

RESOLUTION NO. 2013-94

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING THE MADEIRA SOUTH LOT A PROJECT (EG-12-047)
EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
ASSESSOR PARCEL NUMBER: 132-0050-105 (PORTION)**

WHEREAS, the Planning Division of the City of Elk Grove received an application on December 21, 2012 from Tim Lewis Communities (the Applicant) requesting a Specific Plan Amendment, Rezone, Tentative Subdivision Map, and Design Review for subdivision layout (the Project); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor Parcel Number (APN): 132-0050-105 (portion); and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000-21189.3 but is exempt; and

WHEREAS, Section 15182 (Public Resources Code §21083.3), (Residential Projects Pursuant to a Specific Plan) of Title 14 of the California Code of Regulations, Chapter 3, Division 6 (State CEQA Guidelines) and provides an exemption from CEQA for residential subdivision projects that are consistent with an underlying specific plan for which an EIR has been certified; and

WHEREAS, in addition, the Project is statutorily exempt pursuant to California Government Code Section 65457 because the Project is consistent with a specific plan for which an environmental impact report has been certified and is therefore exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code; and

WHEREAS, a previous Environmental Impact Report (EIR) was certified for the Laguna Ridge Specific Plan (SHC 2000082139); and

WHEREAS, the proposed Project is consistent with the project described in the previously certified EIR and no potential new impacts related to the properties or 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 Laguna Ridge Specific Plan EIR; and

WHEREAS, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting a Specific Plan Amendment, Rezone, Tentative Subdivision Map, and Design Review for subdivision layout for this Project will have a significant effect on the environment beyond what was previously analyzed and disclosed; and

WHEREAS, all required services and access to the proposed parcels in compliance with the City's standards are available; and

WHEREAS, no adverse environmental effects were identified during staff review of the Project; and

WHEREAS, no special circumstances exist that create a reasonable possibility that the activity may have a significant adverse impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds the Madeira South Lot A Project exempt from CEQA review pursuant to Section 15182 of the State CEQA Guidelines based upon the following findings:

Finding: The proposed project is consistent with the previously approved Laguna Ridge Specific Plan project (EG-00-062) for which an Environmental Impact Report has been previously certified. Pursuant to Section 15182 (Residential Projects Pursuant to a Specific Plan) of Title 14 of the California Code of Regulations (California Environmental Quality Act (CEQA) Guidelines), no further environmental review is required.

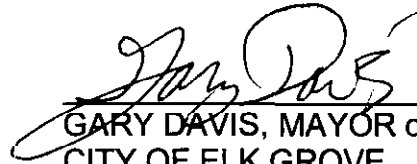
Evidence: The Laguna Ridge Specific Plan (LRSP) was approved and an Environmental Impact Report (EIR) (SCH 2000082139) certified by the City Council on June 16, 2004. In conjunction with the certification of the LRSP EIR, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Specific Plan. The Laguna Ridge Phase 3 Subdivision Projects were included in the analysis under the EIR.

State CEQA Guidelines (Title 14 of the California Code of Regulations) identify a specific exemption for projects such as this proposal. Section 15182 of the Guidelines (Residential Projects Pursuant to a Specific Plan) exempts residential subdivision projects that are consistent with an underlying specific plan for which an EIR has been certified. As identified in this staff report, the density, design, and infrastructure plan of the proposed subdivision is consistent with the adopted Specific Plan in that the level and intensity of the proposed developments and the locations of the developments are consistent with the LRSP. No special circumstances or potential new impacts related to the projects have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the LRSP EIR. The LRSP EIR adequately addressed environmental issues related to the development of the entire Specific Plan area, including the subject properties. In addition, the Project is statutorily exempt pursuant to California Government Code Section 65457 because the Project is consistent with a specific plan for which an environmental impact report has been certified and is therefore exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code.

A condition of approval for the proposed project is the recordation of the LRSP EIR MMRP on the property.

Consequently, pursuant to the State CEQA Guidelines, no further environmental review is required for this project.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of May 2013.


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. 2013-94**

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

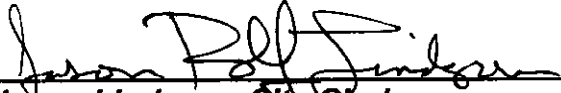
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 22, 2013 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Detrick*


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