

RESOLUTION NO. 2024-071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE PROVIDING A COMPELLING REASON TO DEVIATE FROM THE CURRENT GUIDELINES OF THE CITY'S NAMING POLICY AND CREATE AN ALTERNATIVE PROCESS FOR NAMING NEW ZOO BUILDINGS

WHEREAS, on September 23, 2021, the City of Elk Grove (City) and Sacramento Zoological Society (the Society) entered into an Exclusive Negotiating Agreement (ENA) to explore development of a zoological park in Elk Grove; and

WHEREAS, on March 23, 2022, the City Council received a Feasibility Study describing the potential construction and operating characteristics for a potential New Zoo in Elk Grove (the Project); and

WHEREAS, the City Council directed staff to prepare a Memorandum of Understanding (MOU) with the Society regarding master planning and environmental review for a Zoo in Elk Grove; and

WHEREAS, on May 25, 2022, the City Council and the Society entered into that MOU, which provided a process for the development of schematic design plans, preparation of an Environmental Impact Report for the Project, and development of other information and materials, including a Finance Plan; and

WHEREAS, on April 8, 2022, the City acquired an approximately 103-acre property at the northwest corner of Kammerer Road and Lotz Parkway, more particularly described as APNs 132-0320-001, 002, & 010, which, pursuant to the terms of the MOU, has been identified as the "Candidate Site" for the Project; and

WHEREAS, pursuant to the terms of the MOU, the City retained the services of a qualified civil engineering firm to prepare conceptual and schematic design for off-site infrastructure services, and the Society retained the services of a qualified zoological park design firm (supplemented by other technical expert design firms), and that together these firms make up the Design Team for the Project; and

WHEREAS, the City and the Society have worked closely in partnership to develop a comprehensive, multiphase design plan for the proposed Project, including key components of an entry complex, animal habitats, guest facilities and amenities including dining and retail spaces, animal care center and holding areas, facility storage and warehousing, guest and employee parking facilities, and off-site infrastructure necessary to serve the Project; and

WHEREAS, during the course of the conceptual and schematic design, potential future acquisition of a Cosumnes Community Services District property at APN 132-2390-006 was identified as an opportunity for employee parking and, along with the Candidate Site, makes up the Project Site; and

WHEREAS, the City determined that the Project shall, pursuant to the terms of the City's Municipal Code, be treated as any other development application and is subject to entitlement requirements and other discretionary procedures provided in the Municipal Code; and

WHEREAS, City staff determined that the existing zoning and other development regulations present in the City's Municipal Code were insufficient to address the unique needs of the Project and worked with the Society and the Design Team to prepare a new Special Planning Area zoning document that would guide the entitlement, permitting, development standards, and development process for the Project; and

WHEREAS, public outreach and engagement is of critical importance to the City and, as such, the City prepare and executed an extensive public engagement plan, which included more than 30 workshops, popup events, and other meetings at various locations and times throughout the design process, including a dedicated event with the adjoining neighborhood in the summer of 2022, as well as community open houses in August 2022 and November 2023 and presentation at numerous community groups; and

WHEREAS, the City determined that the Project is subject to the California Environmental Quality Act; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 4, 2024, as required by law, to consider all of the information presented by staff, the Society, and the Design Team, as well as public testimony presented in writing and at the meeting and voted 5-0 to recommend approval of the Project to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on May 8, 2024, as required by law, to consider all of the information presented by staff, the Society, and the Design Team, as well as public testimony presented in writing and at the meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds no further CEQA review is required based upon the following finding:

CEQA

Finding: An Environmental Impact Report has been prepared for the Project in accordance with the California Environmental Quality Act (CEQA) and it reflects the independent judgment and analysis of the City.

Evidence: Approval of the proposed New Zoo at Elk Grove Project requires an Environmental Impact Report (EIR). That EIR was certified by the City Council on May 8, 2024 by Resolution No. 2024-069.

The City prepared a Notice of Preparation (NOP) and circulated it to public agencies and interested parties (including the general public) on November 18, 2022. The NOP provided an introduction to the Project. Comments on the scope of the EIR were requested by January 13, 2023, consistent with the requirements of the State CEQA Guidelines. Comments received on the NOP are included in the Draft EIR (Appendix B of the Draft EIR) and responses are provided in Chapter 1 of the Draft EIR.

The Draft EIR has been prepared to meet the requirements of a project EIR as defined by Section 15161 of the State CEQA Guidelines. A project EIR focuses on the changes in the physical environment that would result from the implementation of a project, including its planning, construction, and operation. The State's intention is that a lead agency preparing a project EIR would not be required to provide further

environmental analysis for additional regulatory approvals following approval of the project, absent conditions requiring a subsequent EIR, a supplement to the EIR, or an addendum. As such, the EIR has been prepared to address the potential environmental impact of all phases of the Project.

The Draft EIR identified a range of potential impacts resulting from approval of the Project. Some of these impacts are analyzed in comparison to existing Zoological Park in Land Park in Sacramento. The impact areas come from the State's CEQA guidelines (the CEQA Checklist).

The EIR has identified the following environmental issue areas as having potentially significant environmental impacts from implementation of the Project:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural and Tribal Resources
- Energy
- Greenhouse Gas Emissions
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Public Services
- Transportation
- Utilities and Service Systems

Conclusions to the potential impacts are classified as either less than significant, less than significant after incorporation of mitigation measures, or significant and unavoidable. Significant and unavoidable impacts do not limit the City's ability to approve a project. Rather, given CEQA's role in providing disclosure of potential impacts, the City may approve a project with significant impacts that cannot be mitigated to a less than significant level. CEQA Guidelines Section 15093 states that "CEQA requires the [City] to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.' When the [City] approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the [City] shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record." A statement of overriding considerations is necessary to approve the General Plan Update as two impacts, Greenhouse Gas Emissions and Transportation, remain significant and unavoidable after application of all feasible mitigation measures.

On January 5, 2024, the City released the Draft EIR. The Draft EIR was made available for public review and comment on the City's website, at City Hall, and at the Elk Grove library for a period of 45 days. Public comments on the Draft EIR were due to the City on February 20, 2024. Comments were received from five agencies and 35 individuals on the content of the Draft EIR. Responses to these comments have been prepared by staff and are included in the Final EIR.

The Final EIR also includes an erratum of changes to the Draft EIR as a result of the public comments on the Project, the comments to the Draft EIR, and other revisions to the Project as identified by the City. The Final EIR indicates that the modifications to the Project are minor in nature and do not cause any change in significant impacts that were analyzed in the Draft EIR.

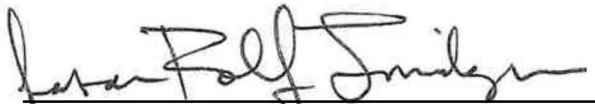
AND, BE IT FURTHER RESOLVED, that the City Council hereby finds that there is a compelling reason to deviate from the current guidelines of the City's Naming Policy, finds that such guidelines shall not apply to the New Zoo or any of its buildings, facilities, or structures, delegates naming authority for any of the New Zoo's buildings, facilities, or structures to the City Manager, with the exception of the New Zoo itself, which naming authority shall remain vested with the City Council.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of May 2024




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2024-071

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

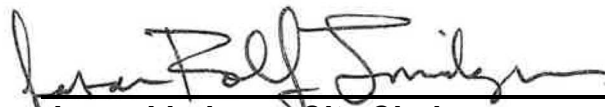
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 8, 2024 by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Brewer, Robles, Spease, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Jason Lindgren, City Clerk
City of Elk Grove, California