

ORDINANCE NO. 03-2026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING NO FURTHER ENVIRONMENTAL REVIEW IS NECESSARY UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15183 (PROJECTS CONSISTENT WITH A COMMUNITY PLAN, GENERAL PLAN, OR ZONING) OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS (STATE CEQA GUIDELINES) AND AMENDING ELK GROVE MUNICIPAL CODE TITLE 23, ZONING TABLE 23.27-1 (ALLOWED USES AND REQUIRED ENTITLEMENTS FOR BASE ZONING DISTRICTS) TO ALLOW OUTDOOR EVENT CENTER USE IN THE AGRICULTURAL-RESIDENTIAL ZONING DISTRICTS (AR-10, AR-5, AR-2, AND AR-1) WITH CERTAIN PARAMETERS FOR THE BARTHOLOMEW WINERY AMENDMENT PROJECT (PLNG24-056)

WHEREAS, the Community Development Department of the City of Elk Grove (the “City”) received an application on December 27, 2024, from H/B 2007 Living Trust (the “Applicant”) requesting a Zoning Text Amendment to the Elk Grove Municipal Code Title 23 Zoning, Conditional Use Permit, and Conditional Use Permit Amendment for the Bartholomew Winery Amendment Project (the “Project”); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN: 134-0110-082; and

WHEREAS, the Community Development Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code (EGMC) Title 23 (Zoning), Title 22 (Land Development), the Elk Grove Design Guidelines, and all other applicable state and local regulations; and

WHEREAS, the Planning Commission of the City (the “Planning Commission”) held a duly-noticed public hearing on November 6, 2025, as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting and voted 4-1 (O’con opposed) to recommend approval of the Project to the City Council; and

WHEREAS, the City Council held a duly-noticed public hearing on January 28, 2026, as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting.

NOW, THEREFORE, the City Council of the City of Elk Grove does hereby ordain as follows:

Section 1: Purpose

The purpose of this Ordinance is to amend the Elk Grove Municipal Code as described in Exhibit A to allow Outdoor Event Center Use in the Agricultural-Residential Zoning Districts (AR-10, AR-5, AR-2, and AR-1) with approval of a Conditional Use Permit (CUP) subject to certain parameters as described.

Section 2: Findings

CEQA

Finding: Finding that no further environmental review is necessary under CEQA pursuant to State CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) and 15162 (Subsequent EIRs and Negative Declarations).

Evidence: CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (State CEQA Guidelines Section 15378). The proposed Project is a project under CEQA.

No further environmental review is required under CEQA pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and Section 15183 (Consistency with a General Plan, Community Plan, or Zoning). 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 of 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.

Staff has reviewed the Project and analyzed it based upon the above provisions in Sections 15162 and 15183 of the State CEQA Guidelines. State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are

consistent with the development density established by an existing Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified “shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” In February 2019, an EIR was prepared and certified by the City Council as part of the Elk Grove General Plan (SCH# 2017062058). That document provides a programmatic review of the potential impacts associated with implementation of the overall General Plan. A Final Subsequent EIR (SCH #2022020463) to the 2019 General Plan EIR was prepared and adopted in 2023 with the adoption of the Livable Employment Area Community Plan with the City of Elk Grove General Plan Amendments and Update of Vehicle Miles Traveled Standards Project.

The Project is subject to the Mitigation, Monitoring and Reporting Programs (MMRPs) adopted with 2019 General Plan EIR and 2023 Final Subsequent EIR. No physical changes are proposed on the Project site; therefore, biological surveys, erosion control, cultural resource mitigation, nor a Climate Action Plan (CAP) Consistency Review Checklist are required. The Project land uses are consistent with the development anticipated under the existing General Plan, for which an EIR was certified and the existing CUP issued by the City of Elk Grove. The General Plan EIR relies on Vehicle Miles Traveled (VMT) as a measure of transportation impacts. The Project site is in a pre-screened area as defined by the City’s Transportation Analysis Guidelines adopted with the General Plan. A Noise Study was prepared by Bollard Acoustical Consultants (BAC) (October 15, 2025) for the Project to analyze the proposed amplified music to verify compliance with General Plan noise standards and policies, and EGMC Chapter 6.32, Noise Control. The Noise Study determined that noise levels are predicted to be consistent with the City’s standards.

The Project also includes a Text Amendment to EGMC Title 23, Zoning to conditionally allow “Outdoor Event Center” use in the agricultural-residential zoning districts. The Project is being undertaken pursuant to and in conformity with the approved Elk Grove General Plan. The General Plan EIR and Final Subsequent EIR analyzed full buildout of the City based upon the land plan, development standards, and policies contained in the General Plan. Future development under the proposed EGMC Text Amendment is subject to the General Plan Mitigation, Monitoring and Reporting Program (MMRP). The proposed EGMC Text Amendment by itself does not approve any specific development and therefore, does not result in the possibility of creating significant or cumulative effects on the environment. Future development under the proposed Text Amendment will be subject to CEQA at that time, as, to the extent applicable, those actions would be classified as “projects” under CEQA.

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

Elk Grove Municipal Code (EGMC) Title 23, Zoning Text Amendment

Finding: The proposed Municipal Code text amendment is consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed EGMC Title 23 Text Amendment would permit “Outdoor Event Center” use in the Agricultural zoning districts (, AR-10, AR-5, AR-2, and AR-1) with approval of a Conditional Use Permit (CUP) subject to certain parameters as follows:

1. Located on a parcel (or combination of parcels) that is a minimum of 10-gross-acres in size with direct primary public access off of one or more Major Arterials (as defined in the General Plan); and
2. Outdoor Event Center use shall be ancillary to an approved winery or agricultural tourism use on the site.
3. Not permitted on Agricultural-Residential parcels in the Rural Area Community Plan.

The proposed amendment is consistent with General Plan Policy LU-1-6, which supports the development of neighborhood serving commercial uses adjacent to residential areas that provide quality, convenient, and community serving retail choices in a manner that does not impact neighborhood character, and with Policy ED-1-2, which promotes programs and services that support a diverse local economy. Additionally, the proposed amendment does not alter the allowed intensity or density of development beyond that contemplated in the General Plan. Therefore, the proposed amendment is consistent with the General Plan goals, policies, and implementation programs.

Section 3: Action

The City Council hereby adopts the amendments to Elk Grove Municipal Code Title 23, Table 23.27-1 as shown in Exhibit A, attached hereto and incorporated herein by this reference.

Section 4: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed, and the balance of the ordinance be enforced.

Section 6: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 7: Effective Date and Publication


This ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the Office of the City Clerk, pursuant to GC 36933(c)(1).

ORDINANCE: **03-2026**
INTRODUCED: January 28, 2026
ADOPTED: February 11, 2026
EFFECTIVE: March 13, 2026

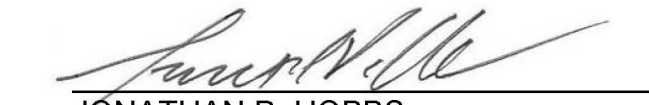


BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

Date Signed: February 12, 2026

**Exhibit A
Bartholomew Winery Amendment (PLNG24-056)
Text Amendment**

The Proposed EGMC Title 23 Text Amendment is as follows:

Proposed changes are shown in ~~strikeout~~ (for deleted text) and underline (for added text).

**Table 23.27-1
Allowed Uses and Required Entitlements for Base Zoning Districts**

Land Use/Zoning District	Zoning Districts																									Specific Use Regulations
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Public/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-8/10/12/15/18	RD-20/25/30/40	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS	O	
Recreation, Open Space, Education, and Public Assembly Uses																										
Outdoor Event Center	-	-	<u>CUP¹¹</u>	<u>CUP¹¹</u>	<u>CUP¹¹</u>	-	-	-	-	-	CUP ⁹	CUP ⁹	CUP ⁹	-	-	-	-	-	-	-	-	-	CUP	CUP	-	

...

Notes that pertain to the agricultural zoning districts:

...

11. Allowed as a conditionally permitted use only as an ancillary use to an approved winery or agricultural tourism use on a parcel (or a combination of parcels) that is a minimum of 10-gross-acres in size with direct primary public access from one or more Major Arterials (as defined in the General Plan). Outdoor Event Center use shall be prohibited on Agricultural-Residential parcels in the Rural Area Community Plan.

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CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 03-2026

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on January 28, 2026, and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 11, 2026, by the following vote:

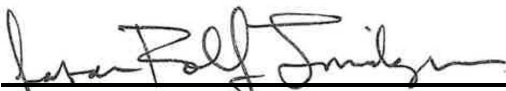
AYES: COUNCILMEMBERS: Singh-Allen, Suen, Brewer, Robles, Spease

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

A summary of the ordinance was published pursuant to GC 36933(c) (1).



Jason Lindgren, City Clerk
City of Elk Grove, California