

CITY OF WINTERS
CEQA COMPLIANCE AND EXEMPTION DETERMINATION
Jordan Tentative Parcel Map

PROJECT INFORMATION

Project Title: Jordan Tentative Parcel Map

Lead Agency Name and Address:

City of Winters
Community Development Department
318 First Street
Winters, CA 95694

Contact Person and Phone Number:

Nellie Dyer, Director
Community Development Department
(530) 795-4910 x114

Heidi Tschudin, Contract Planner
Community Development Department
(916) 447-1809

Project Location: Southwest quadrant of Interstate 505 and State Route 128 (Grant Avenue) in Winters California, 95694 (see Exhibit 1, Vicinity Map) totaling 11.72 acres comprised of four buildable parcels, a remainder parcel, and a right-of-way parcel:

- Parcel 1 APN 038-070-032 (0.84 ac)
- Parcel 2 APN 038-070-029 (0.87 ac)
- Parcel 3 APN 038-070-031 (0.87 ac)
- Parcel 4 APN 038-070-030 (0.84 ac)
- Remainder Parcel APN 038-070-028 (7.5 ac)
- Parcel A Gateway Drive right-of-way (0.80 ac)

Project Applicant: Bryan Bonino
Laugenour and Meikle Civil Engineers
608 Court Street
Woodland, CA 95695
(530) 662-1755

Property Owner: Jordan Family Partnership IV (Mary Jordan)
1600 Executive Court
Sacramento, CA 95825
(916) 973-2800

Project Approvals: The following specific entitlements are necessary for implementation of the project:

- Approval of Tentative Parcel Map
- Approval of Design Review for Development Plan for Parcels 1-3
- Approval of Planned Development Permit for Parcels 1-3
- Finding of Consistency with Gateway Master Plan
- Finding of Consistency with Putah Creek Nature Area Master Plan
- CEQA Clearance

CEQA COMPLIANCE

Because this project requires discretionary action on the part of the City in the form of granting the above noted approvals or entitlements for use, the City has determined this falls under the definition of a project subject to CEQA (CEQA Guidelines Section 15378). Once a lead agency has made such a determination, it must then determine whether the project is exempt from CEQA. A project may be statutorily exempt, categorically exempt, or exempt under the “general rule” that CEQA applies only to projects which have the potential for causing a significant effect on the environment (Section 15061).

The City has reviewed the available exemptions, and concluded that the Statutory Exemption provided in Section 15183 of the CEQA Guidelines is most applicable to the subject project. As documented herein, the City has concluded that the project qualifies for this exemption and directed that a Notice of Exemption be filed.

EXEMPTION VERIFICATION

The City of Winters has concluded that the project qualifies for the Statutory Exemption provided in Section 15183 of the CEQA Guidelines based on the analysis and conclusions provided below.

Statutory Exemption 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning): Section 15183(a) establishes that projects that are consistent with the development density established by existing zoning, a community plan, or general plan for which an EIR was certified, do not trigger additional environmental review except to examine whether there are project-specific significant effects peculiar to the project or site.

The City’s 1992 General Plan was the subject of a certified Environmental Impact Report (GP EIR) that examined the environmental impacts associated with adoption of the General Plan. On May 19, 1992 the City Council adopted Resolution No. 92-13 certifying the two-volume EIR (SCH#91073080) prepared for the City General Plan and adopting the City General Plan.

Based on the draft General Plan land use map (page 19, General Plan DEIR) and specified development assumptions (page 25, General Plan DEIR), the GP EIR

examined the environmental impacts associated with a minimum of 10.1 acres of highway commercial uses (93,800 square feet) on the subject property and 34.8 acres of business park uses (322,400 square feet) on the remainder of the GMP, immediately west of the subject property. This totals to 44.9 acres (416,200 square feet).

The subsequent Gateway Master Plan (GMP) (1993) and the Matz Parcel Map (No. 4057, October 1993) (including development of the front four parcels) were the subject of a Mitigated Negative Declaration (MND) that tiered from the GP EIR and examined the site specific environmental impacts associated with development of the front four parcels of the subject property. The GMP (traffic study) assumed the following development on the front parcels: one motel on 1.8 acres, one fast food restaurant (McDonalds) on 1.0 ac, one sit-down "high-turnover" restaurant on 1.0 acre, and one service station/convenience market. No other information such as assumed use square footages was provided, however the trip generation for the front parcels is assumed at 5,310 daily trips and/or 434 PM peak hours trips. Therefore, so long as this trip "budget" is not exceeded, development on the front parcels will fall within the assumptions of the GMP/Matz Parcel Map "Phase One" planning and analysis assumptions, and be covered by the prior CEQA clearances including the GP EIR.

The Planning Commission approved Resolution No. 93-04 on June 29, 1993 adopting the MND for the GMP/Matz Parcel Map. All applicable mitigation measures adopted as a part of this action become conditions of approval on the subject project (see Exhibit 5, Mitigation Measures for Gateway Master Plan/Matz Parcel Map Mitigated Negative Declaration (June 29, 1993); and Exhibit 6, Mitigation Monitoring and Reporting Program for the Matz Parcel Map, First Phase of the Gateway Master Plan (June 29, 1993)).

Section 15183(b) establishes the limits for subsequent environmental analysis if required. These include examination of: impacts peculiar to the project or parcel; impacts not analyzed as significant effects in the prior EIR; potential off-site and/or cumulative impacts not analyzed in the prior EIR; or significant impacts which are determined based on substantial new information to be more adverse than previously discussed. An Initial Study was prepared to examine whether any of these thresholds are met. The conclusion of the Initial Study was that no new potentially significant impacts were identified that had not been previously and adequately addressed.

Section 15183(c) establishes that additional EIR analysis is not required if an impact is not peculiar to the parcel or project, has been previously addressed, or can be substantially mitigated by uniformly applied development policies or standards. Since no new potentially significant impacts were identified in the Initial Study, no additional EIR analysis is required.

Section 15183(d)(1) establishes that Section 15183 only applies to projects that are consistent with: a community plan adopted as part of a General Plan, a zoning action designating the parcel for a particular development density, or a general plan. The subject project is consistent with both the zoning and General Plan.

Section 15183(d)(2) establishes that the General Plan or zoning must have been accompanied by a certified EIR. The GP EIR was certified in 1992.

Section 15183(e) establishes limits for the analysis of impacts. However, since no new potentially significant impacts were identified in the Initial Study, these limits are not applicable.

Section 15183(f) establishes parameters for determining if an impact should be considered peculiar to the project or parcel. Since no new potentially significant impacts were identified in the Initial Study, these parameters are not applicable.

Section 15183(g) provides examples of uniformly applied development policies and standards. Based on the conclusions above, this subsection is not applicable.

Section 15183(h) establishes that lack of an applicable uniformly applied development policy or standard can not be used in and of itself to determine that an impact is peculiar to the project or parcel. Since no new potentially significant impacts were identified in the Initial Study, these parameters are not applicable.

Section 15183(i) applies to projects that include a rezone. The subject project does not include a rezone.

Section 15183(i)(1) defines “community plan”. This subsection is not applicable.

Section 15183(i)(2) defines the requirement for consistency with the development density as being the same or less than the standard expressed for the parcel in the general plan or zoning. As explained above this is the thresholds that was applied in the Initial Study analysis.

Section 15183(j) reiterates that adequately analyzed off-site or cumulative impacts need not be further analyzed.

CEQA DETERMINATION

Based on an examination of the project, supporting information, and the analysis contained herein, the project is found to be exempt from further CEQA review pursuant to Section 15183 (**Projects Consistent with a Community Plan, General Plan, or Zoning**) of the CEQA Guidelines.

Signature: Nellie Dyer, Community Development Director

Date

Source Document: Environmental Checklist and Initial Study for Jordan Tentative Parcel Map, dated May 5, 2010.