

RESOLUTION NO. 2012-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING THE ADDENDUM TO THE LAGUNA RIDGE SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT FOR THE FALLS OF ELK GROVE PROJECT NO. EG-11-053 ASSESSOR'S PARCEL NUMBER: 132-2130-003

WHEREAS, the Planning Department of the City of Elk Grove received an application on December 13, 2011 requesting a General Plan Amendment, Specific Plan Amendment, Rezone, Tentative Parcel Map, Design Review and Conditional Use Permit for The Falls of Elk Grove Project No. EG-011-053 (Project); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor Parcel Number 132-2130-003; and

WHEREAS, the proposed Project is subject to the California Environmental Quality Act (CEQA); and

WHEREAS, Section 15164 (a) (Addendum to an Environmental Impact Report (EIR) or Negative Declaration) of Division 6 of Chapter 3 of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides that a lead agency may prepare an Addendum to a previously Certified EIR; and

WHEREAS, the Laguna Ridge Specific Plan (LRSP) was approved and an EIR adopted by the City Council on June 16, 2004, which adequately addressed environmental issues related to the development of the Laguna Ridge Area; and

WHEREAS, the Project is being undertaken pursuant to and in conformity with the approved Specific Plan and will be required to record the Laguna Ridge Mitigation Monitoring and Reporting Program; and

WHEREAS, the EIR analyzed overall development of the Laguna Ridge area and addressed issues such as transportation, air quality, noise, facilities, and infrastructure; and

WHEREAS, the Addendum found that no additional impacts would occur as a result of the project other than those analyzed in the Laguna Ridge Specific Plan EIR; and

WHEREAS, the Project involves General Plan Amendments, Specific Plan Amendment, Rezone, Tentative Parcel Map, Design Review, and Conditional Use Permit for the development of an assembly use; and

WHEREAS, the proposed Project as designed is consistent with the General Plan, Land Use Policy Map and Elk Grove Municipal Code Title 23 requirements; and

WHEREAS, all required services and access to the proposed parcels in compliance with the City's standards are available; and

WHEREAS, no adverse environmental effects were identified during staff review of The Falls of Elk Grove; and

WHEREAS, no special circumstances exist that create a reasonable possibility that the activity may have a significant adverse impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds the Addendum prepared for The Falls of Elk Grove to be the appropriate environmental review pursuant to Section 15164 of the State CEQA Guidelines and adopts the Addendum based upon the following findings:

Finding: The proposed project will not have a significant adverse impact on the environment and all potentially significant effects have been adequately analyzed in the Laguna Ridge Specific Plan Environmental Impact Report (EIR) that was prepared for the Laguna Ridge Specific Plan project. The EIR adequately addresses all environmental issues related to the development of the subject property, and there are no new subsequent significant environmental impacts as a result of this project. None of the conditions calling the preparation of a subsequent EIR are present.

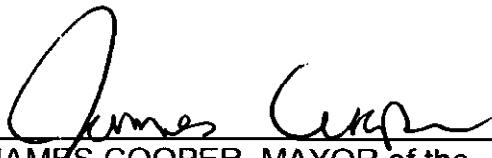
Evidence: The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed project is a project under CEQA.

The Laguna Ridge Specific Plan was approved and an Environmental Impact Report (EIR) (SCH 2000082139) certified by the City Council on June 16, 2004. In conjunction with the certification of the LRSP EIR a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Specific Plan. The Falls of Elk Grove is considered a non-participating property and was not analyzed under the LRSP EIR.

State CEQA Guidelines (Title 14 of the California Code of Regulations) Section 15164 (Addendum to an EIR or Negative Declaration) identifies that an addendum may be prepared for projects such as this proposal if changes or additions are necessary to the EIR. This addendum constitutes an addition to the LRSP EIR. Further, an addendum may be used provided that none of the considerations described in Section 15162 call for preparation of subsequent EIR have occurred. The City prepared an addendum which determined that there are no new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The noise levels on the surrounding properties will remain below the City's 40 decibel (dB) standard; similarly the trip generation numbers will diminish from the existing M1 Zone to the proposed BP Zone; the site is a previously disturbed site with a truck rental

business on it, therefore biological resources will not be affected; the applicant has demonstrated compliance with AQ-15, Air Quality Management Plan Table 7.1 from the LRSP EIR by identifying project components that implement the LRSP EIR air quality requirements, and the project will be required to record the LRSP EIR MMRP thereby making it subject to all mitigation measures and requirements of the LRSP EIR. Therefore, there are no substantial changes that would require revisions to the previous EIR due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects and the addendum is the appropriate document and level of review required for The Falls of Elk Grove project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of May 2012.



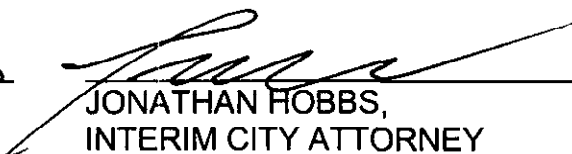
JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-72**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

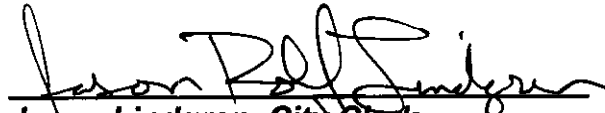
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 9, 2012 by the following vote:

AYES : COUNCILMEMBERS: Cooper, Davis, Detrick, Scherman

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Hume



**Jason Lindgren, City Clerk
City of Elk Grove, California**