

ATTACHMENT 8



City of Manteca Planning Commission **AGENDA REPORT**

MEETING DATE:	February 21, 2024
PROJECT NAME:	GPA24-011: Manteca General Plan 2043 Update with Amendments, Zoning Code Text Amendment, Approval of an Addendum, and Direction to Staff regarding the Public Facilities Implementation Plan and Future Rezoning
PROJECT LOCATION:	City-Wide

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

1. Recommend that the City Council adopt the Addendum to the previously certified Environmental Impact Report (SCH No. 2020019010) and make certain findings and adopt overriding considerations concerning impacts of the Manteca 2043 General Plan Amendment project; and
2. Recommend that the City Council adopt a Resolution approving the Manteca 2043 General Plan Update originally adopted on July 18, 2023 with the revisions discussed herein; and
3. Recommend that the City Council introduce by title only and waive the first reading of Ordinance modifying Table 17.22.020-1, Allowed Uses And Required Entitlements For Manteca's Base Zoning Districts, of Title 17 of the Manteca Municipal Code; and
4. Recommend that the City Council direct staff to return with amendments to the Public Facilities Implementation Plan (PFIP) to reflect the General Plan Update, including Action C-2e addressing the extension of Roth Road and certain design features; and
5. Recommend that the City Council direct staff to return in the future to address future annexation and zoning of the Affected Area.

PROJECT INFORMATION	
Applicant:	City of Manteca
Property Owner:	City-wide
CEQA Determination	Manteca General Plan EIR Addendum

PROJECT BACKGROUND AND CONTEXT

State law requires that every city and county in California prepare and maintain a General Plan (Government Code Section 65300).

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.

General Plans are required to address the mandated elements listed in Government Code Section 65302. The 2043 General Plan addressed all topics required under State law, including Land Use, Circulation, Conservation, Open Space, Noise, Safety, Air Quality, Climate Adaptation and Resilience, and Environmental Justice. The 2043 General Plan includes the following elements:

1. Introduction
2. Land Use (addresses mandatory Land Use and Environmental Justice* requirements)
3. Growth Management (optional)
4. Circulation (addresses mandatory Circulation requirement)
5. Community Design (optional)
6. Economic and Fiscal Vitality (optional)
7. Community Facilities (optional)
8. Resource Conservation (addresses mandatory Conservation, Open Space, and Air Quality requirements)
9. Safety (addresses mandatory Safety, Climate Adaptation and Resilience, and Noise requirements)
10. Housing (adopted in 2015 and updated on an 8-year cycle through a separate process)
11. Implementation (optional)

*Environmental Justice is addressed throughout the General Plan.

The 2043 General Plan Update is described in detail in the City Council staff report and attachments on the Council's July 18, 2023 agenda.

Following adoption of the General Plan, on October 3, 2023, at its Regular Meeting, the City Council accepted the City Clerk's Certification of Sufficiency for referendum petition against Resolution R2023-100, and directed staff to submit Resolution R2023-100 to the voters by placing the Resolution on the next Regular Municipal Election to be held on November 5, 2024.

Subsequently, the City reviewed opportunities to revise the 2043 General Plan to promote an improved jobs-housing balance, provide a regional park, ensure funding for roadway improvements, and reduce potential conflicts between residential uses and industrial and agricultural uses. Upon identifying potential changes to the 2043 General Plan that would further the quality of life for Manteca's residents through providing a regional park, aligning the future Roth Road extension to have fewer conflicts with residential uses, and increasing job opportunities, the City entered into a Settlement Agreement with Delicato Family Wines to facilitate those changes. The proposed 2043 General Plan Amendment and Zoning Text Amendment would result in a General Plan that implements the vision of the community for the General Plan Update as described in the July 18, 2023 staff report and facilitates the City's meeting the terms of the Settlement Agreement; however, the modifications are limited to the area depicted in Figure 1, below.

2043 GENERAL PLAN AMENDMENT

The 2043 General Plan Amendment revises the 2043 General Plan to create additional job-generating and recreational opportunities in the Planning Area west of Highway 99, modify the future Roth Road alignment, revise the Circulation Element to modify the future Roth Road alignment and include a policy requiring project applicants to pay for their fair share towards roadway and related impacts and a policy addressing inclusion of the Roth Road extension, including specific design considerations, in the Public Facilities Implementation Plan (PFIP). The 2043 General Plan Amendment will also revise 2043 General Plan figures and text to ensure internal consistency. The components of the 2043 General Plan Amendment are provided in Exhibit C to the Resolution in track changes (underline/strikethrough) and described in detail below.

Land Use Element

The following revisions are made to the Land Use Element:

- The Land Use Map, General Plan Figure LU-2, is revised to eliminate the Low Density Residential land use designation and remove the Medium Density Residential and High Density Residential land use designations and replace these uses with a combination of Industrial, Commercial, and Park land uses as shown on **Figure 1** (changes are made to the portion of the map labeled "Affected Area").
- The Industrial land use designation description in Table LU-1, Land Use Designations, is revised to allow business and business office uses, agricultural processing, commercial, and agriculture-related ancillary uses and to specify that residential uses are not permitted.
- Policy LU-8.8 is added to identify the purpose of the area shown in Figure LU-9, allowed land uses, inclusion of a 50-acre park site, planned zoning for the area when annexed into the City, and prohibition of residential uses. Figure 1 below shows the area addressed by Figure LU-9 and Policy LU-8.8.

Figure 1 provides a comparison of the 2043 General Plan Land Use Map to the 2043 General Plan Amendment Land Use Map.

Table 1 summarizes the land use changes by acreage that result from the changes to the land use designations in the Affected Area for the 2043 General Plan.

Figure 1: Comparison of the 2043 General Plan Land Use Map to the 2043 General Plan Amendment Land Use Map

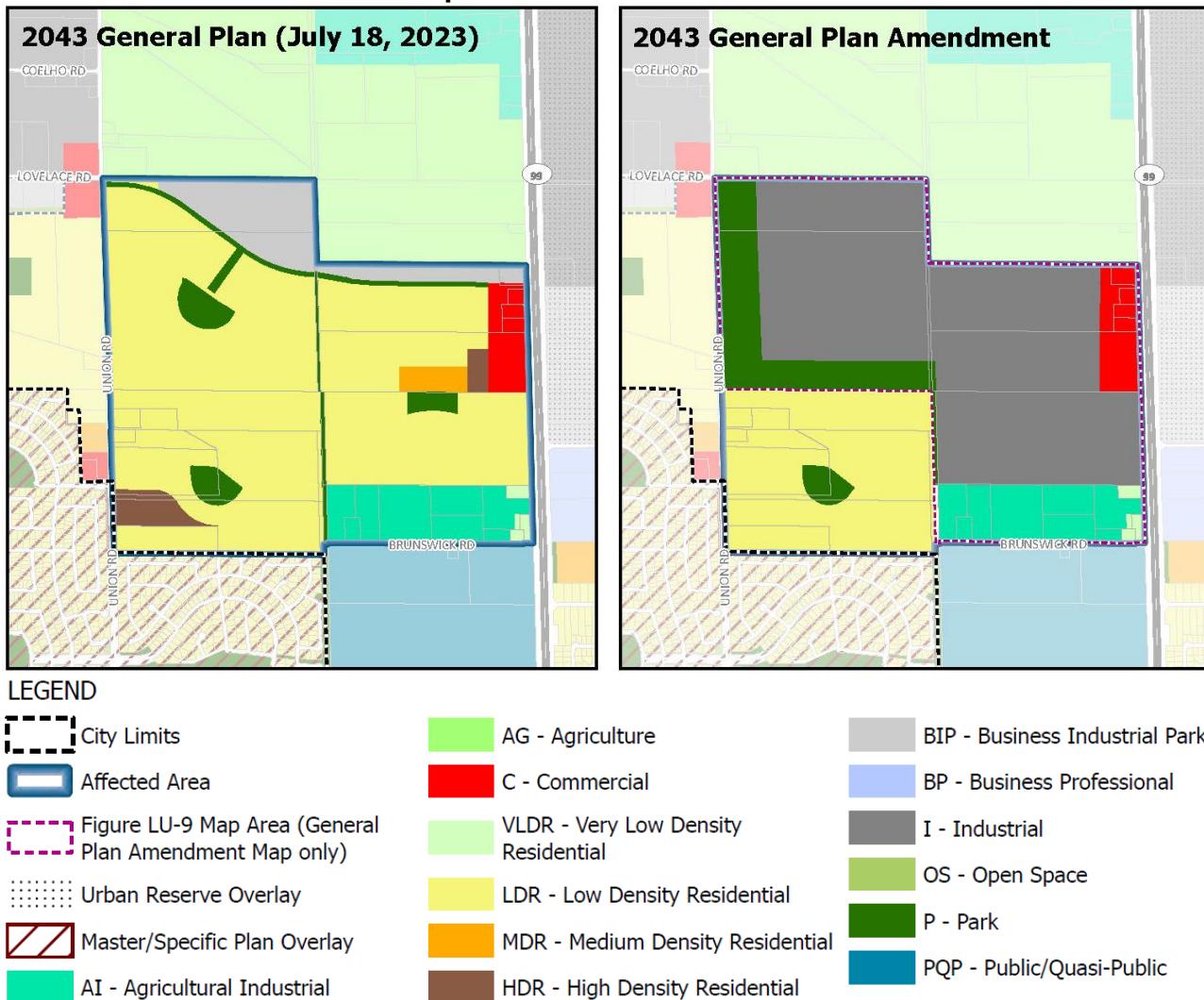


Table 1: Comparison of the Adopted 2043 General Plan Land Use Designations to the 2043 General Plan Amendment Land Use Designations for the Affected Area

Land Use Designation	2043 General Plan (July 18, 2023)	2043 General Plan Amendment	Change
Agricultural Industrial	39.2	39.2	0.0
Business Industrial Park	46.0	0	-46.0
Industrial	0.0	256.6	256.6
Park	24.1	18.2	2.3
Commercial	15.9	0.0	-12.0
High Density Residential	12.0	116.9	-225.7

Land Use Designation	2043 General Plan (July 18, 2023)	2043 General Plan Amendment	Change
Low Density Residential	342.6	0.0	-6.1
Medium Density Residential	6.1	3.2	0.0
Very Low Density Residential	3.2	55.0	30.9
TOTAL	489.1	489.1	0.0

Circulation Element

The following revisions are made to the Circulation Element:

- The Major Streets Circulation Plan, General Plan Figure C-1, is revised to refine the anticipated alignment of the future Roth Road extension and taking into consideration land that will be granted by Delicato Winery to the City for this purpose.
- Policy C-2.4 is added to ensure land use applications proposing residential uses include an enforceable condition of approval requiring an applicant to adopt and establish a legally-binding financing plan to provide immediately available and sufficient funds to construct all new or expansions of roadways (including but not limited to roads, curbs, gutters, bicycle lanes, and landscaping) that are required as a direct or cumulative result of the development.

General Plan Consistency

General Plan Figures LU-3, LU-7, ED-1, and S-3 are revised to reflect the proposed changes to the Land Use Map as shown on Figure 1.

Environmental Justice

The 2043 General Plan includes policies and actions to address environmental justice through the General Plan, as described in the Land Use Element under Goal LU-9. The 2043 General Plan Amendment carries forth the policies and actions addressing environmental justice from the 2043 General Plan, including but not limited to:

- Policy LU-9.2 to ensure that environmental justice issues related to potential adverse health impacts associated with land use decisions are considered and addressed;
- Action LU-3c to utilize density transitions, less intense non-residential land use designations, and buffers, including open space, drainage features, landscaping, and multi-use paths, in order to protect the integrity of existing land use patterns and minimize the impacts on existing uses, including incorporating a buffer in new residential projects proposed adjacent to existing industrial uses or designated truck routes;
- Action LU-5e requiring industrial projects and projects that may generate high volumes of truck trips or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other environmental receptors to prepare a Health Risk Assessment and restrict project approval to projects that demonstrate that the project would not exceed the established thresholds of significance for public health risks at sensitive receptors, the implementation of best management practices

to reduce pollution exposure to sensitive receptors, based on BMPs recommended by the California Air Resources Board, San Joaquin Valley Air Pollution Control District, and the California Attorney General; Action LU-9a to review all development proposals, planning projects, and infrastructure projects to ensure that potential adverse impacts to disadvantaged communities, such as exposure to pollutants, including toxic air contaminants, and unacceptable levels of noise and vibration are reduced to the extent feasible and that measures to improve quality of life are included in the project.

ZONING CODE TEXT AMENDMENT

Table 17.22.020-1, Allowed Uses And Required Entitlements For Manteca's Base Zoning Districts, of the Manteca Municipal Code is revised as shown in Exhibit D to the Resolution to allow the following uses: a) business and business office, b) agricultural processing, c) commercial, and d) agriculture related ancillary uses in the M-1 Light Industrial Zoning Classification and to prohibit permanent and temporary residential uses in the M-1 Light Industrial Zoning Classification.

GENERAL PLAN IMPLEMENTATION

The General Plan includes a host of policy and action items to guide Manteca's growth and development. To align the City's growth and roadway planning with the growth envisioned in the 2043 General Plan, it is recommended that staff be directed to begin processing revisions to the PFIP and moving forward with annexation of the Affected Area as shown in Figure 1.

An update to the PFIP will ensure that the City's roadways are planned to accommodate growth areas identified in the 2043 General Plan, as amended, that the PFIP considers roadways planned for in 2043 General Plan Figure C-1, Major Streets Master Plan, and that the City's PFIP fee is based on updated roadway plans, household growth, and employment growth envisioned by the 2043 General Plan.

The Affected Area provides for significant recreational opportunities, with the designation of a large regional park, and for employment growth to provide additional high-quality jobs for Manteca's residents and to reduce the need for local residents to commute to jobs outside of the community.

ENVIRONMENTAL REVIEW

CEQA requires the preparation of an Environmental Impact Report (EIR) prior to approving any project which may have a significant impact on the environment. For the purposes of CEQA, the term "Project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment. A Program EIR is an EIR which examines the broad environmental impacts of an agency plan, policy, or regulatory program, such as a General Plan Update,

with the acknowledgement that site-specific environmental review may be required for particular aspects of the program or particular development projects that may occur in the future.

The City determined that a program-level EIR was required for the 2043 General Plan pursuant to the requirements of the California Environmental Quality Act (CEQA) and the General Plan Update EIR (General Plan EIR) was certified by the City Council by adoption of Resolution R2023-99 on July 18, 2023. The EIR is available for review on the Manteca General Plan Update website here: <https://manteca.generalplan.org/>.

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 2043 General Plan Amendment and Zoning Code Text Amendment (Modified Project) would require a subsequent EIR, subsequent negative declaration, addendum, or no further documentation. The environmental analysis for the Modified Project is presented in the Manteca General Plan EIR Addendum (Addendum) provided as Exhibit A to the Resolution. As demonstrated in the Addendum, the Modified Project 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. Therefore, a subsequent EIR or supplemental EIR is not warranted for the 2043 General Plan Amendment and an addendum is appropriate.

The City received a comment letter dated February 1, 2024 regarding the adequacy of an addendum for the 2043 General Plan Amendment; the comment letter and response to the comment are provided in Attachment 7.

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 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.

If the EIR determines that the project would result in significant adverse impacts to the environment that cannot be mitigated to less than significant levels, the City Council is required to adopt a statement of overriding considerations as well as written findings in accordance with State CEQA Guidelines Sections 15091 and 15093.

Findings of Fact and Statement of Overriding Consideration

As described in the Manteca General Plan EIR Addendum, the 2043 General Plan Amendment would not result in new significant environmental effects or a substantial increase in the severity of previously identified environmental effects for the 2043 General Plan. The adverse effects listed above for the 2043 General Plan would also occur under the 2043 General Plan Amendment. These are substantive issues of concern to the City. However, the Manteca General Plan provides for an array of land uses throughout the City that are intended to accommodate the City's needs for growth over the foreseeable future, and the CEQA EIR process allows the City to examine these impacts against the benefits the Project provides to the City and determine if the benefits outweigh the impacts. By making findings related to economic, social, and other benefits, the Council is able to override any significant environmental impacts that would result in the approval of the General Plan.

Report prepared by: Beth Thompson, DeNovo Planning Group

Attachments:

1. Staff Report
2. Planning Commission Resolution No.

3. Resolution "Exhibit A" Manteca General Plan EIR Addendum
4. Resolution "Exhibit B" Findings of Fact and Statement of Overriding Considerations
5. Resolution "Exhibit C" Amendments to the 2043 General Plan
6. Resolution "Exhibit D" Zoning Code Amendment - Table 17.22.020-1, Allowed Uses And Required Entitlements For Manteca's Base Zoning Districts
7. Sierra Club letter and Response to Comment
