



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: **8651 Bader Road Map (PLNG21-010)**

PROJECT LOCATION - SPECIFIC: **8651 Bader Road**

ASSESSOR'S PARCEL NUMBER(S): **122-0240-008**

PROJECT LOCATION – CITY: **Elk Grove**

PROJECT LOCATION – COUNTY: **Sacramento**

PROJECT DESCRIPTION: The 8651 Bader Road Map (the "Project") consists of a Rezone to amend the zoning designation of ±10.47 gross acres from the Agricultural Residential-Minimum 5-acre (AR-5) designation to the Agricultural Residential-Minimum 2-acre (AR-2) designation and a Tentative Parcel Map (TPM) to subdivide one existing parcel into four parcels ranging in size from approximately two acres to 3.6 acres. No new construction is proposed with this Project; however, any new home construction will be required to comply with the City's Climate Action Plan ("CAP") measures for new single-family dwelling construction.

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

LEAD AGENCY CONTACT: Kyra Killingsworth, 916.478.3684

APPLICANT: CWE (R Squared Enterprises, Inc.)
Shawn Somers
2260 Douglas Boulevard
Roseville, CA 95661
916.772.7800

- EXEMPTION STATUS:
- Ministerial [Section 21080(b); 15268];
 - Declared Emergency [Section 21080(b)(3); 15269(a)];
 - Emergency Project [Section 21080(b)(4); 15269(b)(c)];
 - Preliminary Review [Section 15060(c)(3)]
 - Consistent With a Community Plan or Zoning [Section 15183(a)]
 - Categorical Exemption [Section 15332]
 - Criteria for Subsequent EIR [Section 15162]
 - Existing Facilities [Section 15301]

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

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” (State CEQA Guidelines Section 15378). The proposed Project is a project under CEQA.

State CEQA Guidelines Section 15183, provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified “shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” An EIR was prepared and certified by the City Council as part of the Elk Grove General Plan (SCH# 2017062058). The Project is subject to the General Plan’s Mitigation Monitoring and Reporting Program (MMRP).

The proposed Project is consistent with the development density established by the General Plan EIR because the parcel split will result in new parcels two acres or more in size at a density consistent with the Rural Residential range of 0.1 to 0.5 units per acre. While there is no physical construction proposed with this Application, the rezone could result in the development of at least three new single-family residential units. Any new construction will comply with the development standards provided in EGMC Section 23.29.020, and Section 16.44 (land grading and erosion control). In addition, as indicated in the project description, construction of the proposed Project shall conform to the City’s adopted Climate Action Plan (CAP) for green building, EV ready, and construction monitoring. Compliance with these standards has been included in the conditions of approval for the Project.

A small portion on the northeast corner of Parcel 4 is located in the FEMA 100-year floodplain. Even though there is no physical construction proposed with this Application, any future development of habitable space will need to be elevated at least one foot above the 100-year flood elevation. The flood drainage easement on the map will not have any significant effects on the project as development is still allowed but will need to follow the FEMA regulations if any habitable space is located in the 100-year floodplain. In addition, this easement will restrict development within the floodplain, which will also provide avoidance measurements to protect the nearby wetlands.

The General Plan EIR relies on Vehicle Miles Traveled (VMT) as a measure of transportation improvements. Pursuant to the Transportation Analysis Guidelines, projects resulting in less than 10 dwelling units are exempt. As the Project could result in at least three new dwelling units, the Project proposal is below the threshold for requiring further VMT analysis. The Applicant submitted a biological and aquatic resource assessment that included a site visit on May 5, 2021, which determined that the site could potentially provide a nesting habitat for special status birds even though none were observed during the site visit. Therefore, site development will require a pre-construction survey conducted by a qualified biologist no more than 15 days prior to the

proposed activities. In addition, the site contains one short reach of wetland swale along the northeast property line (near Parcel 4). The Applicant provided written correspondence from the Sacramento Division of U.S. Army Corps of Engineers that there is no federally listed species on the site and no critical habitats that will be impacted by the Project. In addition, the wetland swale does not pond water and only conveys minor flows during wet periods. The wetland is not a suitable habitat for vernal pool species.

The Applicant provided a Cultural Resources Analysis from Peak and Associates for the site, which was peer reviewed by the City and it concluded that the Cultural Resources Analysis is consistent with the General Plan goals related to the protection of cultural and tribal resources. The implementation of the applicable conditions of approval will address the potential for encountering undiscovered cultural resources and tribal cultural resources as it requires that if cultural resources or tribal cultural resources are discovered during grading or construction activities, work shall halt immediately within 50 feet of the discovery, the Planning Division shall be notified, and a professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in archaeology shall be retained to determine the significance of the discovery.

No additional impacts on-site resources have been identified beyond what was envisioned in the General Plan EIR. Therefore, no further environmental analysis is required as the proposed Rezone and Tentative Parcel Map are consistent with the General Plan and Elk Grove Municipal Code.

CITY OF ELK GROVE
Development Services -
Planning

By:



Kyra Killingsworth

Date: January 24, 2024