

RESOLUTION NO. 2019-0107

Adopted by the Sacramento City Council

April 2, 2019

Approving Environmental Review for Title 17 Code Amendments Relating to Manufacturing, Service, and Repair in the Industrial Zones as a Subsequent Project Under the Master EIR

BACKGROUND

- A. On February 14, 2019, the City Planning and Design Commission conducted a public hearing and forwarded to the City Council a recommendation to adopt the Title 17 Code Amendments amending Sections 17.220.110, 17.220.210, 17.220.310, and 17.220.410 relating to Manufacturing, Service, and Repair in the Industrial Zones.
- B. On April 2, 2019, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.010 (2)(b), and received and considered evidence concerning the Title 17 Code Amendments amending Sections 17.220.110, 17.220.210, 17.220.310, and 17.220.410 relating to Manufacturing, Service, and Repair in the Industrial Zones.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council finds that the Master Environmental Impact Report for the 2035 General Plan was certified on March 3, 2015 and the 2035 General Plan was adopted on that date.
- Section 2. The City of Sacramento was the Lead Agency for the Master EIR.
- Section 3. On December 11, 2018, City Council adopted Ordinance No. 2018-0055, which amended various sections of Title 17 of the Sacramento City Code, relating to Transit-Oriented Development. In conjunction with adopting that ordinance, the council reviewed an initial study that concluded the ordinance was a subsequent project within the scope of the Master EIR for the 2035 General Plan.

The December 2018 ordinance inadvertently prohibited manufacturing, service, and repair within ½ mile of a light rail station in four zoning districts. These uses were previously allowed by right. Accordingly, the ordinance the council is adopting today is intended to fix this error.

The ordinance the council is adopting today has no effect on the environment and consists of a minor technical correction to correct the error in the December 2018 ordinance. Impacts from this ordinance were analyzed in the previously approved initial study for the project, prepared pursuant to Public Resources Code 21157.1 and Guidelines 15177, which concluded the project was described in the Master EIR and that the project would not cause any additional significant environmental effects that were not examined in the Master EIR. The City Council finds that the project is within the scope of the Master EIR, the project will have no additional significant effect not identified in the master EIR, and no new additional mitigation measures or alternatives are required.

Additionally, the City Code, prior to the adoption of the ordinance, allowed manufacturing, service, and repair by right in the M-1, M-1(S), M-2, and M-2(S) zones, regardless of their proximity to a light rail station platform. This ordinance would require a developer to obtain a conditional use permit to operate these uses within a half mile of light rail. As a result, there will be less development of these uses in these zones as compared to the (by-right) baseline. Accordingly, the ordinance will not have a significant effect on the environment.

- Section 4. The City has incorporated all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR.
- Section 5. Notice of the determination that the project is a subsequent project under the Master EIR was provided in the manner required by CEQA Guidelines section 15177(d) and 15087. The Notice of Subsequent Project was posted in the office of the County Clerk/Recorder on October 19, 2018. The Notice established a thirty-day comment period, beginning on October 22, 2018 and ending on November 21, 2018.
- Section 6. The City Council directs that, upon approval of the Project, the City Manager shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.
- Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Adopted by the City of Sacramento City Council on April 2, 2019, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer and Warren

Noes: None

Abstain: None

Absent: Mayor Steinberg

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2019.04.10 16:03:21
-07'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.