

3.9 LAND USE

This section describes the existing land uses and potential effects associated with project implementation on the site and its surrounding area. Descriptions and analysis in this section are based on review of the Cortese-Knox-Hertzberg Local Government Reorganization Act, Sacramento LAFCo *Policies, Standards, and Procedures Guidelines Manual*; *Sacramento County General Plan*; the *Sacramento County Zoning Ordinance Code*; the *City of Elk Grove General Plan*; and the Sacramento Area Council of Governments Blueprint; and the *2036 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS)*. The analysis includes a description of the existing environmental conditions, the methods used for assessment, the potential direct and indirect impacts of project implementation. No mitigation measures are recommended because no impacts were determined to be significant or potentially significant.

Comments were received identifying consistency with the SACOG Blueprint and MTP/SCS as well as treatment of the proposed SOIA land use conceptual plan. The information provided has been incorporated into the following analysis, as appropriate.

3.9.1 Environmental Setting

LAND USE

Project Site

The project site (or “SOIA area”) is surrounded on three sides by the southern boundary of the Elk Grove city limits within an unincorporated area of Sacramento County. The Bilby Ridge site is comprised of approximately 480 acres, most of which is currently in agricultural production (e.g., row crops, irrigated and non-irrigated pasture land) (see Exhibit 3-2).

Surrounding Land Uses

Adjacent land uses include agricultural operations to the south and east and single-family residential and related uses to the west and north. The residential uses to the north and west were developed under the East Franklin Specific Plan, which is largely built-out. To the northeast of the site is land approved for development under the Laguna Ridge Specific Plan. The Laguna Ridge Specific Plan provides for the development of approximately 5,887 single-family homes and 1,800 multi-family or medium density units for a total of 7,767 dwelling units, and approximately 265 acres of commercial, office, and civic uses (on approximately 1,900 acres). The specific plan designates single-family and multi-family residential uses adjacent to the SOIA area.

The Southeast Policy Area Community Plan (SEPA) addresses the land currently under agricultural use just east of the site. While this plan was adopted in 2014, no development has occurred. The SEPA land use plan consists of mixed-use, commercial, office, and industrial/flex space that would generate approximately 23,410 new jobs, approximately 4,790 residential units of varying types and densities, three elementary schools, and parks. Designated land uses adjacent to the SOIA area include multifamily and single-family residential and drainage facilities.

The alignment of the approved Capital SouthEast Connector (planned 35-mile multi-lane limited access roadway connecting Interstate 5, State Route 99, and US Highway 50 in El Dorado County) is located south of the Bilby Ridge site (see Exhibit 2-3). The Capital SouthEast Connector Joint Powers Authority (Connector JPA), City of Elk Grove, and Sacramento County are coordinating on the proposed Kammerer Road Extension Project that is located south of the project site and would consist of a four-lane expressway with a Class 1 bicycle and pedestrian trail along the expressway.

3.9.2 Regulatory Framework

FEDERAL

There are no federal plans, policies, regulation, or laws applicable to the land use component for this project.

STATE

Cortese-Knox-Hertzberg Local Government Reorganization Act

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) establishes procedures for local government changes, including city incorporations and annexations. In regard to changes to spheres of influence, the CKH Act provides guidance that is pertinent to this project, as shown below.

- ▲ The Local Agency Formation Commission (LAFCo) shall develop and determine the sphere of influence of each city within the county and enact policies designed to promote the logical and orderly development of areas within the sphere (California Government Code Title 5 Division 3 Part 2 Chapter 4 Section 56425).
- ▲ LAFCo shall not approve a change to the sphere of influence if land within that area is under a Williamson Act contract (California Government Code Title 5 Division 3 Part 2 Chapter 4 Section 56426.6 [a]) unless the change would “facilitate planned, orderly, and efficient patterns of land use or provision of services, and the public interest in the change substantially outweighs the public interest in the current continuation of the contract beyond its current expiration date” (California Government Code Title 5 Division 3 Part 2 Chapter 4 Section 56426.6 [b][A]).
- ▲ As part of updating the sphere of influence, LAFCo shall conduct a service review of the municipal services provided in the county (California Government Code Title 5 Division 3 Part 2 Chapter 4 Section 56430).
- ▲ The service review ensures that the proposed extension of services is consistent with the following policies:
 - orderly growth and development (California Government Code Title 5 Division 3 Part 2 Chapter 4 Section 56001);
 - planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns (California Government Code Title 5 Division 3 Part 2 Chapter 4 Section 56300); and
 - discouraging urban sprawl, preserving open-space and prime agricultural lands, encouraging the efficient provision of government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (California Government Code Title 5 Division 3 Part 2 Chapter 4 Section 56301).
 - Section 56059 defines “open space” as any parcel or area of land or water which is substantially unimproved and devoted to an open-space use, as defined in Government Code Section 65560.
 - Government Code Section 65560 defines open space in the following manner:
 - (b)"Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:
 - (1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species;

areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

- (2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- (3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- (4) Open space for public health and safety, including, but not limited to, areas which
 - require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.
- (5) Open space in support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.
- (6) Open space for the protection of places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

The Sacramento LAFCo is the agency responsible for the approval of the proposed SOIA and is responsible for implementing the CKH Act.

LOCAL

The project site lies within the jurisdictional boundaries of Sacramento County; therefore, the County's policies, as well as the Sacramento LAFCo's policies, would apply. Furthermore, if the SOIA is approved, it may lead to annexation to the City of Elk Grove. Thus, applicable policies of the City of Elk Grove's General Plan are described below.

Sacramento LAFCo Policy, Standards, and Procedures Manual

LAFCo is charged with applying the policies and provisions of the CKH Act to its decisions regarding annexations, incorporations, reorganizations, and other changes of government organization. LAFCo has adopted standards pursuant to the authority contained in the CKH Act to assist in carrying out its provisions.

When considering annexations to cities and changes in cities' spheres of influence, the following standards apply:

Chapter IV. General Standards

A. Spheres of Influence

1. LAFCo will approve an application for a change of organization or reorganization only if the proposal is consistent with an approved Sphere of Influence plan for the affected agency or agencies. Spheres of Influence will not generally be amended concurrently with an action of an application. Spheres of Influence

amendments will ordinarily take longer to process than applications for a change of organization or reorganization. Agencies are encouraged to keep their Spheres of Influence plans up to date so that individual applications for changes of organization or reorganization are not burdened with Spheres of Influence amendment requirements. Amendments to Spheres of Influence occasioned by individual applications for changes organization or reorganization which would render the Spheres of Influence internally inconsistent or inconsistent with the other policies or standards herein will not be approved.

2. Spheres of Influence are the primary planning tool for LAFCo. The LAFCo has developed standards related to the Master Service Element of any agency's Spheres of Influence. Agencies must have an updated Master Services Element which meets the following standards:
 - a. Is consistent with the Master Services Element of the Spheres of Influence of any overlapping jurisdiction;
 - b. Demonstrates that adequate services will be provided within the time frame needed by the inhabitants of the area included within the proposed boundary;
 - c. Identifies existing land use and a reasonable projection of land uses which would occur if services were provided consistent with the updated Element;
 - d. Presents a map that clearly indicates the location of existing and proposed facilities, including plan for timing and location of facilities;
 - e. Describes the nature of each service to be provided;
 - f. Describes the service level capacity of the service provider's facilities;
 - g. Identifies the anticipated service level to be provided;
 - h. Describes any actions, improvements, or construction necessary to reach required service levels, including costs and financing methods;
 - i. Provides copies of district enabling legislation pertinent to the provision of service levels, including costs and financing methods;
 - j. Identifies projected revenue and identifies savings occurring as a result of the action; and
 - k. Provides existing and five-year population projections within agency boundaries.
3. The LAFCo will require that any agency making a proposal for action through LAFCo must have an updated Master Service Element of its Spheres of Influence Plan. The LAFCo will approve a proposal only if the proposed service provider is the most efficient provider of services with an acceptable cost, as demonstrated in the provider's Master Service Element.

E. Agricultural Land Conservation

LAFCo will exercise its powers to conserve agricultural land pursuant to the following standards:

1. LAFCo will approve a change of organization or reorganization which will result in the conversion of prime agricultural land in open space use to other uses only if the Commission finds that the proposal will lead to the planned, orderly and efficient development of an area. For purposes of this standard, a proposal leads to the planned, orderly and efficient development of an area only if all of the following criteria are met:
 - a. The land subject to the change of organization or reorganization is contiguous to either lands developed with an urban use or lands which have received all discretionary approvals for urban development.

- b. The proposed development of the subject lands is consistent with the Spheres of Influence Plan, including the Master Services Element of the affected agency or agencies.
 - c. Development of all or a substantial portion of the subject land is likely to occur within five years. In the case of very large developments, annexation should be phased whenever feasible. If the Commission finds phasing infeasible for the specific reasons, it may approve annexation if all or a substantial portion of the subject land is likely to develop within a reasonable period of time.
 - d. Insufficient vacant non-prime lands exists within the applicable Spheres of Influence that are planned, accessible, and developable for the same general type of use.
 - e. The proposal will have no significant adverse effect on the physical and economic integrity of other agricultural lands. In making this determination, LAFCo will consider the following factors:
 - (1) The agricultural significance of the subject and adjacent areas relative to other agricultural lands in the region.
 - (2) The use of the subject and the adjacent areas.
 - (3) Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of adjacent or nearby agricultural land, or will be extended through or adjacent to, any other agricultural lands which lie between the project site and existing facilities.
 - (4) Whether natural or man-made barriers serve to buffer adjacent or nearby agricultural land from the effects of the proposed development.
 - (5) Applicable provisions of the General Plan open space and land use elements, applicable growth-management policies, or other statutory provisions designed to protect agriculture.
2. LAFCo will not make the affirmative findings that the proposed development of the subject lands is consistent with the Spheres of Influence in the absence of an approved Sphere of Influence Plan. LAFCo will not make the affirmative findings that insufficient vacant non- prime land exists within the Spheres of Influence Plan unless the applicable jurisdiction has:
 - a. Identified within its Spheres of Influence all “prime agricultural land” as defined herein.
 - b. Enacted measures to preserve prime agricultural land identified within its Sphere of Influence for agricultural use.
 - c. Adopted as part of its General Plan specific measures to facilitate and encourage in-fill development as an alternative to the development of agricultural lands.
 3. The LAFCo will comment upon, whenever feasible, Notices of Preparation for Environmental Impact Reports or projects which involve the development of large tracts of open space and agricultural land and that are not scheduled for urbanization within a five-year period. Potential adverse impacts related to the loss of open space 4ewaqr agricultural land also will be commented upon by LAFCo.

Chapter V. Specific Standards by Type of Action

A. Annexations to Cities

1. LAFCo will utilize Spheres of Influence through application of the following standards:
 - b. The LAFCo generally will not allow Spheres of Influence to be amended concurrently with annexation proposals;

- c. The LAFCo will favorably consider proposals that are a part of an orderly, phased annexation program by an agency for territory within its Sphere of Influence;
3. The LAFCo will favorably consider proposals to annex streets where adjacent municipal lands will generate additional traffic and where there are isolated sections of county road that will result from an annexation proposal. Cities shall annex a roadway portion when 50 percent of the property on either or both sides of the street is within the city.
4. The LAFCo will favorably consider annexations with boundary lines located so that all streets and rights-of-way will be placed within the same city as the properties which either abut thereon or for the benefit of which such streets and rights-of-way are intended.
5. An annexation may not result in islands of incorporated or unincorporated territory or otherwise cause or further the distortion of existing boundaries unless it is determined that the annexation as proposed is necessary for orderly growth, and cannot be annexed to another city or incorporated as a new city. Annexations of territory must be contiguous to the annexing city. Territory is not contiguous if its only connection is a strip of land more than 300 feet long and less than 200 feet wide.

I. Annexations to Spheres of Influence

1. The LAFCo will generally treat a proposed amendment to an agency's Sphere of Influence similarly to an application for approval of a Sphere of Influence. The LAFCo's policies will be applied to applications for amendment to a Sphere of Influence as if it were an annexation planned for the mid- to long-range future. For that reason, each of the following sets of policies will apply to applications for amendments to Spheres of Influence:
 - a. General policies;
 - b. Specific policies and standards for annexations to cities and special districts; and
 - c. Specific policies and standards for amendments to Spheres of influence.
2. The Sphere of Influence Master Services Element must be current before additions to a Sphere of influence will be approved by LAFCo.
3. The Sphere of influence amendments shall precede applications for annexations.
4. Amendment proposals must be consistent with the updated Sphere of Influence and Master Services Element.
5. An applicant for an amendment to a Sphere of Influence must demonstrate a projected need or lack of need for service.
6. Amendment proposals involving Sphere expansion which contain prime agricultural land will not be approved by the LAFCo if there is sufficient alternative land available for annexation within the existing Sphere of Influence.
7. A phased plan for annexation of Sphere of Influence territory should be included in the Sphere of influence proposal.
8. No amendments to a Sphere of Influence Plan will be approved unless a Master Services Element of the Sphere of Influence Plan exists that has been prepared by a local agency and adopted by LAFCo if required.
9. The LAFCo will deny proposals that would result in significant unmitigable adverse effects upon other service recipients or other agencies serving the affected area unless the approval is conditioned to avoid such impacts.

10. The LAFCo will approve a proposed amendment to a Sphere of Influence only if the subject agency will be the most logical and prospectively most efficient provider of services to the subject territory.

Sacramento Area Council of Governments' Blueprint

The Sacramento Area Council of Governments (SACOG) is an association of local governments in the six-county Sacramento Region that includes the City of Sacramento. SACOG provides transportation planning and funding for the region, prepares the region's long-range transportation plan, approves the distribution of affordable housing in the region, and assists in planning for transit, bicycle networks, and airport land uses. The Blueprint Project was a regional effort by SACOG to build a consensus around a long-term vision for the growth and development of the Sacramento region. The Blueprint was adopted by the SACOG Board of Directors in December 2004 and is a voluntary framework for guiding future growth in the region. The Blueprint is not a policy document and does not regulate land use or approve or prohibit growth in the region. The Blueprint is intended by SACOG to be advisory and to guide the region's transportation planning and funding decisions (such as the development of the MTP/SCS). The SOIA area is identified as a growth area under the Blueprint.

Sacramento Area Council of Government's Metropolitan Transportation Plan/Sustainable Communities Strategy

In 2016, the Sacramento Area Council of Government's (SACOG) approved the MTP/SCS, which is a regional transportation plan and land use strategy designed to support good growth patterns, including:

- ▲ increased housing and transportation options;
- ▲ inwardly-focused growth and improved economic viability of rural areas;
- ▲ minimized direct and indirect transportation impacts on the environment;
- ▲ a transportation system that delivers cost-effective results and is feasible to construct and maintain;
- ▲ effective connections between people and jobs;
- ▲ improved opportunities for businesses and citizens to easily access goods, jobs, services, and housing; and
- ▲ real, viable choices for methods of travel.

The MTP/SCS built on the foundation provided by the Blueprint project and includes a land use strategy to improve mobility and reduce travel demand from passenger vehicles by prioritizing compact and transit-oriented development, reducing the growth in vehicle miles traveled (VMT) and associated greenhouse gas emissions. The MTP/SCS also includes projections for the location of growth within the region, between jurisdictions and among housing place types (i.e., infill and greenfield development). The 2016 MTP/SCS maps show the SOIA area as "Blueprint Growth Footprint Not Identified for Development in the MTP/SCS Planning Period." The 2016 MTP/SCS includes no growth projections for the SOIA area for 2036. (SACOG 2016.)

Sacramento County General Plan

The current County of Sacramento General Plan, titled *Sacramento County General Plan of 2005–2030* (2030 General Plan), was adopted on November 9, 2011. The Sacramento County General Plan provides an inventory of land supply within the County, and projects the amount and location of land and density, and intensity of development that will be required to accommodate future populations and economic growth through 2030 (Sacramento County 2011).

The following policies and actions from the Agriculture and Land Use Elements of 2030 General Plan apply to the SOIA.

- ▲ **Policy AG-1:** The County shall protect prime, statewide importance, unique and local importance farmlands located outside of the USB from urban encroachment.
- ▲ **Policy LU-1:** The County shall not provide urban services beyond the Urban Policy Area, except when the County determines the need for health and safety purposes.

- ▲ **Policy LU-2:** The County shall maintain an Urban Service Boundary that defines the long-range plans (beyond twenty five years) for urbanization and extension of public infrastructure and services, and defines important areas for protecting as open space and agriculture.
- ▲ **Policy LU-12:** The County will prohibit land use projects which are not contiguous to the existing UPA, city boundaries, or existing planned communities or master plan areas (i.e. leapfrog development).

The 2030 General Plan establishes land use designations within the project site. The 2030 General Plan land use designation for the SOIA area is Agricultural Cropland (Exhibit 2-3). Land south of the project site is also designated Agricultural Cropland. This designation represents agricultural lands most suitable for intensive agriculture. The agricultural activities included are row crops, tree crops, irrigated grains and dairies.

The 2030 General Plan designates two boundaries that guide development: The Urban Service Boundary (USB) and the Urban Policy Area (UPA). The SOIA area is within the USB and outside of the UPA.

Urban Service Boundary

The 2030 General Plan designates area within the USB to indicate the ultimate boundary of the urban area in the unincorporated area of Sacramento County. The 2030 General Plan states the following:

The Urban Service Boundary indicates the ultimate boundary of the urban area in the unincorporated County. This boundary, which is based upon jurisdictional natural and environmental constraints to urban growth, is intended to be a permanent boundary not subject to modification except under extraordinary circumstances. The USB should be used by urban infrastructure providers for developing very long-range master plans which can be implemented over time as the urbanized area expands (Sacramento County 2011).

Sacramento County Municipal Code

The Sacramento County Ordinances and Codes provide regulation of land and structures to promote health, safety, and welfare of the public, and to insure the orderly development of the County. The Sacramento Zoning Code describes where specific allowed uses, such as residential development, may be located.

Most of the project site is zoned AG-80 (Agricultural, 80-acre minimum), with about 20 percent of the site zoned AG-20 (Agricultural, 20-acre minimum) (see Exhibit 3.2-2). Agricultural zoning is used to promote long-term agricultural use, to discourage the premature and unnecessary conversion of agricultural land to urban uses, and to encourage the retention of sufficiently large agricultural lots to assure maintenance of viable agricultural units. Land to the south of the project site is zoned for AG-80.

City of Elk Grove General Plan

The City of Elk Grove is currently updating its General Plan. However, a draft is not yet available, so the existing (2003) General Plan policies and actions are described below. Any future development would be required to comply with the most recent General Plan. The SOIA Area is included within the Elk Grove General Plan planning area and shown on Figure LU-2 of the General Plan. This area is located between the City boundaries and an area designated for a future study to determine development potential.

The following policies and actions from the Land Use and Economic Development Elements of the City of Elk Grove General Plan.

- ▲ **Policy LU-4:** All land use approvals, including, but not limited to:
 - Zoning,
 - Planning documents (such as Specific Plans and Special Planning Areas),
 - Tentative Maps,
 - Conditional Use Permits,
 - Etc., and
 - shall be required to conform with the General Plan.

- ▲ **Policy LU-12:** The Land Use Policy Map for the Planning Area (Figure LU-2) provides conceptual land use policy for the area outside the current incorporated boundaries of Elk Grove. This policy is intended as a statement of the City's long-term vision for this area; these lands remain under the jurisdiction of Sacramento County. Except where specifically indicated, the City's land use policy for areas outside the city limits reflects the County of Sacramento's land use policy as it existed on December 31, 2002.
- ▲ **Policy LU-13:** The City will work with the Sacramento Local Agency Formation Commission to establish and update a Sphere of Influence, which reflects the City's near-term goals for potential additions to the corporate boundaries.
- ▲ **Policy LU-14:** The City shall apply the following policies to potential annexations:
 - Annexations should conform to an orderly expansion of city boundaries within planned urban growth areas and provide for a contiguous development pattern.
 - Annexations should include a comprehensive land use plan for the affected territory, including Pre-zoning and a plan for infrastructure financing and phasing;
 - Annexations should:
 - Constitute fiscally sound additions to the existing City.
 - Be consistent with State law and Local Agency Formation Commission policies, standards and criteria.
 - Preserve neighborhood identities.
 - Ensure the provision of adequate municipal services.
 - Be consistent with General Plan and Community Plan land use policies.
 - Incorporate Smart Growth criteria for sustainable economic growth while maintaining environmental integrity, and providing for social equity.
 - Promote fiscally sound, efficient service boundaries
- ▲ **Policy LU-15:** The City shall encourage annexations initiated by landowner/residents, which are consistent with the City's policies.
- ▲ **Policy LU-16:** The areas designated in the Planning Area as "Urban Study Areas" are envisioned as areas in which urbanization to some extent could occur, generally in compliance with the following criteria:
 - Development should be limited to areas outside of the 100-year floodplain.
 - Development should take place in compliance with the goals and policies of this General Plan.
 - Any study of potential land uses in these areas should be accomplished in cooperation with the County of Sacramento, the Sacramento Local Agency Formation Commission, and other agencies and parties with ownership or jurisdiction of lands in and near the study area.
 - Any study of land uses in these areas should be accompanied by an environmental evaluation of the potential impacts of development.
 - Prior to the completion of land use studies, the City's policy is that County of Sacramento land use designations in effect as of December 31, 2002, are retained.;

- ▲ **Policy LU-17:** Implement a comprehensive and city-wide strategy for the preservation of open space, habitat and agriculture, both inside and outside the City's existing city limits.

Proposed General Plan Update

The City of Elk Grove is in the process of updating its entire General Plan that includes amendments to its Zoning Code to reflect the updates to the General Plan and an update to the City's Climate Action Plan. The General Plan Update under its Preferred Land Use Map would expand the build out potential of the City and designated "Study Areas" from 77,716 dwelling units (252,560 residents) and 97,373 jobs under the current General Plan to 101,665 dwelling units (328,378 residents) and 122,802 jobs under the update (City of Elk Grove 2017a). A notice of preparation for the General Plan Update Draft EIR was released by the City on June 23, 2017.

The General Plan Update establishes four Study Areas (West, South, East, and North) that are currently located outside of the City boundaries and that may be annexed in the future. The Study Areas consist of 7,797 acres and would provide up to 30,332 dwelling units (97,971 residents) and 40,356 jobs at build out (City of Elk Grove 2017a). The SOIA area is located within the north portion of the West Study Area that consists of 1,982 acres. The City's Draft Annexation Strategy identifies that the planning objective for the West Study Area is to create new diverse residential neighborhoods that include walkable parks, public services, and lower-intensity employment opportunities (City of Elk Grove 2017b).

City of Elk Grove Zoning Code

The Zoning Code (Title 23 of the City's Municipal Code) is the primary implementation tool of the General Plan. It divides the City into zoning districts and applies specific development standards to each district. Other development standards established by the Zoning Code include allowed land uses, height limits, setbacks, and the performance requirements (e.g., landscaping, parking) for each district.

The project site is outside the area governed by the City's zoning ordinance. Areas to the east of the project site are zoned for agricultural uses with residential zoning north of the site.

3.9.3 Environmental Impacts and Mitigation Measures

ANALYSIS METHODOLOGY

The Bilby Ridge SOIA does not include land use designations or zoning as specific approval actions. Proposed land use and zoning designations for a site would be provided at the time a request for annexation of the site is submitted to LAFCo. However, for LAFCo to understand and fully evaluate the direct and indirect impacts associated with consideration of the Bilby Ridge SOIA, it must also consider the reasonable development pattern and intensity that could occur at the site from subsequent land use approvals. To provide a framework for project evaluation, the project evaluates a conceptual suburban land use plan for the SOIA area (Table 3-1 and Exhibit 3-4).

Evaluation of potential land use and planning impacts was based on a review of planning and regulatory documents, including the Sacramento County General Plan (Sacramento County 2011), the Sacramento County Zoning Code, the Elk Grove General Plan (City of Elk Grove 2003), the Elk Grove Zoning Code, the MTP/SCS (SACOG 2016), the *Sacramento LAFCo Policies, Standards, and Procedures Guidelines* (SACOG 2007), and the CKH Act. The project was evaluated against the policies and regulations within the adopted documents to determine whether the project would conflict with adopted plans. In addition, the existing land uses

The information obtained from these sources was reviewed and summarized to establish existing conditions and to identify potential environmental effects, based on the standards of significance presented in this chapter. In determining the level of significance, the analysis assumes that the proposed project would comply with relevant federal, state, and local ordinances and regulations (see Section 3.9.2, "Regulatory Framework").

THRESHOLDS OF SIGNIFICANCE

Based on Appendix G of the State CEQA Guidelines, a land use and planning impact would be significant if implementation of the proposed project would do any of the following:

- ▲ physically divide an established community;
- ▲ conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
- ▲ conflict with any applicable habitat conservation plan or natural community conservation plan.

Consistency with the proposed South Sacramento Habitat Conservation Plan is addressed in Section 3.4, “Biological Resources.” Potential impacts related to the loss of “prime agricultural lands” as defined by Section 56064 of the Cortese-Knox-Hertzberg Local Government Reorganization Act is addressed in Section 3.2, “Agricultural Resources.”

ISSUES NOT EVALUATED FURTHER

The proposed SOIA would expand the City’s sphere of influence that could result in annexation to the City and suburban development. SOIA area and land areas south are largely vacant and do not contain an unincorporated community. Thus, the project would expand the existing and planned residential communities into agricultural and open space lands and would not divide an established community of interest.

IMPACT ANALYSIS

Impact 3.9-1: Consistency with Sacramento County and City of Elk Grove general plans and zoning.

Establishment of the SOIA area and future annexation and development would not conflict with adopted County or City general plan policies, land use designations, or zoning that would generate any adverse physical impacts beyond those addressed in detail in the environmental sections of this EIR. Thus, this impact would be **less than significant**.

The project includes an amendment to Elk Grove’s sphere of influence. However, the SOIA area would continue to be within unincorporated Sacramento County and subject to Sacramento County general plan designations and zoning. This project does not pre-zone or change the land use designations for the SOIA area.

If the SOIA area is approved and annexation to the City of Elk Grove is subsequently approved, land use planning would occur under the City’s jurisdiction. Pre-zoning of the affected territory by the City would be required prior to any application for annexation. Any future development would be required to comply with the City’s General Plan policies. In addition, future development would be subject to CEQA review and analysis.

Sacramento General Plan

As noted above, the SOIA area is currently designated by the Sacramento County General Plan as Agricultural Cropland and is within Sacramento County’s Urban Services Boundary and outside the Urban Policy Area. The project does not include the construction or development of any structures or infrastructure.

The land use assumptions discussed above indicate that future development of the SOIA area would result in urban land uses that do not conform to the existing agricultural land use designation. However, if LAFCo were to consider and then approve annexation in the future, Sacramento County would relinquish land use planning authority to the City, and the Sacramento County General Plan would no longer apply to the annexed areas. Table 3.9-1 provides a consistency analysis with the County of Sacramento General Plan policies.

Table 3.9-1 Sacramento County General Plan Consistency Analysis

Element	Policy	Consistency Determination
Agriculture	Policy AG-1. The County shall protect prime, statewide importance, unique and local importance farmlands located outside of the USB from urban encroachment.	Consistent: The project site is within the USB; therefore, does not fall within the requirements of the policy to protect important farmland outside of the USB.
Land Use	Policy LU-1. The County shall not provide urban services beyond the Urban Policy Area, except when the County determines the need for health and safety purposes.	Consistent: The project site is currently within the jurisdiction of the County of Sacramento and is entirely outside of the County's General Plan UPA. However, no land uses changes are proposed that would require urban services.
	Policy LU-2. The County shall maintain an Urban Service Boundary that defines the long-range plans (beyond twenty five years) for urbanization and extension of public infrastructure and services, and defines important areas for protecting as open space and agriculture.	Consistent: The project would be consistent with this policy recognizing that the project site, as a part of the existing USB area, would be available for future urban development.
	Policy LU-12. The County will prohibit land use projects which are not contiguous to the existing UPA, city boundaries, or existing planned communities or master plan areas (i.e. leapfrog development).	Consistent: The project site is currently within the jurisdiction of the County of Sacramento and is entirely outside of the UPA. However, it is contiguous to the Elk Grove city limits and would not cause leapfrog development, if the project site were to develop in the future.

Elk Grove General Plan

The project site does not currently have Elk Grove General Plan land use designations. However, if future annexation were to occur, the project site would be under the jurisdiction of Elk Grove and would be required to be consistent with City General Plan policies and regulations. As shown in Table 2-1, the SOIA conceptual land use plan would be consistent with the mixed of land uses identified in the proposed General Plan Update Land Plan Guidelines for the West Study Area.

Table 3.9-2 provides a consistency analysis with the City of Elk Grove General Plan policies.

Table 3.9-2 Elk Grove General Plan Consistency Analysis

Element	Policy	Consistency Determination
Land Use	Policy LU-4 All land use approvals, including, but not limited to: ▲ Zoning, ▲ Planning documents (such as Specific Plans and Special Planning Areas), ▲ Tentative Maps, ▲ Conditional Use Permits, ▲ Etc., shall be required to conform with the General Plan.	Consistent: The City of Elk Grove may, in collaboration with developers, begin comprehensive planning at an undetermined time pursuant to approval of the SOIA. Any proposed development would be required to demonstrate consistency with the Elk Grove General Plan.
	Policy LU-12 The Land Use Policy Map for the Planning Area (Figure LU-2) provides conceptual land use policy for the area outside the current incorporated boundaries of Elk Grove. This policy is intended as a statement of the City's long-term vision for this area; these lands remain under the jurisdiction of Sacramento County. Except where specifically indicated, the City's land use policy for areas outside the city limits reflects the County of Sacramento's land use policy as it existed on December 31, 2002.	Consistent: See discussion under Policy LU-4, above.
	Policy LU-13: The City will work with the Sacramento Local Agency Formation Commission to establish and update a Sphere of Influence, which reflects the City's near-term goals for potential additions to the corporate boundaries.	Consistent: If this project is approved, the City's sphere of influence would be updated.

Table 3.9-2 Elk Grove General Plan Consistency Analysis

Element	Policy	Consistency Determination
	<p>Policy LU-14: The City shall apply the following policies to potential annexations:</p> <ul style="list-style-type: none"> ▲ Annexations should conform to an orderly expansion of city boundaries within planned urban growth areas and provide for a contiguous development pattern. ▲ Annexations should include a comprehensive land use plan for the affected territory, including Pre-zoning and a plan for infrastructure financing and phasing; ▲ Annexations should: <ul style="list-style-type: none"> ➤ Constitute fiscally sound additions to the existing City. ➤ Be consistent with State law and Local Agency Formation Commission policies, standards and criteria. ➤ Preserve neighborhood identities. ➤ Ensure the provision of adequate municipal services. ➤ Be consistent with General Plan and Community Plan land use policies. ➤ Incorporate Smart Growth criteria for sustainable economic growth while maintaining environmental integrity, and providing for social equity. ➤ Promote fiscally sound, efficient service boundaries 	<p>Consistent: Future development of the SOIA area would be an orderly expansion of the City’s boundaries as it is surrounded on three sides by the City. The future annexation would require comprehensive land use planning and consistency with the Elk Grove General Plan.</p>
	<p>Policy LU-15: The City shall encourage annexations initiated by landowner/residents, which are consistent with the City’s policies.</p>	<p>Consistent: This policy describes the City’s attitude towards potential annexations which are consistent with City policies. Per the above and below descriptions, this project is shown to be consistent.</p>
	<p>Policy LU-16: The areas designated in the Planning Area as “Urban Study Areas” are envisioned as areas in which urbanization to some extent could occur, generally in compliance with the following criteria:</p> <ul style="list-style-type: none"> ▲ Development should be limited to areas outside of the 100-year floodplain. ▲ Development should take place in compliance with the goals and policies of this General Plan. ▲ Any study of potential land uses in these areas should be accomplished in cooperation with the County of Sacramento, the Sacramento Local Agency Formation Commission, and other agencies and parties with ownership or jurisdiction of lands in and near the study area. ▲ Any study of land uses in these areas should be accompanied by an environmental evaluation of the potential impacts of development. ▲ Prior to the completion of land use studies, the City’s policy is that County of Sacramento land use designations in effect as of December 31, 2002, are retained. 	<p>Consistent: While some potential land uses are shown for purposes of the sphere of influence amendment, the land uses are only conceptual. Any future development proposal would need to go through a separate planning and environmental review process to ensure that the proposed land uses comply with all policies of the General Plan. None of the SOIA area is located within the 100-year floodplain.</p>

As shown in the above tables, the SOIA would be consistent with applicable general plan policies. In addition, the zoning would not be updated until a later date and, therefore, would continue to be consistent with Sacramento County zoning until a later project is proposed which would have its own separate environmental analysis. The potential land uses as shown in Exhibit 2-4 in Chapter 2, “Project Description,” show the potential types of land use designations and zoning which might be applied at some future date. If this area were annexed, designated under Elk Grove’s general plan, and zoned, then those actions would ensure that the general plan and zoning for the site was compatible with Elk Grove’s general plan and zoning

code. However, the current project is an amendment to the City’s existing sphere of influence and future land uses are only speculative and shown for demonstration and analysis purposes.

Impacts and project consistency issues associated with environmental resource and issue areas are addressed in each technical section of this EIR. Implementation of the project would not conflict with adopted County or City general plan land use policies, land use designations, or zoning that would generate any adverse physical impacts beyond those addressed in detail in the environmental sections of this EIR (e.g., air quality, biological resources, cultural resources). Thus, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required.

Impact 3.9-2: Consistency with SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy.

The SOIA area is included in the MTP/SCS as an area not identified for development by 2036. However, it anticipated for eventual development under the SACOG Blueprint. As such, the impact related to consistency with the MTP/SCS would be **less than significant**.

The SACOG MTP/SCS identifies the project site as part of the “Blueprint Growth Footprint Not Identified for Development in the MTP/SCS Planning Period.” Though the MTP/SCS does not assume any development in these areas by 2036, it is an area identified for future development under the Blueprint. The MTP/SCS does not ensure growth or restrict growth from occurring in these areas. The project site is adjacent to existing development and borders the City of Elk Grove. As such, changing the sphere of influence to include this area would not conflict with the MTP/SCS. The impact would be **less than significant**.

Mitigation Measures

No mitigation is required.

Impact 3.9-3: Consistency with Sacramento LAFCo Policy, Standards, and Procedures Guidelines.

Establishment of the SOIA and the future annexation and development of the area would not conflict with Sacramento LAFCo *Policy, Standards, and Procedure Guidelines Manual*. Therefore, this impact would be **less than significant**.

LAFCo is the agency responsible for complying with the CKH Act. The Sacramento LAFCo *Policy, Standards and Procedures Manual* lays out the specific ways that LAFCo would ensure compliance with the requirements of the act.

Table 3.9-3 provides a consistency analysis with the LAFCO policies, standards, and procedures.

Table 3.9-3 Sacramento LAFCo Policy, Standards, and Procedures Guidelines Consistency Analysis

Chapter	Standard	Consistency Determination
IV General Standards	A2: Agencies must have an updated Master Services Element	Consistent: The Master Services Review document included with the application meets the standards as described in the Sacramento LAFCo Policy, Standards, and Procedures Guidelines.
	E1: LAFCo will approve a change of organization or reorganization which will result in the conversion of prime agricultural land in open space use to other uses only if the Commission finds that the proposal	Consistent: Orderly development is enabled by advance and thoughtful planning on the part of jurisdictions. There are no current applications for annexation or development of this site. While the current land use designation and zoning for the site is agriculture, placing the land within the USB shows the intent on the part of the County to allow for urban development and the provision of urban services at

Table 3.9-3 Sacramento LAFCo Policy, Standards, and Procedures Guidelines Consistency Analysis

Chapter	Standard	Consistency Determination
	will lead to the planned, orderly and efficient development of an area.	<p>some future point in time. Future development of the area would also be consistent with SACOG’s Blueprint. The SOIA would not change the current land use designation or zoning; however, it would remove obstacles for future development.</p> <p>As identified under Impact 3.2-1, future annexation and development of the SOIA area would result in the loss of prime agricultural land that is in open space. Implementation of Mitigation Measure 3.2-1 would require that future development applicants protect one acre of existing agricultural lands for every acre developed.</p> <p>Per the criteria for planned, orderly, and efficient development, the land is contiguous to lands that are already developed or have received all discretionary approvals for urban development, development of a substantial portion of the subject land is likely to occur within the next 20 years; and the City of Elk Grove current sphere of influence boundary is the same as the City limit line.</p>
V Specific Standards by Type of Action	A1b: The LAFCo generally will not allow Spheres of Influence to be amended concurrently with annexation proposals	Consistent: The SOIA does not include an annexation proposal.
	A1e: The LAFCo encourages the annexation to each city of all islands of unincorporated territory and all substantially surrounded unincorporated areas located within the city’s Sphere of influence.	Consistent: The SOIA Area is surrounded on three sides by land that is within the City of Elk Grove.
	A2: The LAFCo will not approve proposals in which boundaries are not contiguous with the existing boundaries of the city to which the territory will be annexed	Consistent: The SOIA Area is adjacent and contiguous with the Elk Grove City boundary.
	I2: The Sphere of Influence Master Services Element must be current before additions to a Sphere of influence will be approved by LAFCo.	Consistent: See discussion under standard A2, above.
	I5: An applicant for an amendment to a Sphere of Influence must demonstrate a projected need or lack of need for service.	Consistent: The application shows a preliminary land use scenario that would require a projected need for services.
	I6: Amendment proposals involving Sphere expansion which contain prime agricultural land will not be approved by the LAFCo if there is sufficient alternative land available for annexation within the existing Sphere of Influence.	Consistent: See discussion under standard E1, above.
	I7: A phased plan for annexation of Sphere of Influence territory should be included in the Sphere of influence proposal.	Consistent: The MSR states “MSR may also serve to assist the City in the development of a phased Comprehensive Annexation Program (CAP).”
	I9: The LAFCo will deny proposals that would result in significant unmitigable adverse effects upon other service recipients or other agencies serving the affected area unless the approval is conditioned to avoid such impacts.	Consistent: To amend a sphere of influence, LAFCo must conduct a thorough review of the potential environmental impacts, as required by CEQA. This document provides this required review and analysis. As described throughout this document, the mitigation measures within the EIR would reduce the impacts related to the SOIA as much as feasible.
	I10: The LAFCo will approve a proposed amendment to a Sphere of Influence only if the subject agency will be the most logical and prospectively most efficient provider of services to the subject territory.	Consistent: This is discussed in detail in the MSR which accompanies the application.

As described in Table 3.9-3, implementation of the project would be consistent with the *Sacramento LAFCo Policy, Standards, and Procedures Guidelines Manual*. Thus, this impact is considered **less than significant**.

Mitigation Measures

No mitigation is required.

Impact 3.9-4: Conversion of open space.

Establishment of the SOIA and the future annexation and development of the area could result in the loss of open space resources, as defined by Sacramento LAFCo, to urban uses. Therefore, this impact would be **significant**.

Section 56059 of the Cortese-Knox-Hertzberg Local Government Reorganization Act utilizes the open space definition under Government Code Section 65560. The project area would meet the definition under Section 65560(b)(2), as it is currently in agricultural use as well as zoned and General Plan designated for agricultural use by Sacramento County. Subsequent annexation of the SOIA area and development identified in the conceptual land use plan (see Exhibit 2-4) would result in the conversion of the site's open space condition to urban uses. This impact would be **significant**.

Mitigation Measures

Implement Mitigation Measure 3.2-1 (protection of 1 acre of existing agricultural land of equal or higher quality for each acre of Farmland of Statewide Importance, Farmland of Local Importance, and prime agricultural land that would be developed by the project).

Significance after Mitigation

While conservation of land areas of the same area and quality of agricultural land placed elsewhere in the region could partially offset the direct conversion of Important Farmland and prime agricultural land that could occur within the SOIA area, this approach would not create new agricultural land to replace lands that could be lost. There is no additional feasible mitigation. The impact would remain **significant and unavoidable**.