



# 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: **Raising Cane’s Restaurant (PLNG20-030)**  
 PROJECT LOCATION - SPECIFIC: **9164 E. Stockton Boulevard**  
 ASSESSOR’S PARCEL NUMBER(S): **116-1180-012-0000**  
 PROJECT LOCATION – CITY: **Elk Grove** PROJECT LOCATION – COUNTY: **Sacramento**

PROJECT DESCRIPTION: The Raising Cane’s Restaurant Project (the “Project”) consists of a Minor Design Review and Tree Removal Permit for the construction of a new, 3,162 square-foot restaurant with drive-through service; an outdoor patio; and associated parking, landscaping, and lighting improvements at 9164 E. Stockton Boulevard. Construction of the new restaurant will require the demolition of the existing On the Border Restaurant and site improvements.

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

LEAD AGENCY CONTACT: Joseph Daguman (916) 478-2283

APPLICANT: Raising Cane’s Restaurants, LLC.  
Adam Caracci (Representative)  
6800 Bishop Road  
Plano, TX 75024

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.

Staff has reviewed the Project and determined that it is categorically exempt from CEQA review pursuant to State CEQA Guidelines Section 15332 (In-fill Development). State CEQA Guidelines Section 15332 consists of projects characterized as in-fill development that meet the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five 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.
- e) The site can be adequately served by all required utilities and public services.

The Project consists of a Minor Design Review and Tree Removal Permit for the construction of a new, ±3,162 square-foot restaurant with a drive-through, outdoor patio, associated parking, landscaping, and lighting improvements. The subject site is 1.6 acres with access to all required utilities and public services. The site was developed in 1998 and has remained a commercial use, and therefore, it has no value as habitat for endangered, rare, or threatened species. The site's General Plan designation is Regional Commercial with a zoning of Shopping Center (SC). The proposed use is allowed by right in the SC zone. Additionally, the Project will result in a Floor Area Ratio (FAR) of 0.06 which is below the Regional Commercial maximum FAR of 1.0. New construction on the Project site will comply with EGMC development standards for land grading and erosion control (Chapter 16). Compliance with these standards has been included in the conditions of approval for the Project.

In February 2019, the City Council adopted a new General Plan which relied on Vehicle Miles Traveled (VMT) as a measure of transportation impacts. The Project consists of a commercial project that is under 50,000 square feet. Commercial projects less than 50,000 square feet are exempt from VMT analysis.

CITY OF ELK GROVE  
Development Services -  
Planning

By:   
Joseph Daguman

Date: January 15, 2021