

## RESOLUTION NO. 2021-0152

Adopted by the Sacramento City Council

May 25, 2021

### **Certifying the Addendum to the Environmental Impact Report and Adopting the Mitigation Monitoring Program for the Delta Shores MDR-5 & MDR-8 Project (P20-024)**

#### **BACKGROUND**

- A. On April 22, 2021, the City Planning and Design Commission conducted a public hearing on and forwarded to the City Council a recommendation to approve with conditions the Delta Shores Project (P06-197) (Project).
- B. On May 25, 2021, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 and received and considered evidence concerning the Project.

#### **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 January 29, 2008, 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 certified an environmental impact report (EIR) and, having reviewed and considered the information contained in the EIR, adopted findings of fact and findings of overriding consideration, adopted a mitigation monitoring program, and approved the Delta Shores Project (P06-197)(SCH #2007042070)(Original Project). As part of the same meeting, the City Council approved a revision to the Delta Shores Planned Unit Development (PUD) Guidelines (Resolution No. 2009-034).
- B. On August 21, 2020, the Delta Shores Project applicant submitted an application for the Delta Shores MDR-5 & MDR-8 project entitlements (P20-024). The project consists of a General Plan Amendment, Rezone, Planned Unit Development Guideline Revision, Small Lot Tentative Subdivision Map and a Minor Large Lot Tentative Map Revision.

- C. An Addendum to the previously certified EIR has been prepared to address the potential environmental effects of the Project.

Section 2. The City Council has reviewed and considered the information contained in the previously certified EIR for the Delta Shores project, the previously adopted findings of fact and findings of overriding consideration, the Addendum and all oral and documentary evidence received during the hearing on the Project. The City Council finds that the previously certified EIR and the Addendum constitute an adequate, accurate, objective, and complete review of the proposed Project 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 that will require major revisions of the previously certified EIR 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 will be undertaken which will require major revisions to the previously certified EIR 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 will have one or more significant effects not discussed in the previously certified EIR;
  - 2. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR;
  - 3. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Current Project; or
  - 4. Mitigation measures which are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment.

Section 3. Based on its review of the previously certified EIR for the Project, the previously adopted findings of fact and findings of overriding consideration, the addendum, and all oral and documentary evidence received during the hearing on the

Project, the City Council finds that the EIR and Addendum reflect the City Council's independent judgment and analysis, certifies the EIR and the Addendum for the Project, and readopts the findings of fact and findings of overriding considerations.

- Section 4. The mitigation monitoring program for the Delta Shores project is adopted for the Project, and the mitigation measures shall be implemented and monitored as set forth in the program, based on the following findings of fact:
- A. The mitigation monitoring program has been adopted and implemented as part of the Project;
  - B. The addendum to the EIR does not include any new mitigation measures, and has not eliminated any of the mitigation measures included in the mitigation monitoring program, and has included modified mitigation measures that are equivalent or more effective in mitigating or avoiding potential significant effects, and that will not in themselves cause any potentially significant effect on the environment;
  - C. The mitigation monitoring program meets the requirements of CEQA Section 21081.6 and the CEQA Guidelines section 15091.
- 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 May 25, 2021 by the following vote:

Ayes: Members Ashby, Guerra, Harris, Jennings, Loloee, Schenirer, Valenzuela, Vang, and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy  
Date: 2021.06.09 08:42:56  
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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.*