

3.10 LAND USE AND PLANNING

This land use analysis evaluates consistency of the New Zoo Project with applicable land use plans and policies. The physical environmental effects associated with the Project, many of which pertain to issues of land use compatibility (e.g., noise, aesthetics, air quality), are evaluated in other sections of Chapter 3 of this Draft EIR.

One comment related to land use was received in response to the notice of preparation, which was related to zoning of the site and access from Kammerer Road. This is discussed in the analysis below, as well as in Section 3.13, "Transportation." See Appendix A for all notice of preparation comments received.

3.10.1 Regulatory Setting

FEDERAL

No federal plans, policies, regulations, or laws related to land use are applicable to the Project.

STATE

California Building Code

The California Building Code (CBC) (CCR Title 24) is based on the International Building Code, but it reflects California conditions and has more detailed or more stringent regulations than the International Building Code. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. The CBC identifies seismic factors that must be considered in structural design. Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, and Chapter 18A regulates construction on unstable soils, such as expansive soils and areas subject to liquefaction. Appendix J of the CBC regulates grading activities, including drainage and erosion control.

LOCAL

2020 Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Communities Strategy

The Sacramento Area Council of Governments (SACOG) is designated by the federal government as the Metropolitan Planning Organization for the Sacramento region, which requires SACOG to maintain a regional transportation plan that must be updated every 4 years in coordination with each local government. Placer and El Dorado Counties are different in this arrangement in that each county has its own State designation as a Regional Transportation Planning Agency responsible for developing its own transportation plan. SACOG is the Regional Transportation Planning Agency for Sacramento, Sutter, Yolo, and Yuba Counties. SACOG works in coordination with the Placer County Transportation Planning Agency and the El Dorado County Transportation Commission to ensure consistency between these two county-specific plans and the broader regionwide plan.

The Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) is required to be a 20-year multimodal transportation plan that is financially feasible, achieves health standards for clean air, and addresses Statewide climate goals. The MTP/SCS land use forecast identifies the general location of different types of land uses, residential densities, employment intensities, and natural resource areas.

The Project area is located within the City's Southeast Planning Area of the Developing Communities type identified in the 2020 MTP/SCS. The 2020 MTP/SCS forecasts about 4,040 new housing units and 18,640 new employees in the Developing Communities Type in the City's Southeast Planning Area (SACOG 2019).

City of Elk Grove General Plan

The *City of Elk Grove General Plan* was adopted in 2019 and consisted of a comprehensive update of the previous General Plan. Subsequent amendments occurred in 2020, 2021, and 2023, including adoption of the Livable Employment Area Community Plan in December 2023. The General Plan goals, policies, and standards are based on the General Plan Vision Statement and supporting principles. The General Plan contains the following policies and actions related to land use that apply to the Project. These policies are contained in Chapter 4, "Urban and Rural Development" (City of Elk Grove 2021a).

- ▶ **Policy LU-1-2:** Foster development patterns that will achieve a complete community in Elk Grove, particularly with respect to increasing jobs and economic development and increasing the City's jobs-to-employed resident ratio while recognizing the importance of housing and a resident workforce.
- ▶ **Policy LU-1-8:** Seek to designate sufficient land in all employment generating categories to provide opportunities for Elk Grove's working population and jobs in categories matching resident's employment level.
- ▶ **Policy LU-5-1:** Ensure that new development reflects the City's desire to create a high-quality, attractive, functional, and efficient built environment.
- ▶ **Policy LU-5-2:** Provide and implement regulations that encourage high-quality signage, ensure that businesses and organizations can effectively communicate through sign displays, promote wayfinding, achieve visually vibrant streetscapes, and control excessive visual clutter.
- ▶ **Policy LU-5-8:** Require developers to provide pedestrian amenities, such as trees, lighting, recycling and refuse containers, seating, awnings, and/or art, in pedestrian areas along project frontages. Where appropriate, install pedestrian amenities in public rights-of-way.
- ▶ **Policy LU-5-9:** Emphasize placemaking design principles in new development projects.
 - **Standard LU-5-9a:** Prioritize the pedestrian by implementing the following measures:
 - Minimize parking areas and curb cuts along commercial street frontages.
 - Encourage a vertical and horizontal mix of land uses.
 - Provide urban plazas and gathering spaces in commercial and multifamily development.
 - Provide pedestrian amenities such as lighting, landscaping, and benches.
- ▶ **Policy LU-6-9:** Support potential changes to the South Pointe Policy Area that incorporate retail, office, and light industrial/flex land uses along Kammerer Road.
- ▶ **Policy ED-2-1:** Continue to improve Elk Grove's jobs/housing ratio by expanding local employment opportunities, with an emphasis on attracting jobs in sectors and industries that are well matched for the skills of the local workforce.
- ▶ **Policy ED-2-2:** Maximize the use of nonresidential land for employment-generating and revenue-generating uses.
- ▶ **Policy NR-1-9:** Encourage development clustering where it would facilitate on-site protection of woodlands, grasslands, wetlands, stream corridors, scenic areas, or other appropriate features such as active agricultural uses and historic or cultural resources under the following conditions and requirements. Except as otherwise provided, clustering shall not be allowed in the Sheldon Rural Area.
 - Urban infrastructure capacity is available for urban use. If clustering is allowed in the Rural Area, those properties shall be exempt from providing urban water and sewer connections in accordance with the policies of the Sheldon/Rural Area Community Plan (see Chapter 9).
 - On-site resource protection is appropriate and consistent with other General Plan policies.
 - The architecture and scale of development are appropriate for and consistent with the intended character of the area.

- Development rights for the open space area are permanently dedicated and appropriate long-term management is provided for by a public agency or another appropriate entity.

The Project site is located in the Livable Employment Area (LEA) Community Plan as denoted by Figure 4-1, Potential Activity and Infill Areas in Elk Grove, in the General Plan (City of Elk Grove 2019). The following General Plan land use designation is applicable to the Project site:

- ▶ **Parks and Open Space (P/O).** Parks and Open Space uses include public and private parks, public plazas, trails, paseos, and similar features that provide off-street connectivity, and similar spaces not included in the Resource Management and Conservation designation. Lands designated as Parks and Open Space are oriented toward active uses, rather than passive open space uses, which are included in the Resource Management and Conservation designation. This designation may also include commercial recreation facilities principally oriented toward outdoor use.

Livable Employment Area Community Plan Area

The LEA Community Plan covers a 1,150-acre area that would provide a walkable urban area in the City with a variety of mobility options and neighborhood streets. The LEA Community Plan would be organized with three transects (sub-urban zone, general urban zone, and urban center zone) and around four centers. Each center would have higher densities with the areas between the centers having relatively lower intensities. The character of each center would be defined by the assemblage of diverse and dense land uses and public features such as plazas, parks, gathering spaces, and access to public transit. New development would be designed with a street grid and all new thoroughfares would have a complete street design to allow pedestrian and bicycle infrastructure.

This LEA Community Plan identifies the Project site as a potential site for the proposed development of the New Zoo. If the proposed relocation of the zoo to the City does not move forward, the site would be developed consistent to its Parks and Open Space P/OS land use designation as included in the LEA Community Plan. The following policies related to the LEA Community Plan Area are contained in the General Plan:

- ▶ **Policy LU-3-3:** Transect-based land uses in Activity Districts shall implement the provisions of the Livable Employment Area Community Plan as provided in Chapter 9 and the provisions of the corresponding zoning designations.
- ▶ **Policy MOB-5-2:** Advocate for the City's preferred fixed transit alignment for light rail (or bus rapid transit) from north of the city through the Livable Employment Area and ensure proposed projects are complementary to such an alignment.
- ▶ **Policy LEA 2-1:** Implement the recommended organization and structure of neighborhood areas and mixed-use centers in relation to Kammerer Road and Promenade Parkway and the existing and proposed street network development patterns as shown in Figures LEA-1, LEA-2, LEA-3, and LEA-4.
- ▶ **Policy LEA-2-2:** Within the Livable Employment Area, established new zoning regulations that implement the Transect concept through a new Special Planning Area. The Special Planning Area shall be formatted as Form-Based Code, calibrated to the applicable transect zones to ensure that building form and placement, as well as the design of streets and public spaces support evolution of walkable, thriving, public realm.
- ▶ **Policy LEA 2-3:** Identify the locations and characteristics of the four centers, including application of the Transect, proposed land use and circulation patterns, public space, and building forms.
- ▶ **Policy LEA 2-4:**
 - Center 1 is to be the most urban of all the centers, a high concentration of retail centers and offices as well as higher density residential development. Buildings will range from two to seven stories, though additional height may be allowed.
 - Center 2 is to be considered the gateway to the Plan Area and contain the terminus station of the light rail line. Development shall include urban in style while providing a transition to the existing single family neighborhood to the north.
 - Center 3 is to take advantage of the adjacent Sky River Casino and embrace surrounding development.

- Center 4 has important streets connecting to it, including to State Route 99. This center will also have adjacent expansion opportunities

City of Elk Grove Municipal Code

The Elk Grove Municipal Code (EGMC) provides regulations imposed by the City on development and business activities in the City. Title 23 of the EGMC (Zoning Code) contains development standards and permit requirements that address building mass and setbacks (Chapter 23.29), landscaping (Chapter 23.54), lighting (Chapter 23.56), and signage (Chapter 23.62 and Section 23.16.027).

Chapter 23.29: Development Standards

The open space zoning district is applied to lands owned by public and private entities that have been reserved for open space uses such as landscape corridors, habitat mitigation, wetlands, wildlife habitat and corridors, lakes, trails, golf courses, cemeteries, and similar uses. Some quasi-public uses such as recreation centers, nature centers, public golf courses, and joint use facilities may be permitted with approval of a conditional use permit. Private nonprofit and for-profit projects may only be considered when proposed uses are located in conjunction with a public park or other open space area that serves the general public by keeping the open space area open to the public.

Section 23.16.100: Special Planning Areas

The purpose of the special planning area (SPA) district is to designate areas for unique and imaginative planning standards and regulations not provided through the application of standard zoning districts. Allowed uses and development standards within the SPA are those uses and standards listed uses in the adopted SPA. The enabling legislation granting authority to prepare, process, adopt and implement a SPA is defined by Title 23, Chapter 16, (23.16.100) of the EGMC (Title 23, Zoning). The intent of the SPA is to allow flexibility from the development standards and existing zoning. The Project site is identified in the LEA Community Plan Area and proposes a Zoological Park SPA.

3.10.2 Environmental Setting

PROJECT SITE

The Project site is located on approximately 100 acres of vacant land at the northwest intersection of Kammerer Road and Lotz Parkway in the south-central portion of the City of Elk Grove. The Project site is within the Livable Employment Area Community Plan with a land use designation of Parks and Open Space (P/O). Kammerer Road bordered the site to the south and Lotz Parkway borders the site to the east. Adjacent property beyond Kammerer Road and to the west and north of the Project site is agricultural land and/or rangeland. Adjacent property beyond Lotz Parkway east of the Project site was recently developed for single-family residential land uses and continues to be developed.

The vacant site currently serves as a fallow field and supports cattle grazing from April to December. The Project site was formerly used for agricultural purposes, and several irrigation features are still present. Powerline poles extend from the southern site boundary at 8665 Kammerer Road to the groundwater supply well in the central-southern portion of the Project site. Structures in the southeastern portion of the Project site include a dilapidated modular home and barn/cattle pen, an intact cattle pen, and a mobile home for the current site tenant.

A description of the visual character of the Project site and the surrounding area is provided in Section 3.1, "Aesthetics."

SURROUNDING LAND USES

The Project vicinity has a low-density suburban and agricultural character, given the presence of scattered single family residential development and wide expanses of agricultural fields. Land uses surrounding the proposed Project site include agricultural uses to the west and south, single family residential to the east along Lots Parkway. Vacant land to the north is currently under residential construction. Adjacent property beyond Kammerer Road and to the west and

north of the Project site is agricultural land and/or rangeland. Adjacent property beyond Lotz Parkway east of the Project site was recently developed for single-family residential land uses and continues to be developed for residential development. A manmade canal, Shed C Channel, is along the northern boundary of the Project site. Although the area is currently dominated by agriculture the Sky River Casino is located east of the Project site at the intersection of SR 99 and Kammerer Road on Promenade Parkway.

3.10.3 Impacts and Mitigation Measures

METHODOLOGY

Evaluation of potential land use impacts is based on a review of the planning documents pertaining to the Project area, including the City General Plan, LEA Community Plan, and EGMC Title 23 (Zoning). The analysis discusses whether the Project would be consistent with applicable land use plans and policies that were adopted for the purpose of avoiding or mitigating an environmental effect. Land use policies pertain to the type, location, and physical form of new development. For this analysis, policies “adopted for the purpose of avoiding or mitigating an environmental effect” are considered those that, if implemented and adhered to, would avoid or mitigate physical impacts on the environment. For each potential impact, the analysis compares the impact to the thresholds of significance listed below and determines the impact’s level of significance under CEQA. The reader is referred to the other sections of this EIR for evaluations of Project consistency with City and State policies and regulations related to environmental issue areas beyond land use.

THRESHOLDS OF SIGNIFICANCE

A land use impact would be significant if implementation of the New Zoo Project would:

- ▶ physically divide an established community or
- ▶ cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

ISSUES NOT DISCUSSED FURTHER

Physically Divide an Established Community

The Project would result in construction of the New Zoo on a vacant site and would not physically divide an established community. Similarly, off-site improvements would within the City right-of-way on surrounding roadways and would include utility upgrades in the applicable rights-of-way. The Project would not divide an established community and this issue is not discussed further.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact 3.10-1: Cause a Significant Environmental Impact Because of a Conflict with any Land Use Plan, Policy, or Regulation Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect

The Project would establish an SPA intended to implement the New Zoo consistent with the policy provisions of the General Plan and LEA Community Plan. Implementation of the Project would be consistent with the EGMC and the SACOG 2020 MTP/SCS. With implementation of mitigation measures throughout this EIR the impact would be reduced to **less than significant**.

As discussed in Chapter 2, “Project Description,” the Project involves development of a New Zoo in Elk Grove that includes a zoological park, SPA for the New Zoo, off-site infrastructure improvements, and an animal browse

program. The New Zoo would include various facilities and buildings to be developed in several phases. The proposed Zoological Park Special SPA would apply to approximately 100 acres at the northwest corner of Kammerer Road and Lotz Parkway. The area would extend from Kammerer Road on the south to the Shed C Channel on the north, and generally from Lotz Parkway on the east to a future road (B Street) approximately 1,500 feet to the west. The proposed SPA would establish the land use and regulatory framework for development of the New Zoo. The SPA would be intended to implement the goals and policies of the General Plan and the LEA Community Plan.

The proposed SPA for the New Zoo would provide land use and development standards for the Project, such as standards for lighting, landscaping, building height, and signage. Where the SPA does not specify requirements, the Citywide zoning regulations would govern development of the Project. The proposed LEA Overlay District would serve as an overlay, or alternative designation, allowing for additional development opportunities by allowing the uses and development type provided in the LEA SPA. The SPA would be adopted as part of the City's zoning regulations (Title 23 of the EGMC) and function as a special district under Chapter 23.40 of the Zoning Code. Therefore, implementation of the SPA would ensure that the Project would be developed consistent with City standards.

The development of the proposed zoological park would be allowed upon the issuance of a conditional use permit. Components and features of a zoological park include the keeping of animals and insects, veterinary care, educational activities, food and beverage service (inclusive of alcohol service, including limited on-site brewing of beer), retail sales, administrative offices, caretaker's quarters, greenhouses/gardens/nurseries, and warehousing and storage of goods and materials for on-site use. Other components and features include overnight accommodations (including hotel/motel and patron/guest camping) and special events and programs where the facilities are either provided as a special ticketed event or available for rent. With the adoption of the SPA, the Project would be consistent with the definition of a zoological park.

In addition to provisions in the SPA, the Project would be consistent with the following General Plan policies and EGMC requirements, which provide environmental mitigation with the application of mitigation measures identified in other sections of this EIR:

- ▶ High-quality, attractive, functional, and efficient development and signage are required (General Plan Policies LU-5-1, LU-5-2, and LU-5-4; Standard LU-5-4a; Policies LU-5-5, LU-5-6, LU-5-7, LU-5-8, and LU-5-9; Standard LU-5-9[a]; Zoning Code Chapters 23.29, 23.54, and 23.62; Section 23.16.027; Design Guidelines 1, 2, 3, 17, 20, 21, 22, 23, 25, 26, 29, 63, and 65 of Chapter 5A; and Design Guidelines 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, and 27 of Chapter 5B). The reader is referred to the discussion of Impact 3.1-1 in Section 3.1, "Aesthetics," for a detailed analysis.
- ▶ New development must be integrated with surrounding areas (General Plan Policy LU-5-4; Standard LU-5-4a; Zoning Code Chapters 23.29 and 23.54; and Chapter 5 of the Design Guidelines for non-residential developments). The reader is referred to the discussion of Impact 3.1-1 in Section 3.1, "Aesthetics," for a detailed analysis.
- ▶ Utilities must be concealed (General Plan Policy LU-5-3, Standard LU-5-3a, and Design Guideline 36 of Chapter 5A). The reader is referred to the discussion of Impact 3.1-1 in Section 3.1, "Aesthetics," for a detailed analysis.
- ▶ Lighting must follow the requirements of Zoning Code Chapter 25.56. The reader is referred to the discussion of Impact 3.1-2 in Section 3.1, "Aesthetics," for a detailed analysis.
- ▶ Mitigation Measure 3.2-1 would address construction-related air pollutant emissions consistent with General Plan Policy NR-4-8. The reader is referred to the discussion of Impact 3.2-1 in Section 3.2, "Air Quality," for a detailed analysis.
- ▶ Mitigation Measure 3.4-1 would address archaeological resource protection consistent with General Plan Policy HR-2-1. The reader is referred to the discussion of Impact 3.4-1 in Section 3.4, "Archaeological, Historical, and Tribal Cultural Resources," for a detailed analysis.
- ▶ The Project would not result in any wasteful or inefficient uses of energy and would be consistent with General Plan Policies NR-6-1, NR-6-6, and NR-6-7; and the City Climate Action Plan. The reader is referred to the discussion of Impact 3.5-1 and 3.5-2 in Section 3.5, "Energy," for a detailed analysis.

- ▶ Project emissions would be above SMAQMD's bright-line threshold of significance of 1,100 MTCO₂/year that triggers the need for the Project to implement SMAQMD's tier 2 best management practices. The Project would be consistent with General Plan Policy TACM-3 through development of transportation reduction measures and with TACM-9 by installing electric vehicle chargers (Mitigation Measure 3.7-1). The reader is referred to the discussion of Impact 3.7-1 in Section 3.7, "Greenhouse Gas Emissions and Climate Change," for a detailed analysis.
- ▶ Project-related hazardous materials would be handled in accordance with California Occupational Safety and Health Administration regulations and consistent with General Plan Policies EM-1-1, ER-1-1, ER-1-2, ER-1-5, and ER-1-7. The Sacramento County Environmental Management Department would monitor the proper use, storage, and transport of potentially hazardous materials. Materials storage would follow appropriate regulations for labeling and secondary containment. The reader is referred to the discussion of Impact 3.8-2 in Section 3.8, "Hazards and Hazardous Materials," for a detailed analysis.
- ▶ Project water quality control measures are consistent with General Plan Policies NR-3-2, NR-3-3, and LU-5-12 and Municipal Code Chapter 15.12. The reader is referred to the discussion of Impact 3.9-2 in Section 3.9, "Hydrology and Water Quality," for a detailed analysis.
- ▶ Implementation of Mitigation Measure 3.11-5 would ensure that Project operational noise would not exceed City General Plan and Municipal Code noise standards. The reader is referred to the discussions of Impact 3.11-5 in Section 3.11, "Noise," for a detailed analysis.
- ▶ Implementation of Mitigation Measures 3.13-2a and 3.13-2b would ensure that vehicle travel generated by the Project is reduced as feasible consistent with General Plan Policy MOB-1-1 and with the requirements of Assembly Bill 900. The reader is referred to Impact 3.13-2 in Section 3.13, "Transportation."

Because the Project was not yet proposed when the previous MTP/SCS was written, it was not listed as a proposed future project in the City. However, the MTP/SCS includes employment projections that show an overall increase in employment in Elk Grove. The Project site is included in an area designated as a Developing Community Type. The 2020 MTP/SCS forecasts approximately 4,040 new housing units and 18,640 new employees in the Developing Communities Type in the City's Southeast Planning Area, which included the Project site at the time of adoption of the 2020 MTP/SCS (SACOG 2019). In comparison to the 2020 MTP/SCS, the Project would account for less than 1 percent of total new employees (up to approximately 200 employees) in the Developing Community Type in Elk Grove by 2040. No new housing units are proposed as part of the Project. Therefore, the Project is consistent with the land use assumptions for the Developing Community Type in the 2020 MTP/SCS.

The Project would include an SPA to implement the goals and policies of the General Plan and would be consistent with City General Plan policies that address environmental effects and the EGMC regulations, as well as the SACOG 2020 MTP/SCS. Therefore, this impact would be **less than significant**.

Mitigation Measures

No additional mitigation is required beyond compliance with Mitigation Measures 3.2-1, Mitigation Measure 3.4-1, Mitigation Measure 3.7-1, Mitigation Measure 3.11-5, and Mitigation Measures 3.13-2a and 3.13-2b.

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