

RESOLUTION NO. R2004-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA,
CALIFORNIA, ESTABLISHING A PHASE 3 POINT RATING SYSTEM
PURSUANT TO ARTICLE 18 (REVISED COMMUNITY GROWTH
MANAGEMENT PROGRAM) OF THE MANTECA MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF MANTECA DOES HEREBY RESOLVE
AS FOLLOWS:

Section 1. Findings.

1.1. The City Council of the City of Manteca ("City Council") recently revised the City of Manteca General Plan ("General Plan") to contain, among other things, growth management and other related goals and policies.

1.2. Pursuant to, and consistent with, those General Plan goals and policies, the City Council is hereby adding Article 18, the "Revised Community Growth Management Program" (hereinafter "Growth Program") to the Manteca Municipal Code.

1.3. The Growth Program provides that the City Council shall establish by resolution a Phase 3 Point Rating System for development projects seeking Project Allocations involving Phase 3 sewer capacity.

1.4. This Resolution so establishes that Phase 3 Point Rating System, which contains criteria and point ratings that are intended to promote the goals and policies of the General Plan and the Growth Program by, among other things, encouraging and promoting an orderly pattern of development, efficient utilization and expansion of public services and facilities, conservation of agricultural land and natural resources, optimum public safety, improved housing opportunities, contribution to basic infrastructure, and improved public amenities.

Section 2. Definitions. The terms used herein shall have those meanings specified in Section 18-300 of the Growth Program, unless otherwise indicated.

Section 3. Phase 3 Point Rating System for Residential Development Projects. Proposed residential development projects seeking Project Allocation(s) during Phase 3 sewer capacity pursuant to the Growth Program shall be evaluated and rated in accordance with the point rating system contained herein. In order to be eligible for a Project Allocation(s), the proposed residential development project must comply with the threshold determinations in section 3.1

3.1. Threshold Determinations. Certain threshold determinations are considered essential to, and therefore will be considered prerequisites of, the evaluation and determination of a residential project's Initial Point Rating and Final Point Rating. Therefore, the applicant shall submit satisfactory evidence that the proposed residential development project will satisfy each of the threshold determinations listed below. Such evidence may consist of the development application itself, additional documentation from the applicant, service commitments or certifications from other agencies, agreements by the applicant to undertake mitigation measures, and/or any other evidence determined satisfactory by the Community Development Director. The threshold determinations are as follows:

- (a) The proposed development project and its proposed improvements and mitigation measures must be consistent with the General Plan.

- (b) The project area shall be within the City limits to be eligible to file for project allocation.
- (c) The proposed development project must obtain/provide water service adequate to meet minimum fire flow requirements and projected consumer water needs.
- (d) The project area shall not be under Williamson Act.
- (e) The proposed development shall be contiguous to existing urban development on at least one side, or be part of a Master planned project.

After the Community Development Director has determined, based upon substantial evidence, that all of the threshold determinations will be satisfied, the proposed project shall be evaluated and receive point ratings according to the criteria contained herein.)

<u>Category</u>	<u>Criteria</u>	<u>Points available</u>
Small projects	0-8 units	20
	9-16 units	15
	17-24	10
Provision of affordable housing units		
<u>Ownership projects</u>		
Percent of units sold at cost affordable at 110% are of median income (units shall be deed restricted):	15% of total project units	25
	20% of total project units	30
	25% of total project units	35
Percent of units sold at cost affordable at 80% are of median income (units shall be restricted):	15% of total project units	40
	20% of total project units	45
	25% of total project units	50

<u>Category</u>	<u>Criteria</u>	<u>Points available</u>
Density bonus projects		
<u>Project participates in the City's density bonus program:</u>	Points granted are in addition to points granted for affordable housing units. Range of points will be based on the percent-Age of affordable housing units provided beyond the 25% level.	Up to 40 pts.
Rental Projects		
Percent of units offered at rents affordable at 50% of area median income (units shall be restricted):	15% of total project units	40
	20% of total project units	45
	25% of total project units	50
Public Facilities Contributions		
Points granted for contributions made in independent years in which Project Allocations are granted, and not based on a cumulative basis.	\$4,250 per unit	13
	\$5,250 per unit	18
	\$6,250 per unit	23
Public Facilities Land Dedication/Improvement		
Development project dedicates and/or improves a Public Amenity/Facility in excess of standards (non-reimbursable).	Points will vary depending upon dedication or improvement	Up to 50 pts.
Project Design Amenities		
Project shall exhibit this amenity throughout the project to be eligible for points. Points awarded for entire Project, and not per each eligible unit.	Amenities shall be included in a Project's approved subdivision agreement.	Up to 30 pts.
Garage:		
Side-loaded front yard entry		
10' Setback from residence front		
Detached rear yard		
Detached alley entry		
Front Covered Porches: Min. 8' deep		
More than 50% of residence front		
Enhanced streetscape landscaping		
Distinctive Neighborhood Entrance		
Distinctive Electroliers (street lamps)		
Architectural relief on 1 single side elevation and front		
Architectural relief on both side elevations and front		
Architectural relief on all 4 sides		

<u>Category</u>	<u>Criteria</u>	<u>Points available</u>
Master Planning		
Project is located within an approved Specific Plan or Master Plan area. Project would still be eligible to receive points available through the Project Design Amenities category.		10
Mixed use project		
Project is within the CMU infill zone district and will exhibit a mixture of residential/commercial uses.		5
Projects that received Project Allocations in the previous year.		10
Total Points		

Nonresidential project allocations. In order to be eligible for a Project Allocation(s) award, the proposed nonresidential development project must comply meet the threshold determinations in Section 4.1

4.1. Threshold Determinations. Certain threshold determinations are considered essential to, and therefore will be considered prerequisites of, the evaluation and determination of a commercial and/or industrial development project's Initial Point Rating and Final Point Rating.

Therefore, the applicant shall submit satisfactory evidence that the proposed development project will satisfy each of the threshold determinations listed below. Such evidence may consist of the development application itself, additional documentation from the applicant, service commitments or certifications from other agencies, agreements by the applicant to undertake mitigation measures, and/or any other evidence determined satisfactory by the

Staff Review Board or City Council, as applicable. The threshold determinations are as follows:

- (a) The proposed development project and its proposed improvements and mitigation measures must be consistent with the General Plan.
- (b) The proposed development project must obtain water service adequate to meet minimum fire flow requirements and projected consumer water needs.

After the Community Development Director has determined, based on substantial evidence, that all threshold determinations will be satisfied, the proposed project can receive a non-residential allocation.

Section 5. Environmental Assessment.

5.1. The California Environmental Quality Act, California Public Resources Code Section 21000 et seq., and the "CEQA Guidelines" promulgated thereunder, Title 14 of the California Administrative Code, Section 15000 et seq. (hereinafter referred to collectively as "CEQA"), applies only to projects which may have the potential for causing a significant effect on the environment.

5.2. The Growth Program (and this related Resolution) is a mitigation measure recognized in, and contemplated by, the Environmental Impact Report ("EIR") prepared in conjunction with the revision of the City's General Plan. As a mitigation measure, the Growth Program will not cause any significant effect in addition to any caused by the General Plan revision project. The Growth Program, therefore, has been properly reviewed and addressed by said EIR pursuant to CEQA, and will not have a significant impact on the environment. A

Notice of Determination to that effect has been filed by the City with the County Clerk. This Resolution and the Phase 3 Point Rating System it establishes are contemplated and required by the Growth Program, and therefore are also a part of the mitigation measure recognized in, and contemplated by, said EIR.

5.3. The Community Development Director is hereby authorized and directed to file, within five working days of the adoption date of this Resolution, a "Notice of Determination" with the San Joaquin County Clerk pursuant to the procedures and requirements set forth in the City's local CEQA Guideline and the State CEQA Guidelines.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such decision shall not affect the validity of the remaining portions hereof. The City Council hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any of the sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of
Manteca at a regular meeting thereof held on January 20, 2004, by the following
vote:

DATED: January 20, 2004

ROLL CALL

AYES: Councilmembers DeBrum, Harris, Hernandez, Snyder
and Weatherford

NOES: None

ABSENT: None



WILLIE W. WEATHERFORD, Mayor

ATTEST:



JOANN TILTON, CMC