



**RECORDING REQUESTED
WHEN RECORDING MAIL TO:**

County of Sacramento
Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814
CONTACT PERSON: Julie Newton
TELEPHONE: (916)874-6141

SPACE ABOVE RESERVED FOR RECORDER'S USE

NOTICE OF EXEMPTION

Project Title:

Kiekebusch Court Deck

Control Number:

PLNP2025-00100

Project Location:

The project is located at 3610 Kiekebusch Court, which is on the southwestern side of the cul-de-sac terminus of Kiekebusch Court in the Carmichael community of unincorporated Sacramento County.

APN:

260-0380-016-0000

Description of Project:

The project consists of the permitting of an existing covered outdoor kitchen and a deck overhanging the bluffs of the American River. The outdoor kitchen includes a gas grill, gas stove, refrigerator, sink, and kitchen countertops under a pitched pergola roof. The overhanging deck extends from the outdoor kitchen and consists of a wood piling foundation, wood posts, a retaining wall, and the deck surface. A stepped walkway connects the residence's back yard exit to the outdoor kitchen and overhanging deck.

Name of Public Agency Approving Project:

Sacramento County – ceqa@saccounty.gov

Person or Agency Carrying out Project:

Greg Milan
3610 Kiekebusch Court Carmichael CA
95608
916-997-8347 gregmilan@gmail.com

Exempt Status:

Categorical Exemption (PRC Section 21084; CEQA Guidelines Sections 15300-15333):

- CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies

Reasons Why Project is Exempt:

Class 21 consists of (a) actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include (2) the adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective. The project is not proposing any new activity. Rather, the project is seeking a use permit to legalize the work that

has already occurred. The work which has already occurred includes an outdoor kitchen and deck within the required setback of Erosion Zone 2 of the Parkway Corridor Combining Zone. Per Section 4.7.4 of the Sacramento County Zoning Code (SZC), a Use Permit from the Planning Commission along with a geotechnical study are required if development is proposed within the total 70-foot setback area shown in Table 4.1 of the SZC for properties within Erosion Zone 2. The site plan illustrates the existing site condition and there is no site modification proposed. Additionally, a geotechnical report has been prepared and submitted for the project as required by the SZC. The proposed project is an administrative decision that enforces the requirements for a Use Permit and legalizes the existing baseline site condition (CEQA Guidelines Section 15321 (a)(2)) and is therefore exempt from the provisions of CEQA.

Section 15300.2-Exceptions

Section 15300.2 of the CEQA Guidelines, Exceptions, provides conditions under which categorical exemptions are inapplicable. Review of the Project indicates that it will not violate any of the exceptions, as described in the following section.

1. *For Classes 3, 4, 5, 6, and 11, will the project have an impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies?*

The project exemption is not one of the above classes and this exception does not apply.

2. *Will cumulative impacts be considerable because successive projects of the same type will occur at the same place over time?*

As it stands, the project will not result in potentially significant impacts. Therefore, no cumulative impacts will result from the project and successive projects of the same type and at the same place over time.

3. *Is there a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances?*

The project includes the permitting of an existing outdoor kitchen and a deck overhanging the bluffs of the American River. No new construction is proposed that will have an effect on the environment. However, the structures are located within the 70-foot setback required of development within Erosion Zone 2 associated with the American River. Per Section 4.7.4 of the Sacramento County Zoning Code a geotechnical report is required for development within the setback area. A geotechnical report was prepared which analyzed the structural aspects of the existing structures and will be utilized during the building permit process. Therefore, there are no known unusual circumstances that will have a significant effect on the environment.

4. *Will the project result in damage to scenic resources, including but not limited to trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a scenic highway?*

River Road/ Highway 160 (from the Sacramento City Limits at the northern edge of Freeport to the southern tip of the Delta at Antioch Bridge) is a designated State Scenic Highway. The Project is not located within the vicinity of this scenic highway. Therefore, the project will not result in damage to scenic resources or similar resources within a highway that is officially designated as a scenic highway.

5. *Is the project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code?*

The project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, implementation of the project will not have an impact related to being located on a hazardous waste site.

6. *Will the project cause a substantial adverse change in the significance of a historic resource?*

The project site does not contain any historical resources.

 7-17-26

Julie Newton
ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY, STATE OF CALIFORNIA

Copy To:

☒ **County Clerk of Sacramento**

County Clerk

3636 American River Drive, Suite 110
Sacramento, CA 95864

☒ **Office of Land Use and Climate Innovation**

State Clearinghouse

1400 10th Street
Sacramento, CA 95814