

RESOLUTION NO. 2009-291

Adopted by the Sacramento City Council

May 12, 2009

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Z08-144)

BACKGROUND

- A. On September 18, 2008 the Zoning Administrator conducted a public hearing and acted to approve with conditions the 403 38th Street Tentative Map.
- B. On September 23, 2008 the decision of the Zoning Administrator was appealed to the Planning Commission.
- C. On October 23, 2008 the Planning Commission conducted a public hearing and acted to continue the 403 38th Street Tentative Map.
- D. March 12, 2009 the Planning Commission conducted a public hearing and acted to approve with conditions the 403 38th Street Tentative Map.
- E. On March 23, 2009 the project was called up to be heard before the City Council.
- F. On May 12, 2009, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(d) (posting and mail (300')), and received and considered evidence concerning the 403 38th Street Tentative Map.

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 Class 15, Section number 15315, Minor Land Divisions which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in accordance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Adopted by the City of Sacramento City Council on May 12, 2009 by the following vote:

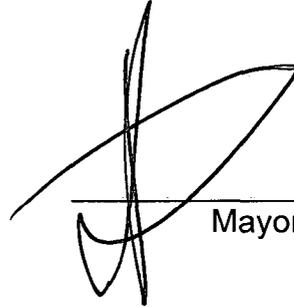
Ayes: Councilmembers Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: Councilmember Cohn (Recused).

Absent: None.

Attest:



Mayor Kevin Johnson

for Dawn Buelwinkle
Shirley Concolino, City Clerk