



City of Manteca Planning Commission **AGENDA REPORT**

MEETING DATE: December 4, 2024

PROJECT NAME: MCA 24-0055: Manteca Citywide Rezone

PROJECT LOCATION: City-Wide

RECOMMENDATION:

Staff recommends the Planning Commission conduct a public hearing and by motion:

1. Adopt a resolution recommending that the City Council make a Finding of Consistency pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15168 and adopt an Ordinance 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.

PROJECT INFORMATION	
Applicant:	City of Manteca
Project Location:	City-wide
CEQA Determination	Finding of Consistency, CEQA Guidelines Section 15168(c)(2)

PROJECT BACKGROUND AND CONTEXT

Pursuant to State Government Code section 65300, cities and counties are required to prepare and adopt general plans to guide them in the long-range development of their communities. General plans must include eight mandatory, internally consistent elements including land use, circulation, conservation, open space, safety, noise, environmental justice, and housing and must address air quality and climate adaptation.

In 2023, the City adopted a comprehensive update to the City's General Plan (2043 General Plan) to serve as a blueprint for growth over the next 20 years. The 2043 General Plan replaced the City's 2023 General Plan, which was adopted on October 6, 2003 as an update to the 1988 General Plan. The City Council adopted the 2043 General Plan on March 5, 2024.

State law requires that each housing element accommodate and facilitate the development of housing to meet a city or county's fair share housing needs. The City Council adopted the 6th Cycle Housing Element (Housing Element) on October 1, 2024. The Manteca Citywide Rezone project implements the 2043 General Plan and Housing Element.

ZONING MAP UPDATE

The proposed Manteca Citywide Rezone project is the amendment of the City's Zoning Map, replacing the existing Zoning Map with an updated map that is consistent with the 2043 General Plan and the Housing Element.

The 2043 General Plan includes an updated Land Use Map (GP Land Use Map), which identifies the desired and planned land uses throughout the City and Planning Area. This GP Land Use Map resulted in inconsistencies between the existing Zoning Map and the GP Land Use Map.

Relevant General Plan policies and implementation programs are identified below.

Land Use Element

Policy LU-1.3 Ensure consistency and compatibility between the Land Use Map and implementing plans, ordinances, and regulations.

Implementation Action LU-1b Regularly review and revise, as necessary, the Zoning Code to accomplish the following purposes:

- *Ensure consistency with the General Plan in terms of zoning districts and development standards;*
- *Provide for a Downtown zone that permits the vibrant mixing of residential, commercial, office, business-professional, and institutional uses within the Central Business District;*
- *Ensure adequate buffers and transitions are required between intensive uses, such as industrial and agricultural industrial, and sensitive receptors, including residential uses and schools; and*
- *Provide for an Agricultural Industrial zone that accommodates the processing of crops and livestock.*
- *Ensure that land use requirements meet actual demand and community needs over time as technology, social expectations, and business practices change.*

Housing Element

Program 3: Manage Available Residential Land (Objectives and Timeframe 6th and 7th bullet points)

- ***Rezoning to Accommodate RHNA:*** *By December 31, 2024, the City will rezone sites to be consistent with the General Plan land use designations as identified in Appendix A. Sites identified to accommodate lower income units will be rezoned to be consistent with Government Code Section 65583.2(h) including:*
 - *Permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower income households during the planning period.*

- *Zoned with minimum density and development standards that permit at least 16 units per site at a density of at least 20 units per acre in jurisdictions.*
- *Allow 100 percent residential use and require that residential uses occupy 50 percent of the total floor area of a mixed-use project.*
- *The Zoning Ordinance will be revised to define “use by right” consistent with Government Code Section 65583.2(i).*
- **Rezoning Prior Cycle Sites:** *By December 31, 2024, the City will rezone sites that were used in prior cycles pursuant to Government Code Section 65583.2(c). Sites identified in Appendix A as 4th/5th Cycle Sites that Program 3 applies to (APNs 228-060-250, 204-100-210, 204-100-220, 228-060-240, 200-140-040, 222-100-050, and 222-100-060) shall be rezoned to:*
 - *Allow at least 20 units per acre, and*
 - *Allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households.*
 - *The Zoning Ordinance will be revised to define “use by right” consistent with Government Code Section 65583.2(i).*

Implementation Element

Policy I-1.2 Require the City’s Zoning Ordinance, planning documents, master plans for facilities and services, infrastructure projects, and development projects to be consistent with the General Plan and State law.

Land Use Element Policy LU-1.2 requires consistency and compatibility between the GP Land Use Map and implementing plans, ordinances, and regulations. Land Use Element Implementation Action LU-1b requires the Zoning Code to be regularly reviewed and revised to ensure consistency with the General Plan, as well as providing for a Downtown zone, addressing buffers and transitions between intensive uses and sensitive receptors, and to provide an Agricultural Industrial Zone, and to ensure that land use requirements meet demand and community needs over time. The Zoning Map is the first step to bring the Zoning Ordinance into consistency with the 2043 General Plan. The Zoning Ordinance text is also being amended to implement the 2043 General Plan and ensure consistency. The Zoning Ordinance revisions will be brought to the Planning Commission as a separate item.

Program 3 of the Housing Element requires the City to rezone sites to be consistent with General Plan land use designations in order to accommodate the City’s Regional Housing Needs Allocation (RHNA) as assigned by the San Joaquin Council of Governments and to address lower income sites from previous cycles. These actions are required to include specific components, such as providing by-right approvals for housing developments with at least 20 percent of units affordable to lower income households and ensuring a minimum density of at least 20 units per acre is applied. The update to the Zoning Map will rezone sites to implement Housing Element Program 3. Additional revisions to the Zoning Ordinance text will be made to further implement Program 3, as well as additional Housing Element programs. To ensure consistency with the specific requirements of Program 3 related to paragraphs (h) and (i) of Government Code Section 65583.2, Notes are added to

the Zoning Map to ensure that the requirements of Government Code Section 65583.2 are applied to applicable Housing Element sites. It is anticipated that the notes will be integrated into the Zoning Ordinance text revisions and will be removed from the Zoning Map upon adoption of the updated Zoning Ordinance text.

REQUIRED FINDINGS

The California Government Code (Government Code) and Manteca Municipal Code (MMC) identify the Planning Commission as the recommending body to the City Council on amendments to the General Plan. Government Code Section 65850 et seq. and MMC Section 17.08.050 require that the Commission conduct a public hearing prior to making its recommendation on a Zoning Amendment.

Under Government Code Section 65863, the City must make specific findings when taking action to reduce the residential density of any parcel required to meet its share of the RHNA. The Zoning Map changes are intended to implement the 2043 General Plan and Housing Element, including zoning changes to accommodate the RHNA. None of the zoning changes would reduce residential densities of a parcel required to meet its share of the RHNA. The zoning changes are consistent with the 2043 General Plan and the Housing Element and no findings are required pursuant to Government Code Section 65863.

ENVIRONMENTAL REVIEW

A program-level EIR was required by the City, as the lead agency, for the 2043 General Plan pursuant to the requirements of the California Environmental Quality Act (CEQA). The General Plan Update EIR (General Plan EIR) was certified by the City Council by adoption of Resolution R2023-99 on July 18, 2023.

When an EIR has been certified for a project, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining whether a subsequent EIR, subsequent negative declaration, addendum, or no further documentation be prepared in support of further agency action on the project. The City reviewed the changes to the 2043 General Plan (Original Project) as analyzed in the General Plan EIR to determine if the Manteca Citywide Rezone (Modified Project) would require a subsequent EIR, subsequent negative declaration, addendum, or no further documentation, pursuant to CEQA Guidelines Section 15168(c). As described in the Finding of Consistency provided as Attachment 5, the Manteca Citywide Rezone would result in no new significant environmental effects and no substantial increase in the severity of previously identified environmental effects, and no new information of substantial importance that would require major changes to the Original Project EIR pursuant to CEQA Guidelines Section 15162(a) has been identified. As demonstrated in the Finding of Consistency, the Manteca Citywide Rezone would result in no new significant environmental effects and no substantial increase in the severity of previously identified environmental effects, and no new information of substantial importance that would require major changes to the Original Project EIR pursuant to CEQA Guidelines Section 15162(a) has been identified. The scope of the Manteca Citywide Rezone is consistent with the allowable land use, overall planned density and building intensity, geographic area analyzed for

environmental impacts, and covered infrastructure, as described in the General Plan EIR. Pursuant to CEQA Guidelines Section 15168(c)(5), as the Manteca Citywide Rezone is within the scope of the General Plan EIR, no further environmental documents are required.

Significant and Unavoidable Environmental Impacts

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. The below impacts of the 2043 General Plan are significant and unavoidable:

- 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 non-agricultural use;
- Impact 3.2-2: General Plan implementation would conflict with existing zoning for agricultural use or a Williamson Act Contract;
- 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 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources;
- 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;
- Impact 4.2: Cumulative impact to agricultural lands and resources;
- Impact 4.3: Cumulative impact on the region's air quality;
- Impact 4.12: Cumulative impacts related to noise;
- Impact 4.14: Cumulative impacts on the transportation network;
- Impact 4.17: Irreversible and adverse effects.

The City Council adopted a statement of overriding considerations as well as written findings in accordance with State CEQA Guidelines Sections 15091 and 15093 to address the 2043 General Plan on February 21, 2024.

Report prepared by: Beth Thompson, DeNovo Planning Group

Attachments:

1. Staff Report
 2. Planning Commission Resolution
 3. Resolution Exhibit 'A' Ordinance
 4. Resolution Exhibit 'A-1' Zoning Map
 5. Resolution Exhibit 'A-2' Finding of Consistency
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