 2043 General Plan and Housing

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Element into consistency with the range of uses and density and intensity of development anticipated for the original project; (3) the proposed project does not propose substantial changes to the original project; (4) the proposed project will not involve substantial changes with respect to the circumstances under which the original project was undertaken, which would require major revisions to the previously-certified EIR due to the involvement of new or substantially more severe significant impacts; and (5) no substantially important new information requiring new analysis of significant effects, mitigation, or alternatives is known that would require major revisions to the previously-certified EIR due to the proposed project. Accordingly, no new environmental document is required. The Finding of Consistency is attached hereto as Exhibit 'A-2' and incorporated herein by reference.

SECTION 3: Repeal of Existing Map and Adoption of New Zoning Map. Based on the findings set forth herein and the record as a whole, the City Council hereby repeals the existing Zoning Map in its entirety and adopts the new Zoning Map under Section 17.20.040 of Chapter 17.20 of Title 17 of the Manteca Municipal Code, attached hereto as Exhibit 'A-1' and incorporated herein by reference.

SECTION 4: Typographical or Clerical (Scrivener) Errors. Any typographical or clerical errors in this Ordinance may be remedied by the City Attorney with the assistance of the City Clerk and shall not constitute an alteration.

SECTION 5: Severability. If any section, sub-section, subdivision, paragraph, clause, or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 6. Publication. This Ordinance shall be published in accordance with the provisions of Government Code Section 36933.

SECTION 7: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

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City of Manteca, a municipal corporation

MAYOR: _____
GARY SINGH

ATTEST: _____
CASSANDRA CANDINI-TILTON
CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF SAN JOAQUIN } SS:
CITY OF MANTECA }

I, Cassandra Candini-Tilton, City Clerk of the City of Manteca, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the ____ day of ____, 20__, and had its second reading and was adopted and passed during the public meeting of the City Council on the ____ day of ____, 20__, by the following vote:

AYES:

NOES: