



# City of Elk Grove NOTICE OF DETERMINATION

**To:**  Office of Planning and Research  
P.O. Box 3044, 1400 Tenth Street, Room 22  
Sacramento, CA 95812-3044

Sacramento County Clerk-Recorder  
Sacramento County  
PO Box 839, 600 8th Street  
Sacramento, CA 95812-0839

**From:** City of Elk Grove  
Development Services-Planning  
8401 Laguna Palms Way  
Elk Grove, CA 95758

County Recorder Filing	State Clearinghouse Received
(stamp here)	(stamp here)

**SUBJECT:** *Filing of Notice of Determination in compliance with Section 15075 of the CEQA Guidelines.*

<b>STATE CLEARINGHOUSE NUMBER:</b>	SCH #2017062058
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**PROJECT TITLE:** FLOODPLAIN ALLOWANCES FOR PUBLIC IMPROVEMENTS AND NON-HABITABLE STRUCTURES AMENDMENTS (2nd Reading)

**PROJECT APPLICANT:** City of Elk Grove  
Sarah Kirchgessner (Representative)  
8401 Laguna Palms Way  
Elk Grove, CA 95819  
(916)478-2245

**PROJECT LOCATION:** Elk Grove California, Sacramento County

**ASSESSOR'S PARCEL NUMBER(S):** Citywide

**PROJECT DESCRIPTION:** The proposed General Plan and Municipal Code Amendments (the "Amendments") are text amendments that would provide exceptions to allow for the construction of non-habitable structures and public infrastructure such as trails, non-habitable maintenance facilities, and similar equipment to be within the 100-year floodplain on a case-by-case basis when such construction will not result in upstream or downstream flooding impacts. The Amendments consist of revisions to Title 16 (Building and Construction) and Title 23 (Zoning) of the Elk Grove Municipal Code (EGMC),

specifically Chapters 16.50 (Flood Damage Prevention) and 23.100 (General Definitions), and concurrent revisions to the General Plan.

This is to advise that on January 22, 2025, the City of Elk Grove City Council approved the above-described Project and has made the following determinations regarding the above-described project.

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" (State CEQA Guidelines Section 15378). The proposed Project is a project under CEQA.

No further environmental review is required under State CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning). State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with the development density established by an existing Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." In February 2019, an EIR was prepared and certified by the City Council as part of the Elk Grove General Plan (SCH# 2017062058). That document provides a programmatic review of the potential impacts associated with implementation of the overall General Plan. The EIR identified that implementation of the General Plan would increase the requirements for trails and recreational facilities, which could result in impacts to the physical environment and concluded that no additional mitigation measures beyond compliance with construction-related mitigation measures identified in the EIR were required. The proposed text amendments allow for an exception for the development of public infrastructure including trails, maintenance facilities, and similar facilities as well as non-habitable structures within the 100-year floodplain on a case-by-case basis. Such exceptions must result in no net increase to the water surface elevation adjacent to, downstream, and upstream of the development as determined by the City. These changes do not result in the possibility of creating significant or cumulative effects on the environment. Future development under the proposed regulations may be subject to CEQA at that time, as, to the extent applicable, those actions would be classified as "projects" under CEQA. Future development under the proposed regulations would be subject to all construction-related mitigation measures adopted by the City.

Furthermore, State CEQA Guidelines Section 15162 provides that no further review is required under CEQA when there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the General Plan EIR. The proposed amendments are consistent with the analysis presented in the EIR and, pursuant to State CEQA Guidelines Section 15162, no subsequent analysis is required. Staff has reviewed the Project and analyzed it based upon the above provisions in Section 15162 of the State CEQA Guidelines. The proposed text amendments would only allow for the development of public infrastructure including trails, non-habitable maintenance facilities, and similar facilities as well as non-habitable structures within the 100-year floodplain on a case-by-case basis with no net increase to the water surface elevation adjacent to, downstream, and upstream of the development. Additionally, in the case of modified bridge structures and trails, such structures shall not adversely affect the physical and/or economic use of upstream and downstream property. The Project is being undertaken pursuant to and in conformity with the approved Elk Grove General Plan. The General Plan EIR analyzed full buildout of the City based upon the land plan, development standards, and policies contained in the General Plan. Future development under the proposed regulations is subject to the General Plan Mitigation,

Monitoring and Reporting Program (MMRP). Therefore, there are no substantial changes in the Project, there are no substantial changes with respect to the circumstances under which the Project is undertaken, and there is no new information of substantial importance, which was not known and could not have been known at the time of certification of the EIR, and no further environmental review is required.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the prior EIRs are sufficient to support the proposed action and pursuant to State CEQA Guidelines Sections 15162 and 15183, no further environmental review is required.

This is to certify that the Environmental Impact Reports are available to the General Public at:  
City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758

CITY OF ELK GROVE  
Development Services - Planning

By: *Sarah Kirchgessner*  
Sarah Kirchgessner,  
916.478.2245

Date: February 13, 2025