

**RESOLUTION NO. 2014-96**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
FINDING THE HO MAP (EG-13-059) EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
ASSESSOR PARCEL NUMBER: 123-0170-007**

**WHEREAS**, the Planning Division of the City of Elk Grove received an application on October 1, 2013 from David Ho and Xiaoming Wang (the Applicants) requesting a Rezone and Tentative Parcel Map; 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: 123-0170-007; and

**WHEREAS**, Section 15315 (Minor Land Divisions) of the California Code of Regulations, Title 14, (State CEQA Guidelines) exempts projects characterized as the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent; and

**WHEREAS**, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting a Rezone and Tentative Parcel Map for this Project will have a significant effect on the environment; 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 on March 20, 2014 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 Ho 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 Ho Map Project exempt from CEQA review pursuant to Section 15315 of the State CEQA Guidelines based upon the following findings:

**Finding:** The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, (State CEQA Guidelines) 15315, (Minor Land Divisions).


**Evidence:** The Section 15315 (Minor Land Divisions ) exemption applies to projects consisting of the “division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.”

The proposed Rezone and Tentative Parcel Map for this Project qualifies for this exemption because:

1. The Project site is within an urbanized area as defined in Section 15387 of the State CEQA Guidelines. Under Section 15387, an urbanized area is a city or group of cities with a population greater than 50,000 people and with a density of at least 1,000 persons per square mile. For purposes of CEQA, an area may be determined to be an urbanized area if it is listed as an urban area by the U.S. Bureau of the Census. The City has reviewed the map titled Urbanized Area Outline Map (Census 2000) for Sacramento, CA (Map Number UA 77068, Panel 10). The subject property is located within the urbanized area contained in Map Number UA 77068, Panel 10, because it is north of Grant Line Road and east of Excelsior Road.
2. The proposed Project is consistent with the General Plan because:
  - a. Rezone. The property is designated on the General Plan Land Use Diagram as Rural Residential. Policy LU-3 of the General Plan establishes the zoning districts that are consistent with the various land use designations. The AR-2 district is listed as consistent with the Rural Residential designation.
  - b. Subdivision. Under the Rural Residential designation and AR-2 zoning district, the minimum lot size for parcels is 2 gross acres. The proposed subdivision of the property will create two parcels measuring 2.001 gross acres and 2.986 gross acres each, which is larger than the minimum parcel size required under the General Plan and zoning district.
3. The Project will be served by private well and septic services. The provision of private septic service is consistent with the General Plan (Policy PF-10). The Project is served by all other necessary services.
4. The site is directly accessible from Brahma Lane, a public street, and access to the parcel 2 is provided from an existing easement consistent with City policy and standards.
5. The parcel was not involved in a division of a larger parcel within the previous two years.
6. The Project site is flat and does not have a slope greater than 20 percent.

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 proposed Project qualifies for the exemption under CEQA Guidelines Section 15315 and no further environmental review is required.


**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 23<sup>rd</sup> day of April 2014

  
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JAMES COOPER, VICE MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN F. HOBBS,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-96**

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

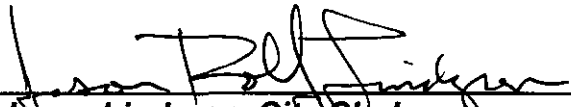
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 23, 2014 by the following vote:***

**AYES :        COUNCILMEMBERS:        Cooper, Detrick, Hume, Trigg**

**NOES:        COUNCILMEMBERS:        None**

**ABSTAIN :    COUNCILMEMBERS:        None**

**ABSENT:     COUNCILMEMBERS:        Davis**

  
**Jason Lindgren, City Clerk  
City of Elk Grove, California**