

## ORDINANCE NO. 04-2026

### 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 SECTIONS 15183 AND 15162, AND EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS (STATE CEQA GUIDELINES) AND AMENDING ELK GROVE MUNICIPAL CODE TITLE 23 TO ALLOW A MEDICAL WASTE TRANSFER FACILITY IN THE HEAVY INDUSTRIAL (HI) ZONING DISTRICTS FOR THE TRILOGY MEDWASTE WEST PROJECT (PLNG25-020)

**WHEREAS**, the Community Development Department of the City of Elk Grove (“City”) received an application on July 23, 2025, from Trilogy MedWaste West LLC, (“Applicant”) requesting a Text Amendment to Elk Grove Municipal Code (EGMC) Title 23 (Zoning) and a Conditional Use Permit for the Trilogy MedWaste West Project (“Project”); and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN: 134-0510-026; and

**WHEREAS**, the Community Development Department considered the Project request pursuant to the Elk Grove General Plan, EGMC Title 23 (Zoning) and 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 January 15, 2026, as required by law to consider all information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting and voted 3-0-2 (Poole and Singha absent) to recommend approval of the Project to the City Council; and

**WHEREAS**, the City Council held a duly-noticed public hearing on February 25, 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 Title 23 (Zoning) as described in Exhibit A to allow the Medical Waste Transfer Station use in the Heavy Industrial (HI) Zoning Districts with approval of a Conditional Use Permit (CUP), subject to certain parameters as described.

#### Section 2: Findings

##### **CEQA**

Finding #1: 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) and exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities).

Evidence: The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter 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.” 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 Community Plan, General Plan and Zoning) and finds the Project exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities).

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 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 General Plan was prepared and adopted in 2023 with the General Plan updates. The Project is subject to the Mitigation, Monitoring and Reporting Programs (MMRPs) adopted with the 2019 General Plan and 2023 Final Subsequent EIR. No physical changes (no expansion) or new development to the existing building are proposed on the Project site; therefore, biological surveys, erosion control, cultural mitigation are not required. Since the Project would not alter the existing exterior building or significantly change truck operations this would not create new GHG emissions beyond what is discussed and measured in the City’s General Plan EIR and SEIR. The building has been in operation since late 1990’s with a small parking lot with five striped spaces in front with two street trees to provide shade for the parking spaces. The site is disturbed and there is no tree removal proposed with this application. The previous use was food delivery service business that was characterized as a distribution, logistics and delivery center, a use that is permitted by right in the HI zoning district. The Proposed use will be similar to other uses that are permitted in the Heavy Industrial zoning district; therefore, the proposed operations would not alter or create new transportation impacts. No impact would occur beyond what was addressed in the General Plan EIR and Subsequent EIR. In addition, the Project will be consistent with the General Plan Polices (ER-1-4, ER-1-5 and ER-1-7) for Storage of Medical Materials and Transport of Medical Waste Material.

The Project is located in an industrial area and is fully surrounded by a variety of industrial uses and is approximately 4,600 feet away from the nearest residential subdivision on the west side of SR99. The two commercially zoned sites nearest to the Project site are to the north and west. One commercial site is on the north side of Grant Line Road, located on East Stockton Boulevard and is over 1,000 feet away from the Project site. The second commercial site is on the west side of State Route 99 south of Kammerer Road, which is a little over 650 feet away from the Project site. The Project includes a Text Amendment to EGMC Title 23 (Zoning) to include the description of “medical waste transfer facility” and to conditionally allow the medical waste transfer facility in the heavy industrial zoning district. The Project and any future transfer facilities will also be subject to any local, state or federal regulations and will be subject to review for operational characteristics and land use compatibility.

In addition, the Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). Section 15301 applies to projects that consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of existing or former use. The Project site is a previously developed parcel that contains an existing industrial building along with existing associated site improvement including parking, lighting and minimum landscaping. The previous uses were other similar delivery warehouse businesses (such as Imperfect Foods, and Emergency Vehicle solutions) with the use of similar trucks and services. The proposed use will have five delivery trucks with each having one daily trip, and one truck and trailer that will have a weekly trip, which would appear similar to the previous uses that included a delivery truck business for Imperfect Foods. The Project involves a Conditional Use Permit to allow for a medical waste transfer facility within an existing building. All activities will be inside the building with truck parking in an existing designated parking area behind a fence. The operations will have one shift at a time with four drivers

out on the route and one manager in the office. In addition, all operations will be subject to all applicable, local, state and federal operations and permitting requirements for the transport and storage of medical waste. The Project site is in an area where all public services and facilities are available and is not environmentally sensitive. No special circumstances exist that would create a reasonable possibility that granting a Conditional Use Permit would create a significant adverse effect on the environment.

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. Therefore, the prior EIRs are sufficient to support the proposed action, and no further environmental review is required pursuant to State CEQA Guidelines 15183, 15162, and 15301.

### **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 text amendment to EGMC Title 23 would permit “Medical Waste Transfer Facility” use in the Heavy Industrial zoning district with approval of a Conditional Use Permit (CUP) subject to the condition that all activities must occur within a completely enclosed building or within a fenced area. The Project also includes text amendments to include the minimum parking requirements for the proposed use and add the definition of “medical waste” to the Zoning Code. The proposal is consistent with General Plan Policies ER-1-4, ER-1-5, and ER-1-7, which identify policies for the elimination, storage, and transportation of medical waste including consistency with state and federal laws. The Applicant and any future projects with a similar use will be conditioned to obtain the proper approvals from the California Department of Toxic Control, California Department of Public Health, and other local, state, and federal agencies as necessary. Therefore, the proposal is consistent with the General Plan goals and policies.

### Section 3: Action

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

The changes include the addition of a use description for “Medical Waste Transfer Facility”; a revision to Table 23.27-1 (Allowed Uses and Required Entitlements for Base Zoning District) to permit the “Medical Waste Transfer Facility” use in the Heavy Industrial (HI) Zoning Districts with approval of a Conditional Use Permit; a revision to Table 23.58-2 (Minimum Parking Requirements by Land Use) to add parking requirements for the “Medical Waste Transfer Facility” use; and the addition of a definition of medical waste to Section 23.100.020 (General Definitions).

### 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:** 04-2026  
**INTRODUCED:** February 25, 2026  
**ADOPTED:** March 11, 2026  
**EFFECTIVE:** April 10, 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: March 13, 2026

**Exhibit A**  
**Trilogy MedWaste West (PLNG25-001)**  
**Text Amendment – Elk Grove Municipal Code Title 23**

EGMC Title 23 (Zoning) is amended as follows [proposed changes are shown in ~~strikeout~~ (for deleted text) and underline (for added text)]:

**EGMC Chapter 23.26.050 shall be amended as follows (existing listings to be renumbered accordingly):**

...

M. "M" Allowed Use Descriptions.

...

10. "Medical Waste Transfer Facility" means a facility where medical wastes are loaded, unloaded or stored during the normal course of transportation. It serves as an intermediary point of the collection and processing of waste, consolidating it into larger loads for transport to a final disposal location off site. Medical waste disposal is prohibited on site.

...

**EGMC Table 23.27-1 shall be amended as follows (listing to be provided in alphabetical order):**

**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				
<b>Industrial, Manufacturing, and Processing Uses</b>																														
<u>Medical Waste Transfer Facility</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>CUP<sup>11</sup></u>	-	-	-	

...

Notes that pertain to the industrial zoning districts:

...

11. All medical waste handling must occur within a completely enclosed building. Medical waste disposal is prohibited on site.

...

**EGMC Table 23.28-2 shall be amended as follows (listing to be provided in alphabetical order):**

**Table 23.58-2  
Minimum Parking Requirements by Land use**

<b>Land Use</b>	<b>Minimum Required Parking Spaces</b>	<b>Maximum Allowed Parking Spaces</b>
<b>Industrial, Manufacturing, and Processing Uses</b>		
<u>Medical Waste Transfer Facility</u>	<u>1 space/3,000 sf., plus one/company-operated vehicle, or enough to accommodate 110% of the largest shift, whichever is greater</u>	<u>No Maximum</u>

**EGMC Chapter 23.100.020 shall be amended as follows (existing listings to be renumbered accordingly):**

...

M. "M" Definitions.

...

3. "Medical Waste" shall have the same meaning as set forth in California Health and Safety Code section 117690.

...

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL ORDINANCE NO. 04-2026**

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 February 25, 2026, and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 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**