

RESOLUTION NO. 2015-010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING THE GOOD SHEPHERD MAP PROJECT (EG-14-027) EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
ASSESSOR PARCEL NUMBER: 127-0030-072**

WHEREAS, the Planning Department of the City of Elk Grove received an application on September 3, 2014 from MND Development, Inc (the Applicant) requesting a Rezone, Tentative Subdivision Map, Design Review for Subdivision Layout, and Abandonment; and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN: 127-0030-072; and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000-21178 but is exempt; and

WHEREAS, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides an exemption from CEQA for projects that are consistent with the applicable General Plan and Zoning for which an Environmental Impact Report (EIR) was certified; and

WHEREAS, an EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan (SCH 2005052018); and

WHEREAS, a Mitigated Negative Declaration was adopted for the Sandage Estates Project (EG-04-777), which considered the future development of the Project site as currently proposed (SCH 2013082012); and

WHEREAS, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that the Project will have a significant effect on the environment beyond what was previously analyzed and disclosed; and

WHEREAS, the Planning Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code Title 23 (Zoning), and all other applicable State and local regulations; and

WHEREAS, the Planning Commission held a duly noticed public hearing 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

WHEREAS, the Planning Commission recommended the City Council approve the Good Shepherd Map Project; and

WHEREAS, the City Council held a duly noticed public hearing 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, BE IT RESOLVED, that the City Council of the City of Elk Grove finds the Good Shepherd Map Project exempt from CEQA review pursuant to Section 15183 (Projects consistent with the General Plan) and Section 15162 (Subsequent EIRs and Negative Declarations) of the State CEQA Guidelines based upon the following findings:

Finding: The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, (State CEQA Guidelines) Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Evidence: CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects that are consistent with a 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.” An EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan in 2003 (SCH 2002062082). The proposed Project is consistent with the Elk Grove General Plan land use designation of the site (Rural Residential).

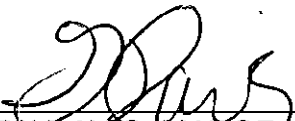
Additionally, the City has reviewed the Project and analyzed it based upon the provisions in Section 15162 of the State CEQA Guidelines. The Project site is a remainder parcel of a previously- approved project known as Sandage Estates EG-04-777. In November 2005, the City of Elk Grove City Council adopted Ordinance No. 38-2005, approving the Sandage Estates project and adopting a Mitigated Negative Declaration (MND; SCH# 2005052018). A Mitigation Monitoring and Reporting Program (MMRP) was prepared and adopted with the Project. The MMRP is a binding document that runs with the land and would be applicable to the proposed Project.

Although the Sandage Estates Project did not include rezoning or subdivision of the current Project site, the Sandage Estates MND considered the future development of the Project site as currently proposed. The Project description in the MND states, “The project site is 20-acres in size, and although the current project will only create five lots, the potential exists for the creation of six additional 2-acre lots as part of a future project. Therefore, potential development of the site includes ten lots containing ten single-family houses and accessory structures. Any additional project(s) would be subject to further CEQA review.” The proposed Project is consistent with the use for the Project site analyzed in the MND.

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 EIR and the Sandage Estates MND. The proposed Project would be required to comply with the mitigation measures identified in the Sandage Estates MND. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on

the environment. Therefore, the prior MND is sufficient to support the Project and no further environmental review is required.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of January 2015.



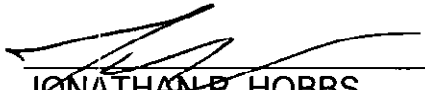
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2015-010

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

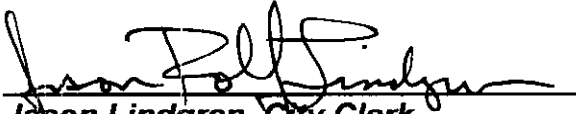
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 14, 2015 by the following vote:

AYES : COUNCILMEMBERS: *Davis, Hume, Detrick, Ly, Suen*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


Jason Lindgren, City Clerk
City of Elk Grove, California