

# 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: **Summer Park Estates Map (PLNG22-016)**  
 PROJECT LOCATION - SPECIFIC: **8577 Bader Road**  
 ASSESSOR'S PARCEL NUMBER(S): **122-0230-033**  
 PROJECT LOCATION – CITY: **Elk Grove** PROJECT LOCATION – COUNTY: **Sacramento**

PROJECT DESCRIPTION: The Summer Park Estates Map Project (the "Project") consists of a Tentative Subdivision Map (TSM) to subdivide one parcel into 19 residential lots. The Project also includes Design Review for Subdivision Layout.

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

LEAD AGENCY CONTACT: Sarah Kirchgessner (916) 478-2245

APPLICANT: Bryan Wilson  
 8940 Elder Creek Road  
 Sacramento, CA 95828  
 (916) 705-5541

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)]
- Statutory Exemption
- Categorical Exemption [15301]
- Common Sense Exemption [Section 15061 (b)(3)]
- Criteria for Subsequent EIR [Section 15162]

**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." The proposed Project is a "project" under CEQA.

Staff finds that no further environmental review is required under State CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning). State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with 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." In February 2019, 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 General Plan EIR relies on Vehicle Miles Traveled (VMT) as a measure of transportation impacts. The Applicant provided a VMT Analysis for the Project (Fehr & Peers, July 10, 2023) to determine if the Project complies with City of Elk Grove General Plan Policy MOB-1-1 adopted to reduce VMT and achieve State-mandated reductions in VMT. According to the analysis, the Project would not exceed the City's VMT limit for Rural Residential land use. Additionally, the Project shall comply with the City's Climate Action Plan (CAP) for new single-unit residential development, including CAP measures related to energy efficiency (BE-4), electric appliances (BE-6), off-road construction fleet (TACM-8), and electric vehicle charging (TACM-9).

The Applicant provided a Cultural Resources Report for the site (Natural Investigations Company, August 2022) in compliance with the General Plan MMRP mitigation measures, which was peer reviewed by the City. Staff has determined that the implementation of the conditions of approval will address the potential for encountering undiscovered cultural resources and tribal cultural resources as they require 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.

The Applicant provided a Biological Resources Assessment for the Project site (Natural Investigations Company, June 24, 2023), which concluded that no direct impacts to listed species or special-status species are expected from implementation of the Project. The Project is required to comply with all City standards associated with protecting the environment [e.g., Elk Grove Municipal Code (EGMC) Chapter 16.44, Land Grading and Erosion Control, EGMC Chapter 16.50, Flood Damage Prevention (tentative map notes development would occur outside of floodplain), and EGMC Chapter 19.12, Tree Preservation and Protection].

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan

EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the prior EIR is sufficient to support the proposed action and pursuant to State CEQA Guidelines Section 15183, no further environmental review is required.

CITY OF ELK GROVE  
Development Services -  
Planning

By:   
Sarah Kirchgessner

Date: February 20, 2024