



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 21152 or 21152 of the Public Resources Code*

**STATE CLEARINGHOUSE
NUMBER:**

SCH #2015102067

PROJECT TITLE:

Kubota Tractor Corporation PLNG21-026/ Appeal (APLA21-002)

PROJECT APPLICANT:

Kubota Tractor Corporation
John Firestone, Manager
1175 S. Guild Avenue
Lodi, CA 95240

PROJECT LOCATION:

10251 Grant Line Road, Elk Grove California, Sacramento County

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

134-0190-009

PROJECT DESCRIPTION:

The Project consists of a Major Design Review for a new building of approximately 632,000 square feet and associated site improvements, and a Conditional Use Permit to allow a "manufacturing, minor" use on the Project site. The Project also includes a Special Parking Permit for a reduction in the number of required parking spaces and a Tree Removal Permit for the removal of trees of local importance. Development will occur on approximately 39.67 acres with 32.54 acres for building and vehicle circulation/landscaping improvements along and 7.13 acres for a stormwater detention facility on City Property.

The Project shall comply with the City's Climate Action Plan (CAP) for new non-residential development, including CAP measures related to energy efficiency (BE-4), photovoltaic installation (BE-7), pedestrian and bicycle travel (TACM-4), off-road construction fleet (TACM-8), intracity trip reduction (TACM-3), and electric vehicle charging (TACM-9).

This is to advise that on August 11, 2021 the City of Elk Grove City Council denied a third party appeal of the July 15, 2021 Planning Commission Project approval thereby approving the above described Project. With this approval the City Council has made the following determination 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.

The Southeast Industrial Area Supplemental EIR (SEIR) was certified by the Elk Grove City Council on January 27, 2021 (SCH #2015102067). The SEIR was prepared to address changes in the land use designations for a General Plan amendment and pre-zoning, and to address information related to infrastructure improvements that will be necessary to serve the Southeast Industrial area. The SEIR specifically evaluated development on the subject parcel with Light Industrial uses.

State CEQA Guidelines Section 15168 allows for the use of the Certified SEIR for later activities but requires those activities to be examined in light of the program SEIR to determine if an additional environmental document must be prepared. This section also states that if an agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the SEIR and no new environmental document would be required.

The Southeast Industrial Area SEIR analyzed the development of the subject site with Light Industrial with build out assumptions based on the General Plan's Light Industrial designation. The Project, as proposed, is consistent with land uses allowed in the within the Light Industrial designation and will result in a Floor Area Ratio (FAR) of 0.32 which is below the General Plan FAR of 1.5 for Light Industrial uses. State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified for an adopted project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following exists:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant

effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

The proposed Project consists of the construction of a new manufacturing building of approximately 632,000 square feet. Construction of the building and subsequent minor manufacturing operation have been found to comply with the General Plan as the Project site's LI (Light Industrial) zoning designation is considered an implementing zoning district of the LI land use designation (General Plan Consistency Matrix Table 3-1). Pursuant to Elk Grove Municipal Code (EGMC) Table 23.27-1 (Allowed Uses and Required Entitlements), "manufacturing, minor" is conditionally permitted in the LI zone. The Project will result in a Floor Area Ratio (FAR) of 0.32 which is below the maximum Light Industrial FAR of 1.5. In addition, the Project supports the following General Plan Policies:

- **Policy ED-1-1:** Allow for a variety of sizes and types of commercial development in order to attract a diverse range of job opportunities and types.
- **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 RC-1-2:** Continue efforts to attract larger employers in target industries.

In addition to compliance with the General Plan, the Project is consistent with the Southeast Industrial Area Specific Plan's guidelines related to the compatibility between urban and agricultural uses, and the Elk Grove Municipal Code (EGMC) development standards that are applicable to the project. Furthermore, the Project is subject to the Mitigation Monitoring and Reporting Plan (MMRP) adopted with the certified SEIR. Staff finds that there are no substantial changes in the Project that have the potential for new environmental effects; that there are no substantial changes that have occurred with respect to the circumstances which the Project is undertaken; and that there is no new information of substantial importance that show that the Project will have additional significant effects, will have more severe effects, or that mitigation measures originally found feasible would in fact be feasible, or that the proponents have declined to adopt mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR but would substantially reduce one or more significant effects on the environment.

There are no new substantial changes to the Project that have the potential for new environmental effects. Since no subsequent EIR is necessary pursuant to CEQA Section 15162 and since the City can approve the Project as being within the scope of the analysis covered by the SEIR, no new environmental document is required.

This is to certify that the Supplemental Environmental Impact Report is 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: _____
Antonio Ablog, AICP
Planning Manager
916.627.3335

Date: August 12, 2021

Attachments:

Copy – SEIR Notice of Determination Filing (SCH #2015102067)