

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT ON THE ELK GROVE GENERAL PLAN, MAKING FINDINGS OF FACT RELATING TO THE FEASIBILITY OF MITIGATION MEASURES AND PROJECT ALTERNATIVES, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the City of Elk Grove began preparation of its first General Plan in October 2001 that consisted of conducting (3) three visioning meetings and numerous public meetings by the General Plan Advisory Committee (GPAC), the Elk Grove Planning Commission, and the Elk Grove City Council; and,

WHEREAS, the City of Elk Grove determined that the Elk Grove General Plan (also referred to herein as "Project") was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq.) and that an Environmental Impact Report (EIR) be prepared to evaluate the potential environmental effects of the project; and,

WHEREAS, a Notice of Preparation was released for public and agency review and comment on June 21, 2002 and a public scoping meeting to receive comments on topics and issues which should be evaluated in the Draft EIR was held by the City on July 2, 2002; and,

WHEREAS, the City of Elk Grove distributed a Notice of Availability for the Elk Grove General Plan Draft EIR on August 11, 2003, which started the 45-day public review period, ending on September 25, 2003; and

WHEREAS, the Draft EIR was also submitted to the State Clearinghouse for state agency review; and,

WHEREAS, the City of Elk Grove Planning Commission held a public meeting on September 11, 2003 to receive public comments on the Draft EIR and those comments were received and considered in the Final EIR; and,

WHEREAS, the City of Elk Grove Planning Commission considered the Elk Grove General Plan on September 18, 2003 and recommended certification of the EIR and adoption of the Elk Grove General Plan to the City Council of the City of Elk Grove; and

WHEREAS, the City Council of the City of Elk Grove reviewed all evidence presented both orally and in writing and intends to make certain findings in compliance with CEQA, which are more fully set forth below in Exhibit A, attached hereto and incorporated in its entirety by this reference;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:

1. Certification of the Final EIR

A. The City Council of the City of Elk Grove hereby certifies that the Final EIR has been completed in compliance with the requirements of the California Environmental Quality Act.

B. The City Council of the City of Elk Grove hereby certifies that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to taking action on the Project.

C. The City Council of the City of Elk Grove hereby certifies that the Final EIR reflects the independent judgment and analysis of the City Council of the City of Elk Grove.

2. Findings on Impacts

The City Council finds:

A. The EIR identifies thirteen (13) potentially significant impacts that can be mitigated to less-than-significant levels. The City Council makes the findings with respect to significant impacts as set forth in Exhibit A, attached hereto and incorporated herein by reference.

B. The EIR identifies twenty (20) potentially significant impacts that cannot be mitigated to less-than-significant level and are thus considered significant and unavoidable. The City Council makes the findings with respect to these significant and unavoidable impacts as set forth in Exhibit A.

3. Findings on Alternatives

Five (5) project alternatives ("No Project," "Modification of the General Plan Land Use Policy Map," "Farmland Preservation," "Elimination of the Urban Study Areas" and "Increased Density of Development") were evaluated by the City of Elk Grove during project development and in the EIR. As set forth in Exhibit A, these alternatives result in more severe environmental effects, do not meet the basic project objectives, or do not provide any substantial environmental benefits as compared to the proposed Elk Grove General Plan. The City Council hereby finds that the proposed Elk Grove General Plan, as mitigated by adoption of mitigation measures identified in the EIR, can be feasibly implemented and serves the best interests of the City of Elk Grove.

4. Statement of Overriding Considerations

Because the adoption of all feasible mitigation measures will not substantially lessen or avoid all significant adverse environmental effects caused by the project, the City Council adopts a Statement Of Overriding Considerations concerning the project's unavoidable significant impact to explain why the General Plan's benefits override and outweigh its unavoidable impacts on the environment as set forth in Exhibit A.

5. Adoption of the Mitigation Monitoring and Reporting Program

A. The City Council hereby finds that the proposed mitigation measures described in the Final EIR and Findings are feasible, and therefore will become binding upon the City and on future applicants. The Mitigation Monitoring and Reporting Program is included as Exhibit B and will involve incorporation of the mitigation measures into the General Plan.

B. The City Council hereby adopts the Mitigation Monitoring and Reporting Program, as set forth in Exhibit B, attached hereto and incorporated herein by reference.

6. Other Findings

A. The City Council finds that issues raised during the public comment period and written comment letters submitted after the close of the public review period of the Draft EIR do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

B. Since completion of the Final EIR, the City Council has modified the General Plan Land Use Policy Map and policies contained in the General Plan. As set forth in Exhibit A, attached hereto and incorporated herein by reference, these modifications to the General Plan would not result in any new significant environmental impacts, a substantial increase in the severity of an environmental impact or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 19th day of November 2003, by the following vote:

SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

PEGGY E. JACKSON, CITY CLERK

ANTHONY B. MANZANETTI,
City Attorney

EXHIBIT A

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

ELK GROVE GENERAL PLAN EIR

SCH# 2002062082

PREPARED BY:

CITY OF ELK GROVE
DEVELOPMENT SERVICES, PLANNING
8400 LAGUNA PALMS WAY
ELK GROVE, CA 95758

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

FOR THE

ELK GROVE GENERAL PLAN EIR

SCH# 2002062082

PREPARED BY:

CITY OF ELK GROVE
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8400 LAGUNA PALMS WAY
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