

RESOLUTION NO. 2014-285

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING THE POPPY KEYS EAST PROJECT (EG-13-052)
EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
ASSESSOR PARCEL NUMBER: 132-0290-039**

WHEREAS, the Planning Department of the City of Elk Grove received an application on September 6, 2013 from R&B (the "Applicant") requesting a General Plan Amendment, Specific Plan Amendment, Rezone, Tentative Subdivision Map, Abandonment of Excess Right-of-Way, and Design Review for Tentative Subdivision Map 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 APN 132-0290-039; 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, (State CEQA Guidelines) 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, 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, 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, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting a General Plan Amendment, Specific Plan Amendment, Rezone, Tentative Subdivision Map, Abandonment of Excess Right-of-Way, and Design Review for Tentative Subdivision Map layout for this 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 City's General Plan, the Laguna Ridge Specific Plan development standards, Title 23 of the Municipal Code (Zoning Code), the City's Design Guidelines, the Laguna Ridge Specific Plan Supplemental Design Guidelines, and all other applicable State and local regulations; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on November 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 voted 4-0 to recommend approval of the Project to the City Council; 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 Poppy Keys East Project (EG-13-052) exempt from the provisions of CEQA pursuant to Section 15182 (Residential Projects Pursuant to a Specific Plan) of the State CEQA Guidelines and Government Code Section 65457 based upon the following finding:

CEQA

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) and Government Code Section 65457, no further environmental review is required.

Evidence: The Laguna Ridge Specific Plan 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 Project site was included in the analysis under the EIR.

State CEQA Guidelines (Title 14 of the California Code of Regulations) identifies 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 development and the location of the development is consistent with the LRSP. No special circumstances or potential new impacts related to the project has 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 property. 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 10th day of December 2014.



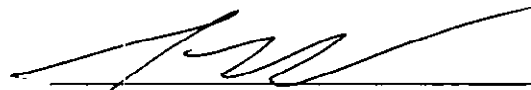
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-285

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

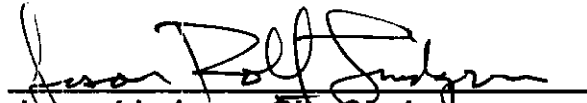
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 10, 2014 by the following vote:

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