

# RESOLUTION NO. 2009-051

Adopted by the Sacramento City Council

January 27, 2009

## DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (3940 14<sup>th</sup> Avenue) (P05-019) (APN: 020-0073-003, -007, -028)

### BACKGROUND

- A. On January 10, 2008, the City Planning Commission conducted a public hearing on the Kim Residential Subdivision project (hereafter referred to as "Project"), and forwarded the Project to the City Council with a recommendation to approve with conditions.
- B. On January 27, 2009 the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 16.24.097, 17.208.020 (C), 17.212.035, and 17.200.010(C)(2)(a), (b), and (c) (publication, posting, and mail (500')), and received and considered evidence concerning the Project.

### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15332 of the California Environmental Quality Act Guidelines as follows:
  - a. The project complies with all applicable policies of the General Plan, as well as with the applicable zoning regulations;
  - b. The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses;
  - c. The project site has no value as habitat for endangered, rare or threatened species;
  - d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
  - e. The site can be adequately served by all required utilities and public services.

Adopted by the City of Sacramento City Council on January 27, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

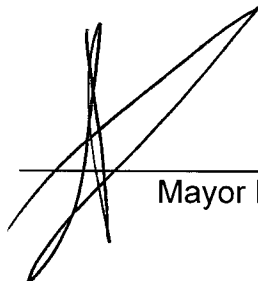
Noes: None.

Abstain: None.

Absent: None.

Attest:

  
Shirley Concolino, City Clerk

  
Mayor Kevin Johnson