

## RESOLUTION NO. 2018-0024

Adopted by the Sacramento City Council

January 16, 2018

### **Adopting the Mitigated Negative Declaration Addendum and the Mitigation Monitoring Plan for the Westshore Lot B Project (P16-003)**

#### **BACKGROUND**

- A. On November 16, 2017, the City Planning and Design Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Westshore-Lot B.
- B. On January 9, 2018, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.010(A)(2): (a), (b), and (c) (publication, posting, and mail 300 feet)], and received and considered evidence concerning the Westshore-Lot B.
- C. On October 25, 2005, the City Council adopted the Mitigated Negative Declaration and Mitigation Monitoring Plan for the Natomas Central Project (P04-173) by resolution 2005-774.

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

Section 1. The City Council finds as follows:

- A. On October 25, 2005, pursuant to the California Environmental Quality Act (Public Resources Code §21000 *et seq.* (“CEQA”), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, the City Council adopted a Mitigated Negative Declaration (MND) and a Mitigation Monitoring Plan and approved Natomas Central Planned Unit Development (P04-173) (Project).
- B. The Westshore Lot B (P16-003) (Project Modification) proposes to modify the previously approved Project as follows: The proposed project will redesignate 6.8 acres from multi-family dwelling (100 condos) to 53 single unit dwelling developments within the age-restricted portion of the

PUD. This results in a net decrease of 47 dwelling units from the original approval.

- C. The initial study on the Project Modification determined that the proposed changes to the original Project did not require the preparation of a subsequent environmental impact report or negative declaration. An addendum to the previously adopted MND was then prepared to address the modification to the Project.

Section 2. The City Council has reviewed and considered the information contained in the previously adopted MND for the Project, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification. Substantial evidence supports use of the MND and the subsequent review provisions of CEQA Guidelines Section 15162. There is no substantial evidence of a fair argument that major revisions are required to the MND. The City Council has determined that the previously adopted MND and the addendum constitute an adequate, accurate, objective, and complete review of the proposed Project Modification and finds that no additional environmental review is required based on the reasons set forth below:

- A. No substantial changes are proposed by the Project Modification that will require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- B. No substantial changes have occurred with respect to the circumstances under which the Project Modification will be undertaken which will require major revisions to the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- C. No new information of substantial importance has been found that shows any of the following:
  - 1. The Project Modification will have one or more significant effects not discussed in the previously adopted MND;
  - 2. Significant effects previously examined will be substantially more severe than shown in the previously adopted MND;

3. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Project Modification; or
4. Mitigation measures which are considerably different from those analyzed in the previously adopted MND would substantially reduce one or more significant effects on the environment.

Section 3. Based on its review of the previously adopted MND for the Project, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification, the City Council finds that the MND and addendum reflect the City Council's independent judgment and analysis and adopts the addendum for the Project Modification.

Section 4. The mitigation monitoring plan for the Project is adopted for the Project Modification, and the mitigation measures shall be implemented and monitored as set forth in the program, based on the following findings of fact:

1. The mitigation monitoring plan has been adopted and implemented as part of the Project;
2. The addendum to the MND does not include any new mitigation measures, and has not eliminated or modified any of the mitigation measures included in the mitigation monitoring plan;
3. The mitigation monitoring plan meets the requirements of CEQA section 21081.6 and CEQA Guidelines section 15074.

Section 5. Upon approval of the Project, the City Manager shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

Section 6. 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 January 16, 2018, by the following vote:

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

Noes: None

Abstain: None

Absent: Member Jennings

Attest:

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