

RESOLUTION NO. 2012-173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE AMENDMENTS TO TITLE 23 OF THE ELK GROVE MUNICIPAL CODE RELATED TO RECREATIONAL VEHICLE, TRAILER, AND VESSEL PARKING EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the proposed changes would modify recreational vehicle, vessel, and trailer parking regulations in the City; and

WHEREAS, the proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Division 6, Chapter 3 (State CEQA Guidelines); and

WHEREAS, the approval of these amendments does not approve any development project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds the amendments to Title 23 of the Elk Grove Municipal Code exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15183 of the CEQA Guidelines of Title 14 of the California Code of Regulations.

Finding: The proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the California Code of Regulations, Title 14, Division 6, Chapter 3 (State CEQA Guidelines).

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." Section 15061 (b)(3) of Chapter 3, Title 14 of the California Code of Regulations (the CEQA Guidelines) describes the General Rule that CEQA only applies to projects which "have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The approval of these amendments does not approve any development project. The proposed amendments would allow for Recreational Vehicle, Trailer, and Vessels that were legally parked prior to August 11, 2006 to continue to park in required front yard setback areas. Additionally, the definition of "Recreational Vehicle" would be revised and new definitions of "Vessel" and "Trailer" would be added. The proposed amendments are zoning regulations, which do not approve any development project and do not result in a physical change in the environment.

Each of these components, individually and cumulatively, does not result in the possibility of creating significant or cumulative effects on the environment. Future development under the proposed regulations would be subject to CEQA at that time, as

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-173**

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

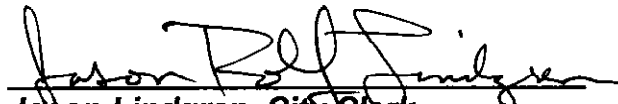
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 26, 2012 by the following vote:

AYES : COUNCILMEMBERS: Cooper, Hume, Davis, Detrick, Scherman

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


Jason Lindgren, City Clerk
City of Elk Grove, California