



City of Elk Grove NOTICE OF EXEMPTION

To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street, Room 22
Sacramento, CA 95812-3044

Sacramento County Clerk-Recorder
Sacramento County
PO Box 839, 600 8th Street
Sacramento, CA 95812-0839

From: City of Elk Grove
Development Services-Planning
8401 Laguna Palms Way
Elk Grove, CA 95758

County Recorder Filing	State Clearinghouse Received
(stamp here)	(stamp here)

PROJECT TITLE: Subdivision No. 10-59.02 McGeary Ranch Village II

PROJECT LOCATION - SPECIFIC: 7911 Poppy Ridge Road

ASSESSOR'S PARCEL NUMBER(S): 132-0050-068

PROJECT LOCATION – CITY: Elk Grove **PROJECT LOCATION – COUNTY:** Sacramento

PROJECT DESCRIPTION: Approval of Subdivision No. 10-59.02, McGeary Ranch Village II Final Map

LEAD AGENCY: **City of Elk Grove**
Development Services-Planning
8401 Laguna Palms Way
Elk Grove, CA 95758

LEAD AGENCY CONTACT: Sandy Kyles (916) 478-3620

APPLICANT: Meritage Homes of California, Inc
860 Stillwater Road #200A
West Sacramento, CA 95605

EXEMPTION STATUS: Ministerial [Section 21080(b); 15268];

REASONS WHY THIS PROJECT IS EXEMPT OR DOES NOT REQUIRE FURTHER ENVIRONMENTAL DOCUMENTATION:

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter 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." (CEQA Guidelines § 15378(a)).

The proposed amendments to Title 23 would impose reasonable regulations and standards on the indoor personal cultivation of marijuana, as allowed by AUMA. The proposed amendments set specific requirements related to appropriate zoning, location, number of plants and various other standards not impacting the physical environment. The amendments reinforce compliance with existing State and local regulations adopted by the City of Elk Grove (California Building, Electrical, and Fire Codes). Cultivation activities would be subject to existing performance standards, including prohibiting any use from creating noxious odorous emission in a manner of quantity that are detrimental to or endanger the public health, safety, comfort or welfare. A continued prohibition on all commercial activities related to the cultivation of marijuana maintains the status quo and would not cause a significant impact on the environment. All indoor personal cultivation activities would occur within the confines of a residential structure or associated accessory structure, thereby resulting in no physical change to the environment. Therefore, the proposed code amendments would not constitute the approval of a project under the California Environmental Quality Act ("CEQA"), and are exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060(c),(2)(3); 15061(b)(3); 15064(d)(3); 15378(a)).

Staff has reviewed the Project to determine the required level of review under CEQA. The proposed project is exempt from CEQA under Section 15268(b) of Chapter 3 of Title 14 of the California Code of Regulations (State CEQA Guidelines). Section 15268(b) exempts ministerial approval by public agencies from CEQA. Final maps are specifically cited as a type of ministerial permit. Therefore, this project qualifies for the identified exemption.

CITY OF ELK GROVE
Development Services - Planning

By: 
Sandy Kyles

Date: 3-14-2022