

RESOLUTION R2024XX-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA ADOPTING THE ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH NO. 2020019010) AND MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS CONCERNING SIGNIFICANT IMPACTS, MITIGATION MEASURES, AND ALTERNATIVES, AND ADOPTING STATEMENTS OF OVERRIDING CONSIDERATIONS CONCERNING IMPACTS OF THE MANTECA 2043 GENERAL PLAN AMENDMENT PROJECT (EIR ADDENDUM PREPARED PURSUANT TO 14 CAL. CODE REGS. § 15164(a)-(b)).

WHEREAS, California Government Code Section 65300 requires each city to prepare and adopt a comprehensive, long-term General Plan document that contains certain elements, describes city-wide goals, and lists policies and implementation measures to achieve those goals; and

WHEREAS, the City's General Plan was comprehensively updated in 2003; and

WHEREAS, the City Council adopted a comprehensive update to the General Plan (2043 General Plan) on July 18, 2023; and

WHEREAS, the 2043 General Plan Amendment ("Project") is an amendment and update to the General Plan, an in-depth policy document that informs both long-term and short-term decisions of the City Council and city departments, and pursuant to California Government Code Section 65300, the General Plan is a required document to be prepared and adopted by every City in California; and

WHEREAS, the Project proposes to adopt the 2043 General Plan originally adopted on July 18, 2023 as revised to: 1) amend the Land Use Element to revise Figure LU-2 Land Use Map to reduce residential land use designations and replace such uses with Park, Industrial, and Commercial land use designations in a portion of the area generally north of the City limits and west of Highway 99, and to establish Policy LU-8.8 to guide land uses in the affected area, 2) amend the Circulation Major Streets Master Plan and Implementation Action C-2e to refine the planning for the future Roth Road extension and add Policy C-2.4 to ensure residential development projects are conditioned to ensure sufficient funds to construct all new or expansions of roadways that are required as a direct or cumulative result of the development; and 3) to revise Figures LU-3, LU-7, ED-1 and S-3 to reflect the revisions to the Land Use Map; 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 final General Plan Update Environmental Impact Report (“EIR”) (consisting of the General Plan Recirculated Draft EIR dated November 2022 and Final EIR dated June 2023, SCH# 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 per Resolution No. R2023-99 and has adopted a statement of overriding considerations for any impact that may not be reduced to a less than significant level; and

WHEREAS, the City analyzed the potential impacts of the 2043 General Plan Amendment in the Manteca General Plan EIR Addendum, an addendum to the final General Plan Update EIR; and

WHEREAS, CEQA requires that, in connection with the approval of a project for which an environmental impact report has been prepared which identifies one or more significant environmental effects of the project, the decision-making body of a public agency make certain findings regarding those effects and adopt a mitigation or monitoring program and statement of overriding consideration for any impact that may not be reduced to a less than significant level; and

WHEREAS, pursuant to Section 17.08.060 of the Manteca Municipal Code, the Planning Commission is the recommending body to the City Council for the certification of the Environmental Impact Report and the adoption of the General Plan update; and

WHEREAS, the Manteca Planning Commission, at its duly noticed public hearing on February 21, 2024, considered the Manteca General Plan EIR Addendum, an addendum to the final General Plan Update EIR (SCH# 2020019010) and the Final General Plan Update EIR (SCH# 2020019010); and

WHEREAS, the Manteca Planning Commission, at its duly noticed Public Hearing of February 21, 2024, recommended approval of the Project in a 5-0 vote to the City Council for all components of the Project, specifically finding that the Addendum is the appropriate CEQA document for the Project based on the criteria established at Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 and making certain findings concerning significant impacts, mitigation measures and alternatives, and adopting a statement of overriding considerations and mitigation monitoring and reporting program, all in accordance with CEQA; and

WHEREAS, the City Council of the City of Manteca, at its duly noticed public hearing on March 5, 2024, considered the Manteca General Plan Environmental Impact Report (“EIR”) Addendum, an addendum to the Final General Plan Update EIR (SCH# 2020019010), considered the Final General Plan Update EIR, and considered certain findings concerning significant impacts, mitigation measures and alternatives, and statements of overriding considerations, all in accordance with CEQA; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as finds follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. That the City Council does hereby find the Addendum for the 2043 General Plan Amendment, attached as Exhibit "A" has been prepared and completed in compliance with CEQA.
3. The City Council was presented with, and has independently reviewed and analyzed, the Addendum, the General Plan EIR (consisting of the General Plan Recirculated Draft EIR dated November 2022 and Final EIR dated June 2023) and other information in the record and has considered the information contained therein, including the written and oral comments received at the public hearings on the Addendum and the Project, prior to acting upon or approving the Project, and has found that the Addendum represents the independent judgment of the City of Manteca ("City") as lead agency for the Project, and designates the Director of Development Services, at their office at 1215 W. Center Street, 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 that none of the conditions calling for preparation of a subsequent or supplemental EIR have occurred, specifically none of the following criteria described at CEQA Guidelines Section 15162 have occurred:
 - a. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - b. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence

at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- i. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - ii. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - iv. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
5. The City Council does hereby find that the Addendum analyzes the 2043 General Plan Amendment and determines that an Addendum is the appropriate CEQA document for the project based on the criteria established at Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164.
 6. The City Council does hereby find that revision or recirculation of the General Plan EIR for further public review and comment is not warranted or required under the provisions of CEQA.
 7. The City Council hereby adopts, as its own, the findings attached to this Resolution as “Exhibit B”, with respect to the significant effects on the environment of the Project, mitigation measures, and alternatives, and statement of overriding considerations, with the understanding that all of the information in this Resolution is intended as a summary of the full administrative record, which full administrative record should be consulted for the full details supporting these findings. Exhibit B is fully incorporated herein as if set forth in full.
 8. This Resolution shall take effect immediately upon its adoption.

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 5th day of March, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk

Exhibits

Exhibit A – Manteca General Plan EIR Addendum

Exhibit B - Findings of Fact and Statement of Overriding Considerations