



## Staff Report

**TO:** Town of Loomis Honorable Mayor and Town Councilmembers  
**FROM:** Anders Hauge, Costco Project Manager  
**DATE:** March 8, 2022  
**RE:** **Loomis Costco Project – Consideration of General Plan Text Changes**

### Recommendation

1. Adopt Resolution [REDACTED] to allow the Town of Loomis to proceed with an application for General Plan text changes; and
2. Direct Planning Commission to review the project at its next meeting and make a recommendation to the Town Council.

### Issue Statement and Discussion

Costco Wholesale submitted an application to the Town to build a membership-only warehouse retail use with an ancillary fueling station at a site along Sierra College Boulevard north of Interstate 80 (I-80) (i.e., the Costco project). The environmental impacts of the Costco project were evaluated in a Draft Environmental Impact Report circulated for review and comment in April 2018 (Costco 2018 DEIR), a DEIR recirculated for review and comment in December 2019 (Costco 2019 RDEIR), and a Final Environmental Impact Report (Costco FEIR) certified in August 2020. Together, these documents are collectively referred to as “the Costco EIR”. After the EIR was certified and the Costco project was adopted, three lawsuits were filed.

The court determined that the Town committed a land use analysis error, as it did not analyze the Project’s inconsistency with the Town’s Zoning Code and General Plan due to the proposal to construct commercial parking, driveways, and landscaping on residential land.

To address the inconsistencies found by the court, the Town proposes to amend the General Plan and Zoning Code text to codify the Town’s interpretation that commercial support uses, such as parking, driveways, lighting, and landscaping on residential property where the residential property is adjacent to and under common ownership with the commercial property and use.

### CEQA Requirements

Discretionary projects in California are required to undergo environmental review under the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Title 14, Section 15000 et seq. [14 CCR Section 15000 et seq.]). The Town prepared an Environmental Impact Report for the Costco project to provide the Town Council and the public with information regarding

the project, its impacts, and feasible ways to avoid or lessen those impacts. The CEQA review process provides a framework for evaluating and sharing environmental information about a project and receiving public input regarding impacts that may occur with project implementation, and ways to mitigate such impacts. Using this environmental information, as well as other information regarding the project, the Town then makes a decision on whether or not to approve a project. The EIR includes environmental conclusions and proposals regarding mitigation measures, if any, and informs the Town's ultimate decision, which may also take into account other factors, such as need or community benefit. Decision makers are free to also weigh the data provided by the experts analyzing the project, as well as public opinion. This EIR and the CEQA process are meant to educate and inform decision makers as they evaluate the Costco project and decide whether to approve the Costco project.

On August 11, 2020, the Town Council approved Resolution 20-29 certifying the Environmental Impact Report for the Loomis Costco Project, adopting the Findings of Fact and Statement of Overriding Considerations, and approving the Mitigation and Monitoring Reporting Program.

As described above, the Town's certification of the Costco EIR was challenged and the court determined the Costco EIR contained a land use analysis error for the reasons described above. The proposed General Plan and Zoning Code text changes are recommended to address the issues identified by the Court.

Staff has analyzed the environmental impacts of the proposed General Plan and Zoning Code text changes and prepared an Addendum to the EIR to address the proposed changes.

### **Financial and/or Policy Implications**

There are no direct financial implications associated with the recommended action. The applicant pays for the cost of the project's processing pursuant to a reimbursement agreement.

### **Attachments**

- A. Resolution #22-\*\*

# TOWN OF LOOMIS

## RESOLUTION NO. 22-\*\*

### A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS, PLACER COUNTY, TO PROCEED WITH FILING AN APPLICATION FOR A GENERAL PLAN TEXT CHANGE

**WHEREAS**, pursuant to Loomis Municipal Code Chapter 13.76.020, the Town of Loomis seeks Council authorization to proceed with an application for a General Plan Text Change of the 2001 General Plan; and

**WHEREAS**, the environmental impacts of the Costco project were evaluated in a Draft Environmental Impact Report (DEIR) circulated for review and comment in April 2018 (Costco 2018 DEIR), a DEIR recirculated for review and comment in December 2019 (Costco 2019 RDEIR), and a Final Environmental Impact Report (Costco FEIR) certified in August 2020 (collectively, the Costco EIR);

**WHEREAS**, after the Costco EIR was certified and the project was adopted in August 2020, three lawsuits were filed;

**WHEREAS**, the court determined the Town’s interpretation of its Zoning Code and General Plan to allow commercial support uses, including parking, driveways, and landscaping, on residential land was unreasonable and unsupported, and thus the Costco EIR contained a land use analysis error because it did not analyze the Project’s inconsistency with the Town’s Zoning Code and General Plan; and

**WHEREAS**, the Town is supportive of an application for a General Plan Text Change to address the inconsistencies found by the court; and

**WHEREAS**, the Town proposes to amend the General Plan and Zoning Code text to codify the Town’s interpretation that commercial support uses, such as parking, driveways, lighting, and landscaping on residential property where the residential property is adjacent to and under common ownership with the commercial property and use; and

**WHEREAS**, the Town has determined that some changes or additions to the previously certified Costco EIR are necessary but none of the conditions in California Code of Regulations, title 14, division 6, section 15162 calling for preparation of a subsequent EIR have occurred, therefore the Town will prepare an Addendum to the Costco EIR; and

**WHEREAS**, the Town of Loomis will process the Addendum to the Costco EIR, including environmental determination, staff review, preparation of a staff report with findings and recommendations, including public hearings before the commission and council, with community engagement.

**NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOOMIS RESOLVES;** to allow submittal of an application for a General Plan Text Amendment.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
**Jennifer Knisley, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Carol Parker, Deputy Town Clerk**