

Supplemental Material

For
City of Sacramento
City Council

Agenda Packet

Submitted: November 18, 2008

For the Meeting of: November 18th, 2008

- X Additional Material
- X Revised Material

TITLE: DRAFT 2030 GENERAL PLAN COMMENTS

Please find supplemental materials that are attached for the 2030 General Plan which is being presented to Council on November 18th. The materials include comments from the Planning Commissions November 13th meeting; correspondence from the State Attorney General’s office; and comment letters received after the staff report was submitted for the November 18th Council meeting.

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Contact Information: Teresa Haenggi, Associate Planner, 808-7554

Please include this supplemental material in your agenda packet. This material will also be published to the City’s Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.



PLANNING DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

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SACRAMENTO, CA
95814

MEMORANDUM

Date: November 17, 2008

To: Mayor Heather Fargo
Councilmember Ray Tretheway
Councilmember Sandy Sheedy
Councilmember Steve Cohn
Councilmember Rob Fong
Councilmember Lauren Hammond
Councilmember Kevin McCarty
Councilmember Robbie Waters
Councilmember Bonnie Pannell

From: Teresa Haenggi, Associate Planner

SUBJECT: 2030 General Plan – Planning Commission Comments

On November 13, 2008, the Planning Commission took action to forward to the City Council a recommendation to adopt the Sacramento 2030 General Plan and certify its Master Environmental Impact Report (MEIR). This direction was accompanied by three changes to staff's recommendations:

1) Removal of Hazardous Materials Policy. Staff had originally recommended the following policy be added to the 2030 General Plan to address hazardous materials facilities:

“The City shall review proposed facilities that would produce or store hazardous materials, gas, natural gas, or other fuels to identify, and provide feasible mitigation, for any risks. The review shall consider, at a minimum, the following: presence of seismic or geologic hazards; presence of hazardous materials; proximity to residential development and areas in which substantial concentrations of people would occur; and nature and level of risk and hazards associated with the proposed project.”

The Planning Commission felt that the proposed language is similar to policies that already exists in city and state regulations, and therefore, is redundant and poses the risk of being misinterpreted as an additional layer of review. Therefore, the proposed language was removed from the public comment matrix.

2) Central Business District Boundaries. The 2030 General Plan includes the Central Business District (CBD) that was expanded from “N” Street to “Q” Street, and Interstate 5 to 15th Street. Several residents who live within the proposed expansion area expressed concern that the CBD designation puts existing residential areas at risk of being replaced by office or higher density residential uses. In response to a recommendation from the Planning Commission, staff proposes limiting the extension of the CBD to the area east of 7th Street. The area west of 7th Street to Interstate 5 would be designated Urban Residential High except for the Public/Public Quasi and Park designations proposed for the Crocker Art Museum and adjacent park. The map of the new proposed boundaries is attached.

Staff is also proposing the addition of the following policy:

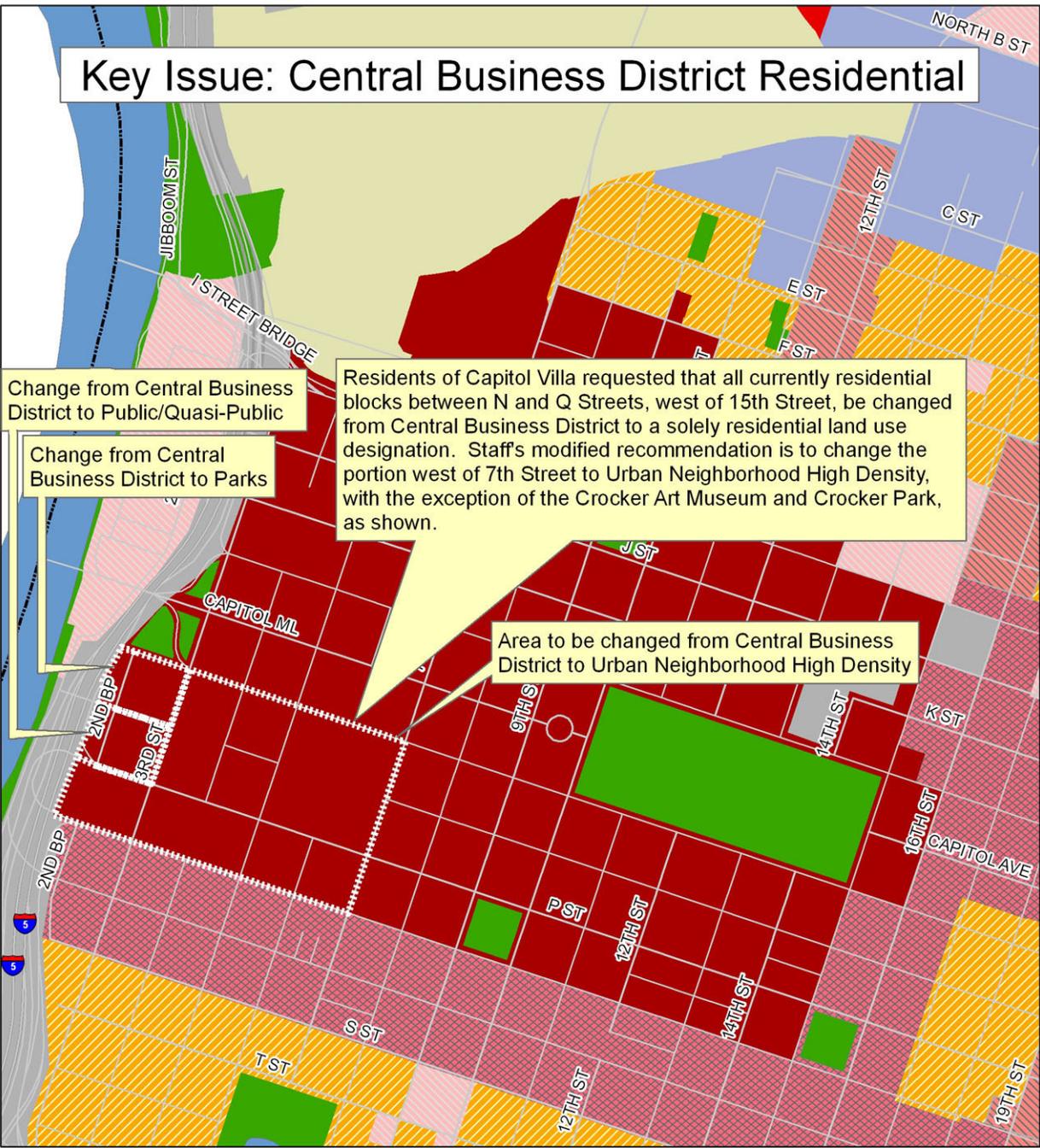
“Retention of Existing Downtown Residential Character. The City shall support a mixed use, vibrant Central Business District by encouraging retention of existing residential units and ensuring replacement of residential units lost to demolition through residential construction in the immediate area.”

3) Climate Change. Several comments made at the Commission meeting asserted the policies addressing climate change did not fully obligate the City to meet its climate change goals. Staff has developed language for the General Plan that is more binding, and therefore, demonstrates the City’s commitment to addressing climate change, as shown below.

“The Climate Action Plan, once adopted, shall be incorporated into the General Plan.”

If you have any questions or need more information, please contact me at (916) 808-7554 or thaenggi@cityofsacramento.org.

Key Issue: Central Business District Residential



Change from Central Business District to Public/Quasi-Public

Change from Central Business District to Parks

Residents of Capitol Villa requested that all currently residential blocks between N and Q Streets, west of 15th Street, be changed from Central Business District to a solely residential land use designation. Staff's modified recommendation is to change the portion west of 7th Street to Urban Neighborhood High Density, with the exception of the Crocker Art Museum and Crocker Park, as shown.

Area to be changed from Central Business District to Urban Neighborhood High Density

DRAFT

Land Use Designations

- Rural**
 - Rural Neighborhood
- Suburban**
 - Suburban Neighborhood Low
 - Suburban Neighborhood Medium
 - Suburban Neighborhood High
- Traditional**
 - Traditional Neighborhood Low
 - Traditional Neighborhood Medium
 - Traditional Neighborhood High

Urban

- Urban Neighborhood Low
- Urban Neighborhood Medium
- Urban Neighborhood High

Centers

- Suburban Center
- Traditional Center
- Regional Commercial
- Urban Center Low
- Urban Center High
- Central Business District

Corridors

- Suburban Corridor
- Urban Corridor Low
- Urban Corridor High

Other Districts

- Employment Center (Low Rise)
- Employment Center (Mid Rise)
- Industrial
- Special Study Areas
- Planned Development
- Public
- Parks
- Open Space



**ERRATA
FOR THE
SACRAMENTO 2030 GENERAL PLAN PROJECT (#M04-031)
FINAL MASTER ENVIRONMENTAL IMPACT REPORT
SCH#2007072024**

The following changes have been made to the discussion on pages 2-1 through 2-3 in the Final MEIR under the heading “General Plan Policy Changes Consistent with Proposed Mitigation Measures.” This text is being added directly to the Final MEIR to demonstrate additional text revisions that are not shown in the Final MEIR. To show the revisions included in this errata any text to be deleted is reflected in ~~strikethrough~~ and new text to be added is shown in double underline.

General Plan Policy Changes Consistent with Proposed Mitigation Measures

In some instances, City staff has revised proposed 2030 General Plan policies to be consistent with proposed policy revisions included in Draft MEIR mitigation measures. Changes to the following policies affect the significance conclusions of impacts in the Draft MEIR: ER 2.1.5, ER 2.1.6, ER 2.1.10, and ER 6.1.8. In addition, new policies have been added to address specific mitigation measures identified in the Draft MEIR; these new policies have not yet been assigned an alphanumeric number. As a result of the policy revisions and the addition of new policies and implementation programs, the following impacts have been reduced to less than significant after 2030 General Plan implementation:

Impact # Impact Description

Air Quality

6.1-6 Implementation of the proposed 2030 General Plan would result in TAC emissions that could adversely affect sensitive receptors. (Revised Policy ER 6.1.8 and Revised Implementation Program 13 have been added to the 2030 General Plan and reduce this impact to a less-than-significant level.)

Revised Policy ER 6.1.8

Development near TAC Sources. The City shall ensure that new development with sensitive uses located adjacent to toxic air contaminant sources, as identified by the California Air Resources Board (CARB), reduces potential health risks. In its review of these projects, the City shall consider current guidance provided by and consult with the CARB and the Sacramento Metropolitan Air Quality Management District.

Revised Implementation Program 13

The City shall require new development with sensitive uses located adjacent to mobile and stationary toxic air contaminants (TAC) be designed with consideration of site and building orientation, location of trees, and incorporation of appropriate technology for improved air quality (i.e., ventilation and filtration) to lessen any potential health risks. In addition, the City shall require preparation of a health risk assessment, if recommended by Sacramento Air Quality Management District, to identify health issues, reduce exposure to sensitive receptors, and/or to implement alternative approaches to development that reduce exposure to TAC sources.

- 6.1-11 Implementation of the proposed 2030 General Plan, in conjunction with other development in the SVAB, would generate TAC emissions that could adversely affect sensitive receptors. (Revised Policy ER 6.1.8 and Revised Implementation Program 13 have been added to the 2030 General Plan and reduce this impact to a less-than-significant level.)

Biological Resources

- 6.3-13 Implementation of the City's 2030 General Plan and regional buildout assumed in the Sacramento Valley could result in a regional loss of special-status plant or wildlife species or their habitat. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan which reduces this impact to a less-than-significant level.)

Revised Policy ER 2.1.10

Habitat Assessments. The City shall consider the potential impact on sensitive plants for each project requiring discretionary approval and shall require preconstruction surveys and/or habitat assessments for sensitive plant and wildlife species. If the preconstruction survey and/or habitat assessment determines that suitable habitat for sensitive plant and/or wildlife species is present, then either (1) protocol-level or industry-recognized (if no protocol has been established) surveys shall be conducted; or (2) presence of the species shall be assumed to occur in suitable habitat on the project site. Survey Reports shall be prepared and submitted to the City and the CDFG or USFWS (depending on the species) for further consultation and development of avoidance and/or mitigation measures consistent with state and federal law.

- 6.3-14 Implementation of the City's 2030 General Plan and regional buildout assumed in the Central Valley could contribute to the cumulative loss of sensitive natural communities including wetlands and riparian habitat in the region. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan which reduces this impact to a less-than-significant level.)

Hydrology and Water Quality

- 6.7-3 Implementation of the proposed 2030 General Plan could increase exposure of people and/or property to risk of injury and damage from a localized 100-year flood. (Added new policy (No Net Increase) to ER 1 (Water Resources) to the 2030 General Policy which reduces this impact to a less-than-significant level.)

New policy (No Net Increase)

No Net Increase. The City shall require all new development to contribute no net increase in stormwater runoff peak flows over existing conditions associated with a 100-year storm event.

- 6.7-6 Implementation of the 2030 General Plan, in addition to other projects in the watershed, could result in increased numbers of residents and structures exposed to a localized 100-year flood event. (Added new policy (No Net Increase) to ER 1 (Water Resources) to the 2030 General Policy which reduces this impact to a less-than-significant level.)

Noise and Vibration

- 6.8-5 Implementation of the 2030 General Plan could permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations. (Added new policy (Vibration Screening Distances) to EC 3 (Noise) to the 2030 General Policy which reduces this impact to a less-than-significant level.)

New policy (Vibration Screening Distances)

Vibration Screening Distances. The City shall require new residential and commercial projects located adjacent to major freeways, rail lines or light rail lines to follow the FTA screening distance criteria.

- 6.8-6 Implementation of the 2030 General Plan could permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.25 inches per second due to project construction, highway traffic, and rail operations. (Added new policy (Vibration) to EC 3 (Noise) to the 2030 General Policy which reduces this impact to a less-than-significant level.)

New policy (Vibration)

Vibration. The City shall require an assessment of the damage potential of vibration-induced construction activities, highways, and rail lines in close

proximity to historic buildings and archeological sites and require all feasible mitigation measures be implemented to ensure no damage would occur.

6.8-10 Implementation of the 2030 General Plan could result in cumulative impacts on adjacent residential and commercial areas exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations. (Added new policy (Vibration Screening Distances) to EC 3 (Noise) to the 2030 General Policy which reduces this impact to a less-than-significant level.)

~~6.12-1 Implementation of the proposed 2030 General Plan could result in roadway segments located within the Policy Area that do not meet the City's current LOS C standard or the proposed LOS D-E goal.~~

~~6.12-8 Implementation of the proposed 2030 General Plan could result in a cumulative increase in traffic that would adversely impact the existing LOS for city roadways.~~

The following impacts will remain significant and unavoidable even with new policies and revised policies included within the 2030 General Plan

Biological Resources

6.3-2 Implementation of the proposed 2030 General Plan could adversely affect special-status plant species due to the substantial degradation of the quality of the environment or reduction of population or habitat below self-sustaining levels. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

Revised Policy ER 2.1.10

Habitat Assessments. The City shall consider the potential impact on sensitive plants for each project requiring discretionary approval and shall require preconstruction surveys and/or habitat assessments for sensitive plant and wildlife species. If the preconstruction survey and/or habitat assessment determines that suitable habitat for sensitive plant and/or wildlife species is present, then either (1) protocol-level or industry-recognized (if no protocol has been established) surveys shall be conducted; or (2) presence of the species shall be assumed to occur in suitable habitat on the project site. Survey Reports shall be prepared and submitted to the City and the CDFG or USFWS (depending on the species) for further consultation and development of avoidance and/or mitigation measures consistent with state and federal law.

6.3-3 Implementation of the proposed 2030 General Plan could result in substantial degradation of the quality of the environment or reduction of

habitat or population below self-sustaining levels of special-status invertebrates. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

6.3-4 Implementation of the proposed 2030 General Plan could result in substantial degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status birds, through the loss of both nesting and foraging habitat. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

6.3-5 Implementation of the proposed 2030 General Plan could result in substantial degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status amphibians and reptiles. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

6.3-6 Implementation of the proposed 2030 General Plan could result in substantial degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status mammals. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

6.3-8 Implementation of the proposed 2030 General Plan could result in the loss or modification of riparian habitat, resulting in a substantial adverse effect. (Revised Policy ER 2.1.5 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

Revised Policy ER 2.1.5

Riparian Habitat Integrity. The City shall preserve the ecological integrity of creek corridors, canals, and drainage ditches that support riparian resources by preserving native plants and removing invasive, non-native plants. If not feasible adverse impacts on riparian habitat shall be mitigated by the preservation and/or restoration of this habitat at a 1:1 ratio, in perpetuity.

6.3-9 Implementation of the proposed 2030 General Plan could result in a substantial adverse effect on state or federally protected wetlands and/or waters of the United States through direct removal, filling, or hydrological interruption. (Revised Policy ER 2.1.6 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

Revised Policy ER 2.1.6

Wetland Protection. The City shall preserve and protect wetland resources including creeks, rivers, ponds, marshes, vernal pools, and other seasonal wetlands. If not feasible, the mitigation of all adverse impacts on wetland resources shall be required in compliance with State and Federal regulations protecting wetland resources, and if applicable, threatened or endangered species. Additionally, the City shall require either on- or offsite permanent preservation of an equivalent amount of wetland habitat to ensure no-net-loss of value and/or function.

- 6.3-10 Implementation of the 2030 General Plan could result in the loss of CDFG defined sensitive natural communities such as elderberry savanna, northern claypan vernal pool and northern hardpan vernal pool resulting in a substantial adverse effect. (Revised Policy ER 2.1.10 has been added to the 2030 General Plan; however the impact remains significant and unavoidable.)

Noise and Vibration

- 6.8-4 Implementation of the 2030 General Plan could permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction. (Added new policy (Interior Vibration Standards) to EC 3 (Noise) to the 2030 General Policy; however the impact remains significant and unavoidable.)

New policy (Interior Vibration Standards)

Interior Vibration Standards. The City shall require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby residential and commercial uses based on the current City or FTA criteria.

- 6.8-9 Implementation of the 2030 General Plan could result in cumulative construction vibration levels that exceed the vibration-peak-particle velocities greater than 0.5 inches per second. (Added new policy (Interior Vibration Standards) to EC 3 (Noise) to the 2030 General Policy; however the impact remains significant and unavoidable.)

New policy (Interior Vibration Standards)

Interior Vibration Standards. The City shall require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby residential and commercial uses based on the current City or FTA criteria.

The following changes have been made to Impact 6.12-1 on pages 6.12-76 through 6.12-84 in the Draft MEIR. These text changes are being added directly to the Final MEIR in Chapter 2, Changes to the Draft MEIR to demonstrate additional text revisions that are not shown in the Final MEIR. To show the revisions included in this errata any text to be deleted is reflected in ~~strike through~~ and new text to be added is shown in double underline.

Impact 6.12-1	Implementation of the proposed 2030 General Plan could result in roadway segments located within the Policy Area that do not meet the City's current LOS C standard or the proposed LOS D-E goal.	
Applicable Regulations	<i>None</i>	
Significance Before Mitigation	<i>Significant</i>	
Mitigation Included in the SGP	<i>Policies M 1.2.2, M 1.3.1, M 1.3.2, M 1.3.3, M 1.3.4, M 1.3.5, M 1.4.1, and M 1.4.2</i>	
Significance after Mitigation Included in the SGP	<i>Significant</i>	
Additional Mitigation	<u>Mitigation Measure 6.12-4 None available</u>	
Residual Significance	Significant and Unavoidable	

As discussed above, approximately 60 percent of the roadways evaluated within the city of Sacramento would operate at LOS C or better with the 2030 General Plan. Significant project impacts would occur for 30 of the road segments for the 2030 General Plan, as shown in Table 6.12-9. Table 6.12-9 shows that 23 of the 30 road segments would operate at LOS D, E or F conditions under the 2030 No Project scenario. The remaining 7 road segments would operate at LOS C conditions. As shown in Table 6.12-12, a total of 25 roads along with Tower Bridge and I Street Bridge would need to be widened to operate at LOS C. Widening of these roadways and bridges would not be feasible because it would require the purchase and removal of businesses and residences to accommodate wider roads or modifications to historic structures that may not be feasible due to the structural limitations. However, the 2030 General Plan will add a new Implementation Program in Part 4 of the 2030 General Plan to address potential future river crossings. That Implementation Program reads, "The City shall conduct additional studies to identify the location of future river crossings and shall amend the Street Classification Diagram to include new bridge locations."

TABLE 6.12-12					
NUMBER OF THROUGH LANES REQUIRED TO MITIGATE SIGNIFICANT IMPACTS BASED ON CURRENT SIGNIFICANCE THRESHOLDS FOR ROADWAYS					
Roadway	Impact Limits	Existing # of Lanes	2030 # of Lanes	# of Lanes for LOS C	# of Lanes for LOS D-E
12TH STREET	F to L Streets	3	3	5	4
15TH STREET	Broadway to J Street	3	3	4	4
16TH STREET	Broadway to G Street	3	3	5	5

TABLE 6.12-12

**NUMBER OF THROUGH LANES REQUIRED TO MITIGATE SIGNIFICANT IMPACTS
BASED ON CURRENT SIGNIFICANCE THRESHOLDS FOR ROADWAYS**

Roadway	Impact Limits	Existing # of Lanes	2030 # of Lanes	# of Lanes for LOS C	# of Lanes for LOS D-E
29TH STREET	J to Q Streets	3	3	5	4
30TH STREET	J to Q Streets	3	3	4	-
ARDEN WAY	Del Paso to Royal Oaks	4	4	6	-
	Capital City Fwy to Ethan Way	8	8	10	10
BANNON ST	Bercut to 5 th Street	2	4	5	-
BROADWAY	15th St to Franklin Blvd	4	4	6	6
BROADWAY	58 th to 65 th Streets	2	2	4	4
COLLEGE TOWN DRIVE	La Riviera to Hornet	4	4	6	-
COMMERCE PKWY	New Market to Del Paso	6	6	8	-
DEL PASO ROAD	I-5 to Truxel	4	6	8	-
ELKHORN BL	SR 99 to E. Commerce	2	6	8	8
EXPOSITION BL	SR 160 to Tribute	4	4	6	-
FLORIN ROAD	24th St to Franklin Blvd	4	4	8	6
FOLSOM BL	UPRR to Howe Ave	2	4	6	6
HORNET DRIVE	College Town to US 50	4	4	6	-
I STREET	3rd to 16 th Streets	4	4	6	5
	16th to 30 th Streets	2	2	4	3
I STREET BRIDGE	3 rd to 3 rd Streets	2	2	6	6
J STREET	3rd to 16 th Streets	3	3	4	4
	16th to 30 th Streets	3	3	4	4
L STREET	3rd to 16 th Streets	3	3	4	4
NATOMAS BLVD	Del Paso Rd to N. Bend Dr	6	6	8	6
RICHARDS BL	Bercut to 5 th Street	4	4	5	-
ROSEVILLE ROAD	Marconi Ave to I-80	2	4	6	6
ROYAL OAKS DRIVE	SR 160 to Arden Way	2	2	4	4
SAN JUAN ROAD	El Centro to Orchard	2	2	4	-
TOWER BRIDGE	3 rd to 3 rd Streets	4	4	8	6
TRUXEL ROAD	I-80 to Gateway Park	8	8	14	10

Notes:
 "-" in "# of Lanes for LOS D-E" column indicates that no mitigations are required to provide LOS D-E conditions.
 Source: Fehr & Peers, 2007.

A total of 47 roadway segments as well as the Tower Bridge and I Street Bridge would fail to achieve LOS D-E or better conditions under the 2030 General Plan, as shown in Table 6.12-13. Proposed General Plan Policy M 4.1.5 states that the City shall continue

TABLE 6.12-13

NUMBER OF THROUGH LANES REQUIRED TO ACHIEVE PROPOSED ROADWAY LEVEL OF SERVICE (LOS) D-E CONDITIONS

Roadway	Impact Limits	Existing # of Lanes	2030 # of Lanes	# of Lanes for LOS D-E	Feasible to Provide Lanes for LOS D-E?
12th Street	F to L Streets	3	3	4	No
12th/14th Av	SR 99 to 36 th Street	2	2	4	No
16th Street	Broadway to G Street	3	3	5	No
29th Street	J to Q Streets	3	3	4	No
65 th Street	Folsom Blvd to 14 th Ave	4	4	6	No
Alhambra Bl	Folsom Blvd to P Street	2	2	4	No
Arcade Bl	Marysville to Del Paso Blvd	2	2	4	No
Arden Way	Capital City Fwy to Ethan Wy	8	8	10	No
Blair Av	S. Land Park to Freeport Blvd	2	2	4	No
Broadway	15 th St to Franklin Blvd	4	4	6	No
Broadway	58 th to 65 th Streets	2	2	4	No
El Camino Av	Stonecreek Dr to Marysville Blvd	2	2	4	No
El Camino Av	Capital City Fwy to Howe Av	4	4	6	No
El Camino Av	Northgate Blvd to American	2	2	4	No
Elder Creek	65 th St to Power Inn Rd	2	4	6	No
Elkhorn Bl	SR 99 to E. Commerce Pkwy	2	6	8	Yes
Florin Perkins	14 th Av to Elder Creek Rd	4	4	6	No
Florin Rd	Greenhaven Dr to I-5	4	4	6	No
Florin Rd	24th St to Franklin Blvd	4	4	6	No
Folsom Bl	Howe Av to Watt Av	4	4	8	No
Folsom Bl	UPRR to Howe Av	2	4	6	No
Freeport Bl	Broadway to Seamas Av	4	4	6	No
Fruitridge Rd	Franklin Blvd to SR 99	4	4	6	No
Fruitridge Rd	44 th St to Ethel	4	4	6	No
H St	Alhambra Blvd to Carlson Dr	2	2	4	No
Howe Av	American River to US 50	4	6	8	No
Howe Av	US 50 to Folsom Blvd	4	6	8	No
I St	3rd to 16 th Streets	4	4	5	No
I St	16th to 30 th Streets	2	2	3	No
I St Bridge	3 rd to 3 rd Streets	2	2	6	No
J St	3rd to 16 th Streets	3	3	4	No
J St	16th to 30 th Streets	3	3	4	No
L St	3rd to 16 th Streets	3	3	4	No
Mack Rd	Meadowview Rd to Franklin Blvd	4	4	6	No
Mack Rd	Tangerine to Center Pkwy	4	4	6	No
Mack Rd	Center Pkwy to Stockton Blvd	4	4	6	No
Martin Luther King Jr. Bl	Broadway to 12 th Ave	2	2	4	No
Marysville Bl	I-80 to Arcade Blvd	2	4	6	No
Northgate Bl	Del Paso Rd to N. Market Blvd	4	4	6	No
Northgate Bl	I-80 to W. El Camino Av	4	4	6	No
Raley Bl	Bell Av to I-80	4	4	6	No
Rio Linda Bl	Main St to Bell Av	2	2	4	Yes
Roseville Rd	Marconi Av to I-80	2	4	6	No
Royal Oaks Dr	SR 160 to Arden Wy	2	2	4	No
Silver Eagle	Northgate Blvd to Norwood Av	2	2	4	Yes
Tower Bridge	3 rd to 3 rd Streets	4	4	6	No
Truxel Road	I-80 to Gateway Park	8	8	10	No

Source: Fehr & Peers, 2008.

to work with adjacent jurisdictions to help fund, evaluate, plan, design, construct, and maintain new river crossings. However, in order to achieve LOS D-E roadways and the two bridges would need to be widened to accommodate more lanes or new bridges would need to be constructed. Additional roadway, transit, bicycle and pedestrian capacity is needed across the rivers to support the land use plan and to link the Central City with adjacent neighborhoods and jurisdictions. The widening of existing roadways or bridges would require right-of-way acquisitions that would not be feasible on all of these roadways (or bridges) with the exception of three roadways (indicated in the table) because widening would require the purchase and removal of homes or businesses or modifications to historic structures. All but seven of those roadway segments would also fail to achieve LOS D-E or better conditions under the 2030 No Project scenario. An assessment of the 47 roadway segments yielded a conclusion that modifying the Street Classification diagram to show added future lanes is feasible for three segments: Elkhorn Boulevard from SR 99 to E. Commerce Parkway (from 6 to 8 lanes), Rio Linda Boulevard from Grand Avenue to the north city limits (from 2 to 4 lanes), and Silver Eagle Road from Northgate Boulevard to Norwood Avenue (from 2 to 4 lanes). Implementation of road widenings for the remaining roadway segments would require right-of-way acquisitions and/or streetscape modifications that would result in significant impacts on adjacent businesses and residences as well as pedestrian and bicycle facilities. The City will amend the Street Classification diagram to identify additional future lanes for these three roadways. The City could instead modify the proposed Level of Service (LOS) policy to exempt the roadways from the proposed LOS D-E goal; however, instead of amending the LOS policy, the City has chosen to modify the Street Classification diagram to show an increased number of through lanes for those three specific roadway segments. For the remaining roadway segments, the City is amending Policy M 1.2.2 in the Mobility section to exempt them from the proposed LOS D-E goal. The City is adding the following text bullets under Policy M 1.2.2:

- a. **Core Area Level of Service Exemption-** LOS F conditions are acceptable during peak hours in the Core Area bounded by C Street, the Sacramento River, 30th Street, and X Street. If a Traffic Study is prepared and identifies a LOS impact that would otherwise be considered significant to a roadway or intersection that is in the Core Area as described above, the project would not be required in that particular instance to provide further vehicular capacity-enhancing improvements to that road segment or intersection in order for the City to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project provides improvements to other parts of the city wide transportation system in order to improve transportation-system-wide roadway capacity or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to road segments or intersections in order to conform to

the General Plan. This exemption does not affect the implementation of previously approved roadway and intersection improvements identified for the Railyards or River District planning areas.

- b. Level of Service Standard for Multi-Modal Districts-** The City shall seek to maintain the following standards in multi-modal districts that are characterized by frequent transit service, enhanced pedestrian and bicycle systems, a mix of uses, and higher density development. This shall include areas within ½ mile walking distance of light rail stations outside the Core Area and mixed-use corridors as designated by the City.

Maintain operations on all roadways and intersections at Level of Service E or better at all times, including peak travel times, unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. Congestion in excess of Level of Service E may be acceptable, provided that provisions are made to improve the overall system and/or promote non-vehicular transportation as part of a development project or a City-initiated project.

- c. Base Level of Service Standard-** The City shall seek to maintain the following standards for all areas outside of multi-modal districts.

Maintain operations on all roadways and intersections at Level of Service D or better at all times, including peak travel times, unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. Congestion in excess of Level of Service D may be acceptable, provided that provisions are made to improve the overall system and/or promote non-vehicular transportation as part of a development project or a City-initiated project.

- d. Roadways Exempt from Level of Service Standard-** The above LOS standards shall apply to all roads, intersections or interchanges within the City except as specified below. If a Traffic Study is prepared and identifies a significant LOS impact to a roadway or intersection that is located within one of the roadway corridors described below, the project would not be required in that particular instance to provide further vehicular capacity-enhancing improvements to that roadway or intersection in order for the City to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project provides improvements to other parts of the city wide transportation system in order to improve transportation-system-wide roadway capacity or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to the listed road segment or intersection in order to conform to the General Plan.

- 12th/14th Avenue: State Route 99 to 36th Street
- 65th Street: Folsom Boulevard to 14th Avenue
- Alhambra Boulevard: Folsom Boulevard to P Street
- Arcade Boulevard: Marysville Boulevard to Del Paso Boulevard
- Arden Way: Capital City Freeway to Ethan Way
- Blair Avenue/47th Avenue: S. Land Park Drive to Freeport Boulevard
- Broadway: 15th Street to Franklin Boulevard
- Broadway: 58th to 65th Streets
- El Camino Avenue: Stonecreek Drive to Marysville Boulevard
- El Camino Avenue: Capitol City Freeway to Howe Avenue
- Elder Creek Road: 65th Street to Power Inn Road
- Florin Perkins Road: 14th Avenue to Elder Creek Road
- Florin Road: Greenhaven Drive to I-5; 24th Street to Franklin Boulevard
- Folsom Boulevard: 65th Street to Watt Avenue
- Freeport Boulevard: Broadway to Seamas Avenue
- Fruitridge Road: Franklin Boulevard to SR 99
- Howe Avenue: American River Drive to Folsom Boulevard
- Mack Road: Meadowview Road to Stockton Boulevard
- Martin Luther King Boulevard: Broadway to 12th Avenue
- Marysville Boulevard: I-80 to Arcade Boulevard
- Northgate Boulevard: Del Paso Road to SR 160
- Raley Boulevard: Bell Avenue to I-80
- Roseville Road: Marconi Avenue to I-80
- Royal Oaks Drive: SR 160 to Arden Way
- Truxel Road: I-80 to Gateway Park

In addition, there are five special study segments that do not meet the proposed LOS D-E goal. These special study segments include 24th Street, Capitol Mall, Folsom Boulevard, Garden Highway, and J Street. The City is revising Policy M 1.2.2 to exempt five special study segments that would not meet the proposed LOS D-E goal for the 2030 horizon year. The City is adding the following text bullet under Policy M 1.2.2:

e. Modify LOS Policies for Five Special Study Segments- The City shall exempt the following five special study segments, in the event that the Street Classification diagram is modified to reduce the number of lanes on those segments from four lanes to two lanes.

- 24th Street: Meadowview Road to Cosumnes River Boulevard
- Capitol Mall: 3rd Street to 5th Street
- Folsom Boulevard: 34th Street to 47th Street and 59th Street to 65th Street
- Garden Highway: Truxel Road to Northgate Boulevard
- J Street: 43rd Street to 56th Street

Although significant revisions have been made to Policy M 1.2.2. and the Street Classification diagram, these revisions would not be able to reduce the significance of the impact; therefore, the impact would be a potentially significant impact.

Because a number of roadways would fail to meet the City's current LOS C standard of significance, this is considered a *potentially significant impact*.

Mitigation Measures

Implementation of the above policy language and changes to the Street Classification diagram would not improve traffic flow, but would be required to provide policy consistency within the 2030 General Plan. This would be accomplished by eliminating the identified inconsistencies with applicable LOS policies by revising those policies to match LOS projections. Implementation of the 2030 General Plan changes summarized above would not be able to reduce the significance of the impact; therefore, the impact would be **significant and unavoidable**. In addition future crossings of the Sacramento and American rivers would have potential localized impacts including traffic, biological, cultural, and noise. These impacts would be **significant and unavoidable**.

None available.

Forty-seven (47) roadway segments and two bridges (Tower Bridge and I Street Bridge) would not meet the proposed LOS D-E goal. Three mitigation measures are provided for city roadways, as summarized below.

Mitigation Measure 6.12-1(a) addresses the two bridges that do not meet the proposed LOS D-E goal. It involves conducting studies to identify the location of new river connections, amending the Street Classification diagram as locations are identified, and constructing new crossings of the Sacramento and American rivers.

Mitigation Measure 6.12-1(b) and (c) addresses the forty-seven (47) roadway segments that do not meet the proposed LOS D-E goal. An assessment of the 47 roadway segments yielded a conclusion that modifying the Street Classification diagram to show added future lanes is feasible for three segments: Elkhorn Boulevard from SR 99 to E. Commerce Parkway (from 6 to 8 lanes), Rio Linda Boulevard from Grand Avenue to the north city limits (from 2 to 4 lanes), and Silver Eagle Road from Northgate Boulevard to Norwood Avenue (from 2 to 4 lanes). Implementation of road widenings for the remaining roadway segments would require right-of-way acquisitions and/or streetscape modifications that would result in significant impacts on adjacent businesses and residences as well as pedestrian and bicycle facilities. The City shall amend the Street Classification diagram to identify additional future lanes for these three roadways OR modify the proposed Level of Service (LOS) policy to exempt the roadways from the proposed LOS D-E goal. For the remaining roadway segments, the City shall amend the LOS policy to exempt them from the proposed LOS D-E goal.

Mitigation Measure 6.12-1(d) addresses the five special study segments that do not meet the proposed LOS D-E goal. It involves modifying the proposed Level of Service policy to exempt five special study segments that would not

meet the proposed LOS D-E goal for the 2030 horizon year, in the event that the Street Classification diagram is modified to reduce the number of lanes on those segments from four lanes to two lanes. These special study segments that would be exempted from the LOS policy include 24th Street, Capitol Mall, Folsom Boulevard, Garden Highway, and J Street.

Implementation of one or a combination of the mitigation measures detailed below and summarized above, would not be able to reduce the significance of the impact; therefore, the impact would be **significant and unavoidable**. In addition future crossings of the Sacramento and American rivers would have potential localized impacts including traffic, biological, cultural, and noise. These impacts would be **significant and unavoidable**.

Implementation of Mitigation Measures 6.12-1(b) through 6.12-1(d) would not improve traffic flow, but would be required to provide policy consistency within the 2030 General Plan. This would be accomplished by eliminating the identified inconsistencies with applicable LOS policies by revising those policies to match LOS projections.

6.12-1 a) ~~The City of Sacramento shall include the following new policy in the Mobility section of the 2030 General Plan:~~

~~**Provide New River Connections.** The City shall conduct additional studies to identify the location of future river crossings and shall amend the Street Classification diagram to include new bridge locations.~~

b) ~~The City of Sacramento shall revise the Street Classification diagram to increase the number of through lanes on the following roadways in order to meet the LOS D-E threshold.~~

- ~~• Elkhorn Boulevard (SR 99 to E. Commerce Parkway): 6 to 8 lanes~~
- ~~• Rio Linda Boulevard (Grand Avenue to north city limits): 2 to 4 lanes~~
- ~~• Silver Eagle Road (Northgate Boulevard to Norwood Avenue): 2 to 4 lanes~~

~~**OR**~~

~~The City of Sacramento shall revise Policy M.1.2.2 in the Mobility section to read as follows:~~

~~**c. Revise the LOS Policy for Three Roadway Segments.** The City shall exempt the following roadways from the proposed LOS D-E goal.~~

- Elkhorn Boulevard (SR 99 to E. Commerce Parkway): 6 to 8 lanes
- Rio Linda Boulevard (Grand Avenue to north city limits): 2 to 4 lanes
- Silver Eagle Road (Northgate Boulevard to Norwood Avenue): 2 to 4 lanes

c) ~~The City shall modify the LOS policies in the Mobility Element to exempt roadways that would not meet the proposed LOS D-E goal for the 2030 horizon year.~~

~~The City of Sacramento shall revise Policy M1.2.2 in the Mobility section to read as follows:~~

a. ~~**Core Area Level of Service Exemption** LOS F conditions are acceptable during peak hours in the Core Area bounded by C Street, the Sacramento River, 30th Street, and X Street. If a Traffic Study is prepared and identifies a LOS impact that would otherwise be considered significant to a roadway or intersection that is in the Core Area as described above, the project would not be required in that particular instance to provide further vehicular capacity-enhancing improvements to that road segment or intersection in order for the City to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project provides improvements to other parts of the city wide transportation system in order to improve transportation-system-wide roadway capacity or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to road segments or intersections in order to conform to the General Plan. This exemption does not affect the implementation of previously approved roadway and intersection improvements identified for the Railyards or River District planning areas.~~

b. ~~**Level of Service Standard for Multi-Modal Districts** The City shall seek to maintain the following standards in multi-modal districts that are characterized by frequent transit service,~~

~~enhanced pedestrian and bicycle systems, a mix of uses, and higher density development. This shall include the Central Business District, areas within ½ mile walking distance of light rail stations outside the Core Area and mixed-use corridors as designated by the City.~~

- ~~•—Maintain operations on all roadways and intersections at Level of Service E or better at all times, including peak travel times, unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. Congestion in excess of Level of Service E may be acceptable, provided that provisions are made to improve the overall system and/or promote non-vehicular transportation as part of a development project or a City-initiated project.~~

~~c. — **Base Level of Service Standard**—The City shall seek to maintain the following standards for all areas outside of multi-modal districts.~~

- ~~•—Maintain operations on all roadways and intersections at Level of Service D or better at all times, including peak travel times, unless maintaining this LOS would, in the City's judgment, be infeasible and/or conflict with the achievement of other goals. Congestion in excess of Level of Service D may be acceptable, provided that provisions are made to improve the overall system and/or promote non-vehicular transportation as part of a development project or a City-initiated project.~~

~~**d. — Roadways Exempt from Level of Service Standard**—The above LOS standards shall apply to all roads, intersections or interchanges within the City except as specified below. If a Traffic Study is prepared and identifies a significant LOS impact to a roadway or intersection that is located within one of the roadway corridors described below, the project would not be required in that particular instance to provide further vehicular capacity enhancing improvements to that roadway or intersection in order for the City to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project provides improvements to other parts of the city wide transportation system in order to improve transportation system-wide roadway capacity or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's~~

vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to the listed road segment or intersection in order to conform to the General Plan.

- 12th/14th Avenue: State Route 99 to 36th Street
- 65th Street: Folsom Boulevard to 14th Avenue
- Alhambra Boulevard: Folsom Boulevard to P Street
- Arcade Boulevard: Marysville Boulevard to Del Paso Boulevard
- Arden Way: Capital City Freeway to Ethan Way
- Blair Avenue/47th Avenue: S. Land Park Drive to Freeport Boulevard
- Broadway: 15th Street to Franklin Boulevard
- Broadway: 58th to 65th Streets
- El Camino Avenue: Stonecreek Drive to Marysville Boulevard
- El Camino Avenue: Capitol City Freeway to Howe Avenue
- Elder Creek Road: 65th Street to Power Inn Road
- Elkhorn Boulevard: SR-99 to Commerce Parkway
- Florin Perkins Road: 14th Avenue to Elder Creek Road
- Florin Road: Greenhaven Drive to I-5; 24th Street to Franklin Boulevard
- Folsom Boulevard: 65th Street to Watt Avenue
- Freeport Boulevard: Broadway to Seamas Avenue
- Fruitridge Road: Franklin Boulevard to SR 99
- Howe Avenue: American River Drive to Folsom Boulevard
- Mack Road: Meadowview Road to Stockton Boulevard
- Martin Luther King Boulevard: Broadway to 12th Avenue
- Marysville Boulevard: I-80 to Arcade Boulevard
- Northgate Boulevard: Del Paso Road to SR 160
- Raley Boulevard: Bell Avenue to I-80

- ~~Rio Linda Boulevard: Grand Avenue to North City Limits~~
- ~~Roseville Road: Marconi Avenue to I-80~~
- ~~Royal Oaks Drive: SR 160 to Arden Way~~
- ~~Silver Eagle Road: Northgate Boulevard to Norwood Avenue~~
- ~~Truxel Road: I-80 to Gateway Park~~

d) ~~The City of Sacramento shall revise Policy M.1.2.2 in the Mobility section to read as follows:~~

e. ~~**Modify LOS Policies for Five Special Study Segments** The City shall exempt the following five special study segments, in the event that the Street Classification diagram is modified to reduce the number of lanes on those segments from four lanes to two lanes:~~

- ~~24th Street: Meadowview Road to Cosumnes River Boulevard~~
- ~~Capitol Mall: 3rd Street to 5th Street~~
- ~~Folsom Boulevard: 34th Street to 47th Street and 59th Street to 65th Street~~
- ~~Garden Highway: Truxel Road to Northgate Boulevard~~
- ~~J Street: 43rd Street to 56th Street~~

The following changes have been made to Impact 6.12-8 on page 6.12-90 in the Draft MEIR. These text changes are being added directly to the Final MEIR in Chapter 2, Changes to the Draft MEIR to demonstrate additional text revisions that are not shown in the Final MEIR. To show the revisions included in this errata any text to be deleted is reflected in ~~strikethrough~~ and new text to be added is shown in double underline.

Impact 6.12-8	Implementation of the proposed 2030 General Plan could result in a cumulative increase in traffic that would adversely impact the existing LOS for city roadways.	
Applicable Regulations	None	
Significance Before Mitigation	Significant	
Mitigation Included in the SGP	<u>Policies M 1.2.2, M 1.3.1, M 1.3.2, M 1.3.3, M 1.3.4, M 1.3.5, M 1.4.1, and M 1.4.2</u>	
Significance after Mitigation Included in the SGP	Significant	
Additional Mitigation	<u>Mitigation Measure 6.12-8 None available</u>	
Residual Significance	Significant and Unavoidable	

As discussed above, Table 6.12-9 identifies cumulative impacts on a total of 66 roadway segments. Table 6.12-9 identifies all roadways in the city that would experience a significant increase in traffic associated with full buildout of the 2030 General Plan that would exceed the city's current LOS C threshold.

Cumulative development would result in a significant impact and the project's contribution to that impact would be significant resulting in a *potentially significant cumulative impact*.

Mitigation Measure

Although the City is making significant revisions to Policy M 1.2.2, adding a new policy to address potential future river connections, and amending the Street Classification diagram, these revisions would not be able to reduce the significance of the impact. Therefore, cumulative impacts on city roadways would be **significant and unavoidable**.

None available.

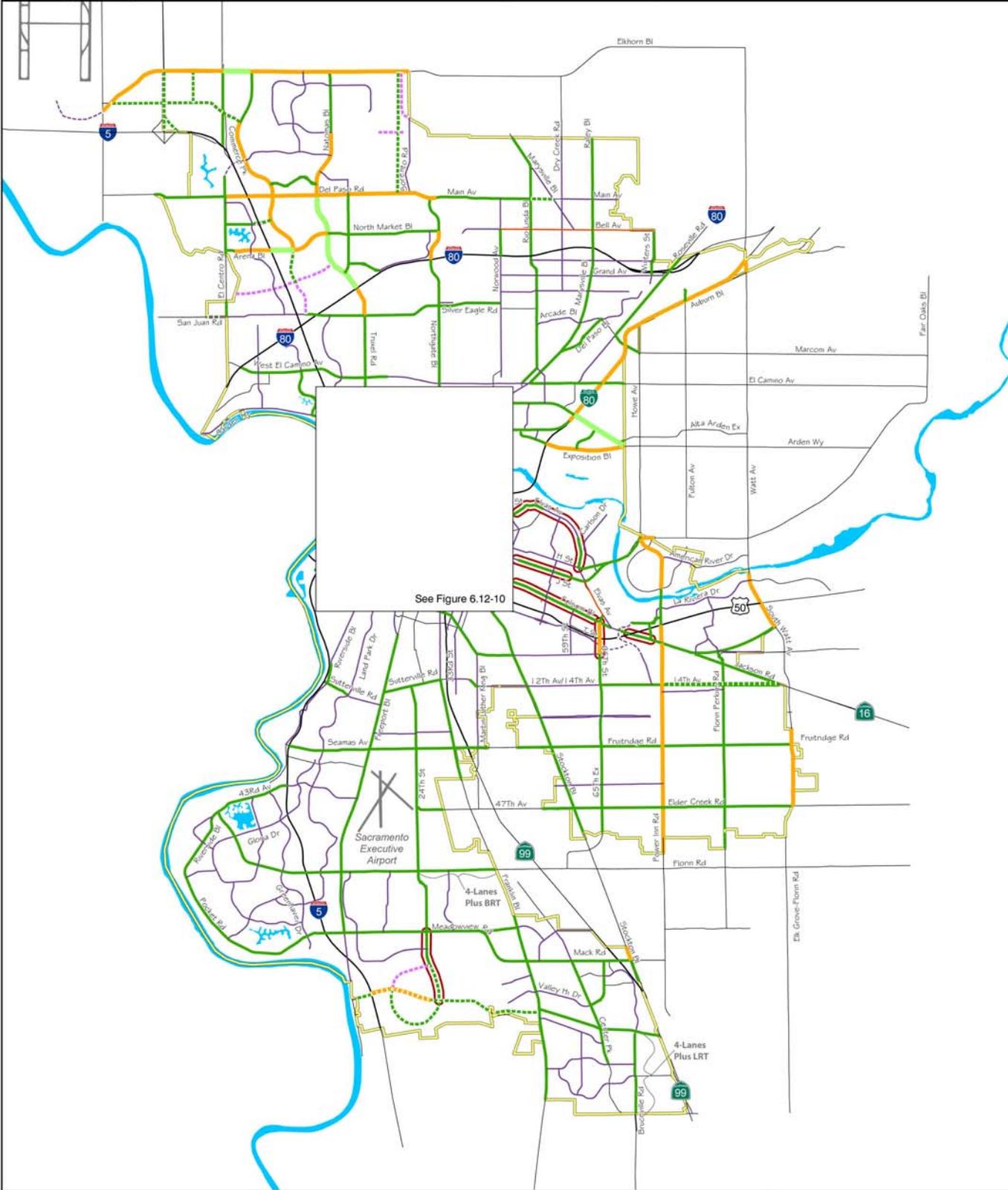
~~Implementation of Mitigation Measure 6.12-8, which re-imposes Mitigation Measure 6.12-1 would provide for consistency with the 2030 General Plan, but would not reduce impacts to a less-than-significant level. Therefore, cumulative impacts on city roadways would be **significant and unavoidable**.~~

~~6.12-8 Implement Mitigation Measure 6.12-1.~~



CITY OF SACRAMENTO GENERAL PLAN

Building a Great City



Legend

Number of Lanes

- 2
- 3
- 4
- 5
- 6
- 8
- Proposed Roads

- Policy Area
- Water
- Special Study Segment

Figure 6.12-9

**2030 General Plan -
Number of Lanes**

0 1.25 2.5
Miles



PLANNING DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
NCH, 3rd FLOOR
SACRAMENTO, CA
95814

MEMORANDUM

Date: November 17, 2008

To: Mayor Heather Fargo
Councilmember Ray Tretheway
Councilmember Sandy Sheedy
Councilmember Steve Cohn
Councilmember Rob Fong
Councilmember Lauren Hammond
Councilmember Kevin McCarty
Councilmember Robbie Waters
Councilmember Bonnie Pannell

From: Erik de Kok, Senior Planner

SUBJECT: Staff Responses to Nov 5th letter from State Attorney General

This memo addresses concerns raised in the attached California State Attorney General's (AG) letter dated November 5, 2008. The AG originally submitted comments on the Draft MEIR for the General Plan in August 2008. The AG's November 5th letter is in response to preliminary draft Final MEIR responses provided to the AG by the City and the City's consultant. It should be noted that the Final MEIR was sent out to all who commented on the Draft MEIR, including the AG, on November 7th.

Issue 1: Revised Table 8-3 and GHG Emissions

The AG's initial concerns were in response to preliminary and erroneous numbers that showed that GHG emissions would go down from 2005 to 2030 despite increases in population, jobs, and housing units.

Table 8-3 in the Draft EIR has been revised in the Final MEIR to show that net CO₂e emissions would increase for both the General Plan Area and the Six-County Region. Emissions for the General Plan Area would increase by 4,832 tons/year and emissions for the Six-County Region would increase by 20,455 tons/year.

Issue 2: Revised Table 8-3 and VMT Increases

The AG's original concerns were that VMT shown in Table 6.12-7 (in the DMEIR) and Table C-1 (in the FMEIR) would increase from 2005 to 2030 while GHG emissions shown in Table

8-3 would go down during the same time period.

As explained under Item 1 above, Table 8-3 has been revised to show an increase in GHG from 2005 to 2030. Percentage increases in VMT and GHG emissions are similar for both the General Plan Area and the Six-County Region for 2005 to 2030.

Issue 3: Daily VMT Per Capita Reduction

The AG's original concerns were that there would be a 13 percent daily VMT per capita reduction while there would be an increase in total VMT from 2005 to 2030.

The column "Percent Change: 2030 Scenarios" in Table 6.12-7 (in the DMEIR) and Table C-1 (in the FMEIR) shows that there would be a 13.2 percent decrease in daily VMT per capita when buildout of the 2030 General Plan is compared to 2030 No Project.

Issue 4: No Significance Finding

The AG reiterates a desire for the City to develop a significance threshold and make a significance determination for GHG emissions.

The City is currently working with its regional partners to develop a communitywide (emissions associated with all public and private development within the city limits) inventory for 1990 emissions and 2005 emissions, in compliance with AB 32. This inventory will be more comprehensive than the estimate prepared for the General Plan EIR, and will include estimates of 2005 emissions for all public and private sources. The 2005 communitywide baseline developed from this comprehensive inventory will be used to prepare the City's Climate Action Plan (CAP). Once baseline levels are established and additional direction is available from the California Air Resources Board and the Governor's Office of Planning and Research, the City will evaluate potential significance criteria to assist in the determination of a project's contribution to global climate change.

Issue 5: Infill Policies

The AG expressed concern about the General Plan's "approach to infill versus outlying area developments focusing," particularly on the Special Study Areas. Their "concerns are based on [their] desire that the City continue to ensure that infill is a priority in future growth and that General Plan policies and programs clearly support that priority."

First, to clarify, the Fruitridge Florin Special Study Area is not a "greenfield" area, but is largely developed. The two Special Study Areas that have the greatest potential for growth are the Natomas Joint Vision Area and the East Area.

The AG questions why these Special Study Areas are included in the Draft Plan, given that there is adequate capacity within existing infill areas to accommodate projected growth through 2030.

State law calls on cities in their general plans to plan for the territory within their boundaries as well as "any lands outside its boundaries which in the planning agency's judgment bears relation to its planning" (Government Code Section 653000). The Natomas Joint Vision Area

and East Area are immediately adjacent to the Sacramento City limits. The City, Sacramento County, and SACOG through its Blueprint process all assume that these two areas will develop ultimately, if not in the 2030 time horizon of the General Plan.

The AG expressed concern that General Plan Policy LU 1.1.9 calls for only “phasing” city expansion into Special Study Areas where “appropriate”, without including criteria for this phasing or determining when expansion is appropriate. The AG’s office is requesting that the draft 2030 General Plan “include specific policies setting forth the criteria for planning and developing these areas.”

Staff determined that the General Plan adequately addresses issues of phasing and appropriateness in that it outlines the numerous steps that would need to be completed and the conditions that would need to be met prior to annexation of these areas, as follows:

- The City is required to conduct additional environmental review prior to amending the General Plan to include development beyond what has been analyzed in the DEIR. No development has been planned or analyzed in the EIR for any of the Special Study Areas, and any subsequent planning for development approvals in these areas would require additional environmental review. [See Part 2; Policy LU 1.1.2; p. 2-7]
- The City will plan for development in Special Study Areas only in so far as it is needed to meet growth that cannot be absorbed by infill development and to accommodate projected regional growth. [See Part 2; Policy LU 1.1.10; p. 2-11]
- The City’s intent is to plan for growth and change in the Special Study Areas consistent with the SACOG Blueprint principles and the City’s Vision and Guiding Principles and ensure that annexation and development provide regional and community benefits. [See Part 2; Goal LU 10.1; p. 2-124]
- The City is required to conduct extensive outreach, coordination, planning, and evaluation prior to annexation or development of any Special Study Area. The City must coordinate with other agencies; prepare General Plan Amendments, prepare or amend a Community Plan, and secure a SOI amendment from LAFCO. The City must also prepare or update applicable Master Plans, Specific Plans, and Development Agreements in order to establish the timing, phasing, costs, and responsibilities for development in a Special Study Area. Finally, the City is required to ensure that a specific set of regional and community benefits are achieved as the result of annexing a Special Study Area, consistent with the goals of the General Plan. [See Part 2; Policies LU 10.1.1 through LU 10.1.3; p. 2-124 through p. 2-125]
- The City must establish a Community Plan boundary/area or expand an existing Community Plan boundary/area prior to annexing any land designated as a Special Study Area. [See Part 3; Policy CP 1.1.7; p. 3-8]

Issue 6: Reduced Footprint Alternative

The AG questions why the Reduced Footprint Alternative discussed in the Draft MEIR is not a feasible alternative, even though it is identified as the environmentally superior alternative.

The Reduced Footprint Alternative assumes the city boundaries will not change and will remain as they currently are. This differs from the proposed Policy Area boundaries in three areas: Greenbriar, Panhandle, and Camino Norte. The 2030 General Plan Policy Area boundaries include three areas outside the City limits, which includes approximately 2,000 acres. At the time of preparation of the Draft MEIR, Greenbriar was under consideration by

the City for annexation and was approved prior to the document's publication and circulation. In addition, the Panhandle area is presently under consideration by the City for possible annexation. The Panhandle area has been designated for urban development since the 1994 North Natomas Community Plan was adopted, and the 840-acre portion south of Del Paso Road is already mostly developed for industrial and employment-intensive uses. The only greenfield area not currently under consideration for annexation and development is Camino Norte. Camino Norte is approximately 284 acres of undeveloped land consisting mostly of active agricultural land, a golf driving range, hotels, commercial uses, and a storage facility.

Because the increase in density in currently undeveloped areas could not accommodate the growth planned in the proposed 2030 General Plan, a substantial amount of redevelopment would have to occur in the city to maximize density on underutilized parcels. Although reinvestment in currently underutilized parcels is a key aspect to achieving the project's objectives, it is anticipated that the amount of redevelopment required to make this alternative work would be impossible to achieve.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



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November 5, 2008

Tom Pace
City of Sacramento Planning Department
New City Hall
915 I Street, 3rd Floor
Sacramento, CA 95814

RE: Draft Update to General Plan

Dear Tom:

We appreciate the opportunities we have had to meet with you, members of the Sacramento planning staff, and the City Manager and his staff on the Draft General Plan Update and Draft MEIR. In addition, it was very instructive to attend the Planning Commission meeting and hear the staff's presentation of the provisions in the Plan that are intended to address GHG and climate change. As we've discussed, however, we continue to disagree with the staff on several major issues and we would like to reiterate those for your consideration. We also would like to elaborate on some of our observations on infill that we were only able to briefly mention at our meeting.

GHG Emissions

We had raised several questions about the GHG emission figures, and just received an e-mail response from Erik de Kok on behalf of the City. We appreciate your addressing our questions, although it is difficult for us to fully understand the response without seeing the Final EIR. Our first question was: "Revised Table 8-3 in the City's draft response to our comment letter now indicates that total GHG emissions will go down from 2005 to 2030, despite the fact that population will increase by 195,000, there will be 136,000 new jobs, and 97,000 new housing units. Intuitively, that would suggest that GHG emissions would also increase. In any case, it is not clear how you reached the conclusion that GHG will decrease." Erik has responded that revisions to Table 8-3 now show an increase in GHG emissions, which will be reflected and explained in the Final EIR.

Our second question was: "The information in Table 8-3 seems to conflict with the VMT data in the City's draft response to the comment letter from the SMAQMD. The response to the

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SMAQMD has a table on page 5 that shows Daily VMT in 2005 as 18,318,977 and Daily VMT under the 2030 General Plan as 25,363,131, an increase of about 7 million VMT per day. That same table also predicts a per capita VMT increase from 36.8 in 2005 to 37.5 in 2030. That seems at odds with the GHG emission numbers in Table 8-3 and the projection that GHG will decrease.” Erik has responded that this discrepancy has also been resolved.

Our third question was: “We are confused about how you are calculating that there will be a 13% VMT reduction under the 2030 General Plan. You stated to the Planning Commission that the 2030 Plan reduces VMT per capita by 13%. The table on page 5 of the City’s draft response to the SMAQMD also shows a -13.2% change in Daily VMT per capita. Since that same table shows an increase in per capita VMT from 2005 to 2030, we are wondering if the decrease in per capita VMT comes when you compare the 2030 General Plan to the buildout of the 1988 Plan. As I recall, I believe you told the Planning Commission that the 13% reduction occurred when the 2030 General Plan is compared to the no project numbers. As we pointed out in our comment letter, CEQA requires that the impacts of the 2030 General Plan must be compared to the existing environment, not what could have been built under a previous plan. We thought the City, in response to our comment letter, had decided to use 2005 as the baseline, and that Table 8-3 uses 2005 as the baseline. It appears, however, that the 1988 buildout numbers are used as the baseline in the table in the response to the SMAQMD and in your presentation to the Planning Commission. We would appreciate a clarification of these numbers and conclusions.” Erik responded that revisions to the analysis now show the baseline as 2005. He also confirmed that the decrease of 13% VMT is a comparison to the No Project scenario.

We will review the Final EIR, once it is published, to see if it clears up the issues we raised in our questions.

Lack of Significance Finding

The City has told us that it does not believe it has the tools to determine whether the GHG emissions will have a potentially significant impact. The City takes the position that because there are no published state guidelines, thresholds, or methodologies for making a significance determination, it would be speculative to attempt such a determination. It is true that no state agency has set any thresholds. As we have stated to many other jurisdictions, however, this lack of official thresholds does not relieve the City of its obligation under CEQA to determine if the project has a potentially significant cumulative impact on climate change. Our position is supported by agency guidance that has been published to date, case law, and the fact that many local agencies and project proponents have been able to make a significance determination.

As you are probably aware, the Air Resources Board has just published a preliminary

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Page 3

proposal on significance thresholds. That proposal states, at page 1, that climate change is an environmental effect subject to CEQA, citing Senate Bill 97, and also states that "Lead agencies therefore are obligated to determine whether a project's climate change-related effects may be significant."¹ The Office of Planning and Research also has directed lead agencies to determine the significance of the impact from GHG emissions in its Technical Advisory (p. 6).

As we have pointed out, the City's failure to make a significance determination conflicts with several recent trial court decisions. For example, we sent you a copy of the case in which ECOS sued Caltrans on its proposed Highway 50 lane expansion. In that case, a Sacramento trial court judge explicitly rejected Caltrans' argument that addressing GHG emissions was too speculative because there was no accepted methodology for analyzing GHG emissions and climate change. The court stated, "Caltrans must meaningfully attempt to quantify the Project's potential impacts on GHG emissions and determine their significance, or at the very least explain what steps it has taken to show such impacts are too speculative for evaluation." (p. 11.)

In contrast to the City's assertion that it cannot make a significance determination, a number of other jurisdictions have analyzed the significance of GHG in EIR's for their general plans or other large-scale planning documents and were able to make a significance determination. We submitted three examples to you: the Napa County General Plan, the San Diego General Plan, and the San Diego Association of Governments' Regional Transportation Plan. Thus the City's arguments that it need not and cannot make a significance determination are contradicted by both trial court decisions and real-world experience.

It is important to stress that making a determination of significance is not merely an exercise in wordplay. A failure to make a significance determination has serious and practical consequences. Under CEQA, a project proponent is required to mitigate all significant impacts to the extent feasible. If an EIR fails to find that impacts from GHG emissions are significant, the EIR is not required to propose any enforceable mitigation measures for those impacts. The City argues that it has addressed climate change impacts in the Plan Update by proposing to adopt policies and programs. Many of these policies, however, only aim to "encourage," "support," or "study the feasibility" of making changes. While hortatory GHG policies are positive, they do not count as adequate mitigation because there is no certainty that the policies will be implemented. The City needs to go further and commit to specific, enforceable measures.

Moreover, even if the City's policies and programs were adequate to address climate change, the City's failure to make a significance determination sends the signal to other project

¹<http://www.arb.ca.gov/cc/localgov/ceqa/meetings/102708/prelimdraftproposal102408.pdf>

applicants that the City will accept a project EIR that contains no significance finding on, or enforceable mitigation measures for, GHG emissions. We see an example of that problem in the draft EIR for Delta Shores. That draft EIR states, “[T]he City has determined that until such time as a sufficient scientific basis exists to ascertain the incremental impact of an individual project on global climate change, and to accurately project future climate trends associated with that increment of change, and guidance is provided by regulatory agencies on the control of GHG emissions and thresholds of significance, the significance of an individual project’s contribution to global GHG emissions is too speculative to be determined.” (pg 5.10-18)

The draft EIR includes a table (pg 5.10-26 to 27) of “GHG emissions reduction measures/design strategies.” It also says the project “ will adhere to several of the mitigation measures recommended by the CA AG to address global warming.” The draft EIR is careful, however, not to call these “strategies” mitigation measures because it has not made a significance determination, and none of the “strategies” are included in the Delta Shores Mitigation Monitoring Report.

The City’s failure to adequately address GHG emissions in its General Plan MEIR, therefore, has important and detrimental consequences for the environment as other projects follow suit and refuse to mitigate GHG emissions.

Infill Policies

Unfortunately, we did not get an opportunity to elaborate on our infill concerns at our meeting or fully discuss your responses to our questions concerning the Plan’s approach to infill versus outlying area development. First, let us acknowledge that the City has had a number of exemplary infill projects and we applaud these projects as good models. Our concerns are based on our desire that the City continue to ensure that infill is a priority in future growth and that General Plan policies and programs clearly support that priority.

The City staff and Plan Update indicate there are five total Special Study Areas – two that are greenfield in character (Natomas Joint Vision and Fruitridge Florin Study Areas), two that are largely developed (Arden Arcade and Town of Freeport Study Areas), and one that is a brownfield/former mining area (East Study Area). The City acknowledged at our meeting that there is more than enough capacity within existing infill areas to accommodate the growth that is anticipated or needed through 2030. That raises the question of why the Plan Update allows planning for and, potentially, development in two greenfield areas and three other Special Study Areas. The City has told us that if the City does not plan for and develop these areas, the County will, and that the City cannot afford not to call for development of these areas. The City also noted that they are in the SACOG Blueprint as appropriate for development.

First, we note that the SACOG Blueprint has a 2050 planning horizon, so an area that may be suitable for development in 2050 may not be suitable for development in 2030. Second, the Draft General Plan Update states only that the City will “[phase] city expansion into Special Study Areas where appropriate.” [LLU 1.1.9]. It would be helpful to explain how the City intends to “phase” expansion, because there are no criteria spelled out for when expansion into Special Study Areas is considered “appropriate.” Neither are there policies defining the circumstances under which the City could or should expand into those outlying areas within the planning horizon of the Plan Update. We believe the General Plan needs to include specific policies setting forth the criteria for planning and developing these areas. We realize that the City intends to update its 2002 Infill Strategy, but infill policies governing growth should be in this General Plan Update.

Our second concern is that, in light of the City’s acknowledgement that it has sufficient growth capacity in infill areas, the City needs to provide an explanation of why the Reduced Footprint Alternative is not feasible. This alternative provides for future growth within the existing development footprint, and is the environmentally superior alternative in the Draft MEIR.

Green Building Ordinance

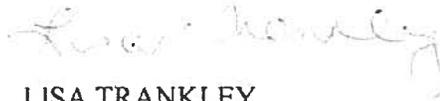
Finally, we are disappointed that the City of Sacramento, in contrast to many jurisdictions throughout the State, is proposing a green building ordinance that is merely voluntary. This decision has apparently been based on economic grounds, on the concern that if all the regional jurisdictions do not adopt a mandatory ordinance, Sacramento will be at a competitive disadvantage in attracting development.

We do not believe these objections are well-grounded, especially for commercial and residential buildings; while initial development costs may be slightly higher (although some studies suggest they are roughly the same), these costs are more than offset by energy and water savings within a few years. In addition, green buildings are becoming more and more attractive to consumers. In San Jose this spring, for example, one developer reported that new homes powered with solar electric power systems were selling more than twice as fast, on average, as new homes without solar. Numerous jurisdictions in California have adopted green building ordinances, (over two dozen, with others like Stockton committing to do so in the future), and the Air Resources Board’s Scoping Plan strongly endorsed green building measures as a way to reduce GHG emissions at the local level.

Tom Pace
November 5, 2008
Page 6

Thank you for taking the time to consider our comments. We would be happy to discuss these if you have any concerns or questions.

Sincerely,



LISA TRANKLEY
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

cc: Ray Kerridge, City Manager
Sabina Gilbert, Senior Deputy City Attorney
Erik de Kok., Senior Planner



ECOS

ENVIRONMENTAL
♦ COUNCIL ♦
OF SACRAMENTO

909 12th Street, Suite 100 • Sacramento, CA • 95814 • (916) 444-0022

November 12, 2008

Attn: Mayor Heather Fargo, City of Sacramento Councilmembers
City of Sacramento Planning Commission
915 I Street, New City Hall, 5th Floor
Sacramento, CA 95814

Re: Failure of City to Adequately Address and Mitigate Impacts of Greenhouse Gas Emissions in
2030 General Plan

Dear Mayor Fargo, Councilmembers, and Planning Commissioners,

ECOS writes to reiterate our concern over the City of Sacramento's failure to adequately address greenhouse gas (GHG) emissions in the 2030 General Plan (Plan). It appears that the City has not incorporated suggested changes into the Plan that would satisfy the requirements imposed by the California Environmental Quality Act (CEQA) on the City with regard to the likelihood of significant cumulative impacts associated with increased GHG emissions over the life of the Plan.

Based on existing case law, guidance from the California Attorney General's office, and the recently adopted practices of numerous agencies and municipalities throughout California, it is clear that CEQA requires the City to analyze likely cumulative impacts of GHG emissions over the life of the Plan in order to make a significance determination. It is equally clear to ECOS that, given the growth projected by the current iteration of the Plan, cumulative impacts of GHG emissions will be significant. Thus the City is required to make firm commitments to projects, policies and other mitigation measures that will adequately address these impacts. Alternatively, the City can modify its Plan in ways that render GHG emissions impacts insignificant.

In its current iteration, and based on City responses to comments submitted on the Plan, there appear to be internal contradictions in the City's position with regard to GHG emissions. On the one hand, the Plan entertains the possibility of significant growth in currently undeveloped areas (Delta Shores, the Natomas Basin, and the Fruitridge-Florin Study Area). On the other hand, the City has claimed that GHG emissions will decrease over the life of the Plan without providing any credible evidence as to how a decrease would actually occur.

As ECOS has previously stated on numerous occasions, there is more than sufficient capacity within the City's existing boundaries to accommodate all growth anticipated over the life of this Plan. City representatives have responded that the City needs to expand to include currently undeveloped areas because if the City does not annex and incorporate new growth areas than the County of Sacramento will develop these same areas and the City can not afford to let this happen. The City has also stated that the mere fact annexation and incorporation of new areas may occur does not mean that development of those areas will be prioritized over infill growth. In the absence of specific commitments from the City to prioritize infill, however, there is no guarantee that the City can or will focus on managing growth in ways that will facilitate a reduction in GHG over the life of the Plan.

The plans for Delta Shores, an area already within City boundaries, provides a striking and extremely troubling example of the kind of large-scale development the City apparently foresees. Delta Shores is, in effect, a "Natomas South" or "Natomas II." It is unconscionable that the City would entertain car-oriented and low density development plans for Delta Shores, particularly in light of the numerous opportunities for increasing densities in already developed areas within City boundaries. If Delta Shores is any indication of the kind of new growth development the City foresees, then not only will it be impossible for the City to reduce GHG emissions but the City will, in fact, dramatically increase its GHG footprint over the life of the Plan.

ECOS has long suggested a host of measures that, if prioritized by the City, would accommodate substantial growth without resulting in significant cumulative impacts associated with GHG emissions. These measures include: establishing a firm commitment to a growth boundary; focusing planning efforts on infill growth opportunities within the boundary; maximizing densities across the City, with particular focus on the urban core and transit and commercial corridors; committing to community-wide GHG emissions reductions of 30% by 2020 and 80% by 2050 (as compared to 1990 levels); requiring that all new development be carbon-neutral by 2030; removing parking minimums and reducing parking maximums; increasing on-street parking costs; enhancing parking enforcement to better manage the existing parking supply; and facilitating increased walking, biking and use of transit by establishing new fees to fund discounted transit pass programs and redirecting fees currently allocated for road expansions to sidewalks, bikelanes, and traffic-calming measures.

These measures will also bring other benefits, including: enhanced walkability, bikeability, and transit-access; improved safety; more efficient use of existing infrastructure and land; increased equity and accessibility for seniors, people on low or fixed incomes, and persons with disabilities; improved air quality; reduced demand on water supplies; and cost-savings and longer term revenue stability for City government along with reduced costs for local businesses, residents and visitors.

ECOS commends the City for entertaining a number of possibilities in the 2030 General Plan that could begin to address the City's carbon footprint. However, in the absence of firm commitments to the kinds of measures outlined above, there will simply be no way for the City to actually guide and manage future growth in ways that will result in achievable and measurable GHG emissions reductions. The result will be a growing carbon footprint. The City can not afford to increase its carbon footprint over the next two decades. Nor can our region or state or planet sustain an increasing carbon footprint. The City of Sacramento needs to abide by the obligations imposed on it by CEQA and amend the 2030 General Plan in ways that address these concerns. Thank you for your time. Please do not hesitate to contact us with any questions.

Sincerely,



Eric Davis
President, ECOS



Graham Brownstein
Executive Director, ECOS

cc: City of Sacramento Manager Ray Kerridge
City of Sacramento Long Range Planning Manager Tom Pace
City of Sacramento Mayor-Elect Kevin Johnson
State of California Attorney General Jerry Brown

3860 West Land Park Drive
Sacramento, CA 95822
November 10, 2008

Mr. Tom Buford, Senior Planner
City Sacramento
Development Services Department
300 Richards Boulevard
Sacramento, California 95811

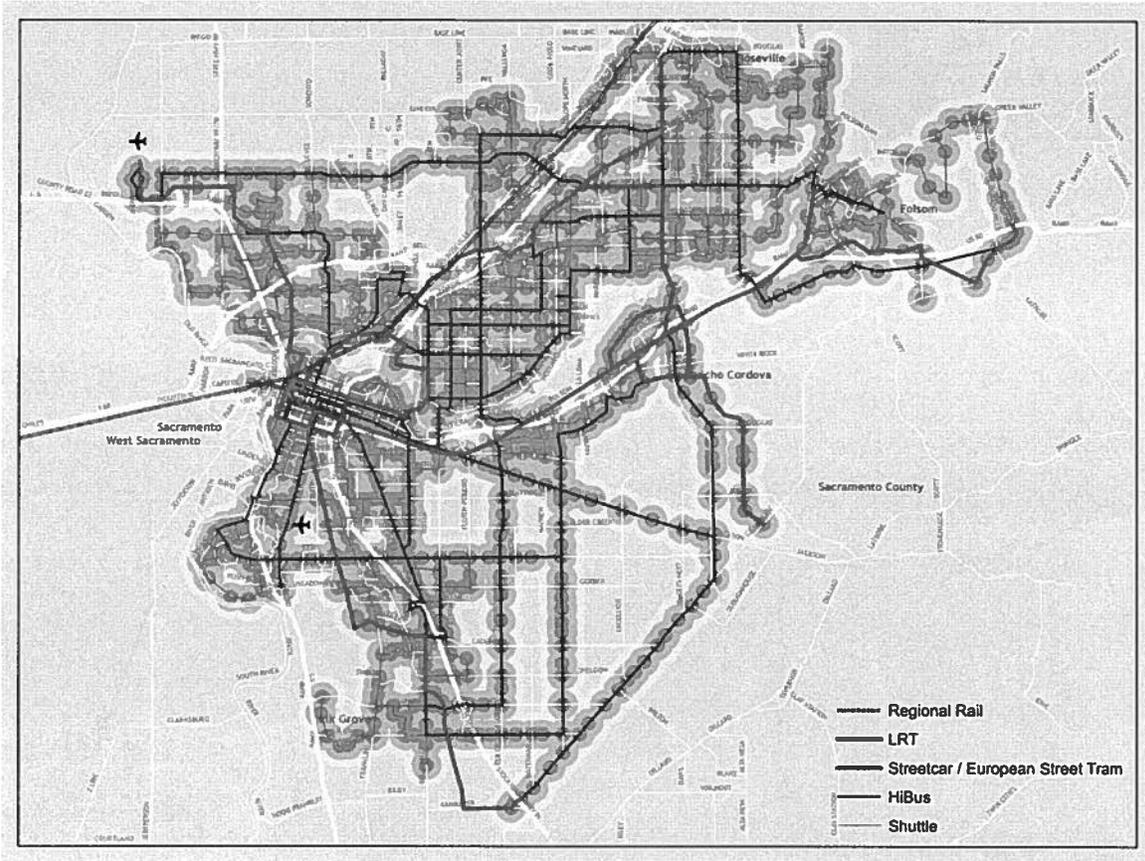
Dear Mr. Buford:

My August 20, 2008 letter of the draft EIR for the Sacramento 20030 General Plan and the responses in the final EIR to my comments did virtually nothing to correct the deficiencies in the EIR or produce a viable mobility element for the general plan, so I'm trying again. Please provide copies of this letter to City staff, its consultants, Planning Commission members and City Council members at the appropriate times.

Contrary to Response 7-23, the proposed general plan update would have an extremely significant adverse impact on transit facilities. Regional Transit Master Plan presented to City Council by Mike Wiley on October 21, 2008 anticipates that "Hi-Buses" and "Shuttles" will operate on city streets at average operating speeds of 19 and 15 mph respectively and that the average car speed in the corridor will be 30 mph. The proposed routes are shown on the next page. Those speeds cannot be attained with the increased traffic congestion allowed/encouraged by draft GP update. CEQA may not require that RT's master plan be considered at this time, but common sense does.

Referring, in Response 7-5, to the proposed unlimited congestion on Freeport Boulevard between Broadway and Fruitridge Road as mitigation is analogous to treating speed limit violations by increasing (actually eliminating) the speed limit on a street. Businesses like Freeport Bakery, Taylors Market, Marie's Donuts and even McDonalds cannot survive without reasonable vehicle access, during commute hours. The foot traffic between the 4th Avenue Light Rail station and the surrounding single family home neighborhoods simply isn't great enough to sustain them.

Land Park Drive, Riverside Boulevard and Sutterville Road (between Land Park Drive and Freeport Boulevard) are two lane residential streets, with many driveways. Figure 6.12-2 confirms the number of lanes. As precisely explained in my letter, they are collector streets according to the current general and proposed update. Figures 6.12-7 and 8 correctly show they are collectors; the former mislabels Sutterville. Users of these streets know that they don't flow freely as indicated in the draft EIR and Responses 7-3, 6 and 8. Correctly using the traffic data in the EIR shows that they operate at LOS F.



The analyses discussed in the draft EIR and Comment 7-3, that include:

- assuming a phantom second southbound lane on Riverside Boulevard next to the cemetery,
- only considering traffic on Land Park Drive where it has 4 lanes next to Tower Theater,
- only considering traffic on Sutterville Road in the 250 feet next to Blockbuster Video,

and out of context references to a 20 year old EIR have produced the completely misleading information.

The first two sentences of Response 7-19: “The proposed LOS standard would not cause congestion on existing streets. It would allow LOS D conditions to occur on roadways within Land Park before mitigation would be required.” are double talk. Changing from the current LOS C to LOS D (the threshold of congestion according to the general plan definitions) would cause congestion.

Response 7-11 doesn’t even mention Muir Way, 5th Street and similar streets throughout the city where my letter says environmental injustice impacts need to be analyzed and disclosed. Destroying the current complete street on Broadway to make room for four lanes of commuter traffic past the New Helvetia housing complex should be included in the disclosure.

Response 7-16 is unresponsive to my comment; destroying a current complete street on Broadway should be considered a serve negative impact regardless of the perceived need to double the number of traffic lanes.

Response 7-13 doesn't acknowledge the need that I pointed out to study to study widening Pioneer Bridge, which SACOG reports show would handle commuter traffic much better than a Broadway bridge, including maintaining LOS C or better on almost all streets in West Sacramento (draft EIR Page 6.12-58).

There are other faults in the responses to my comments, but I don't have time to discuss them. Thank you for the courteous service that you and your staff have provided me.

Sincerely,

A handwritten signature in black ink that reads "Don Babbitt". The signature is written in a cursive, slightly slanted style.

Don Babbitt

From: Richard Wheeler <rwheeler@surewest.net>
To: <dwoo@insurance.ca.gov>, <planning@cityofsacramento.org>
Date: 11/12/2008 3:07 PM
Subject: Ltr. Ch.Person Woo

Richard & Helen Wheeler
3927 Adelheid Way
Sacramento, CA 95821
916-489-3609
rwheeler@surewest.net

Date: 11/12/08

Dear Chairperson Woo,

As a resident of Arden Arcade we wish to protest your consideration of the annexation of Arden Arcade by the City of Sacramento. I do not believe it will be in our best interest as American Citizens or as a community to be absorbed into the City of Sacramento for several reasons.

One, we like our special districts and want to see them preserved so they can continue to work with our community and not be controlled by downtown interests.

Two, we have our own identity and history. As a community, we can work together to use our resources wisely and build strong businesses and safe neighborhoods and maintain good property values.

Three, we do not identify ourselves with the City of Sacramento. We find that the portion of Sacramento City that borders Arden Arcade Area to be a constant source of crime and blight. We do not want any part of the City of Sacramento. We have helicopters circling all night over stores and areas that should be better patrolled by local police.

Four, if a new Sports Arena is to be built adjacent to our community, we want to be heavily involved in the plans so our community prospers and traffic and noise concerns are managed well. This will not happen with annexation.

This is a formal request to remove the Arden Arcade Area from the City of Sacramento's 2030 General Plan. If you move forward we will fight you all the way.

Most of all we have to complain that such a "project" will not be voted on by the residents of this area. I also do not understand why it is labeled a "project", it would be better to call it a misuse of governmental power.

Sincerely,

Richard Wheeler & Helen Wheeler

Bill Davis
P. O. Box 215565
Sacramento, California 95821-8565

Telephone: (916) 397-9068

FAX: (916) 486-6393

e-mail: zbilldavis@comcast.net

November 7, 2008

Chairperson Darrel Woo and Commission Members
City of Sacramento Planning Commission
300 Capitol Mall, Suite 700
Sacramento, CA 95814

SUBJECT: City 2030 General Plan and Annexation of Arden Arcade into City of Sacramento – Item 8 on Your Agenda for 11/13/08

Dear Chairperson Woo and Commission Members:

As a resident of Arden Arcade I am strongly opposed to annexation of Arden Arcade by the City of Sacramento.

One, I believe our special districts provide good, cost-effective service and want to see them preserved so they can continue to serve Arden Arcade. Annexation to the City of Sacramento would mean that these services would be controlled by downtown.

Two, Arden Arcade, as a community, is best able to work together to use our resources wisely and build strong businesses and safe neighborhoods with good property values instead of competing with other neighborhoods in the arena of a remote downtown City government.

Three, I do not identify with the City of Sacramento. I find that a portion of the City of Sacramento that borders Arden Arcade to be a persistent source of crime and blight.

Four, if a new arena is to be built adjacent to our community, Arden Arcade needs to have a voice in the decision making so that Arden Arcade prospers and traffic and noise concerns are properly managed. This will not happen with annexation.

Five, annexation into the City of Sacramento will mean that I will have to pay higher taxes without receiving any new services for the increased taxes.

Accordingly, please remove consideration of annexation of Arden Arcade from the City of Sacramento's 2030 General Plan before you forward it to the City Council.

Sincerely,



Bill Davis

cc: Sacramento Mayor and City Councilmembers
Supervisor Susan Peters
Arden Arcade Incorporation Committee

YOU ARE ABOUT TO LIVE IN SACRAMENTO CITY, AND IT WON'T BE YOUR CHOICE!

According to their draft General Plan, (<http://www.sacgp.org/index.html>), dated May 5, 2008, the Sacramento City Planning Commission considers Arden Arcade a current annexation project. The Planning Commission will meet on November 13, 2008 to vote on recommending the General Plan to the City Council. Annexation of Arden Arcade is part of their plan. **We need your help now to remove annexation from their plan.**

The City and County took the first step to annexation when they agreed to share sales tax revenue from Arden Arcade auto dealers. **The City of Sacramento can now annex us without our vote.**

What Will Happen If We Are Annexed?

Annexation exchanges one large government (County) for another large government (City of Sacramento).

Higher Taxes – Sacramento City utility taxes are currently triple what we pay now. Immediately on annexation, our rates will rise to match theirs - *and you don't get to vote.*

Loss of Special Districts - Sac Metro Fire, and all our parks and water districts will be adsorbed into the city's current single service provider - *and you don't get to vote.*

Area revenue (Auto Dealers, Shopping Centers and Other Businesses) will be siphoned off to help stop the city's fiscal bleeding – City of Sacramento's budget deficit is currently estimated at over fifty million dollars, with some reports claiming as high as one hundred million. The city wants our tax revenue to help offset the cost of their irresponsible spending.

Loss of Community Identity - Remember North Sacramento? It used to be a thriving community (now we know it as Del Paso Heights) until it was annexed to Sacramento City in 1968, *and they didn't get to vote on it.*

WHAT CAN YOU DO? Act now if you want to fight this. The Sacramento City Planning Commission will meet Thursday, November 13, to vote to adopt the proposed annexation plan. We need to be heard loudly and clearly as many ways as possible before and at that meeting.

Show up at the meeting - November 13th, at Sacramento City Hall. Meetings run from 5:30 – 10:30, check www.cityofsacramento.org/dsd/meetings/commissions/planning for last-minute updates to the agenda. Let the City Planning Commission know we do **NOT** want to be annexed.

Write or E-Mail the Sacramento City Council and Planning Commissioners and Sacramento County Supervisor Susan Peters - See back page for addresses and emails (please send us a copy at: info@ardenarcadecity.org). We need a massive letter, E-Mail, telephone and in-person presence for the November 13th meeting. You can use the attached sample letter if you wish.

Stay Informed – Read our blog at www.ardenarcadecityhood.blogspot and sign up for the email updates and keep current with new on our website at www.ardenacadecity.org. **Get the Word Out!** Pass our blog and website addresses along to others so they can say “**NO TO ANNEXATION,**” keep up to date, donate and volunteer.

Say No to Annexation! ACT NOW!

**ARDEN ARCADE INCORPORATION COMMITTEE
OUR CITY, OUR HOME**

P.O. Box 215642, Sacramento, CA 95821
Telephone (916)340-5193 E-mail: infor@ardenarcadecity.org

WHO TO CONTACT

SACRAMENTO CITY COUNCIL 915 - I Street Sacramento, CA 95814

Ray Tretheway - District 1	916-808-7001	rtretheway@cityofsacramento.org
Sandy Sheedy - District 2	916-808-7002	ssheedy@cityofsacramento.org
Steve Cohn - District 3	916-808-7003	scohn@cityofsacramento.org
Robert King Fong - District 4	916-808-7004	rkfong@cityofsacramento.org
Lauren Hammond - <u>District 5</u>	916-808-7005	lhammond@cityofsacramento.org
Kevin McCarty - District 6	916-808-7006	KMcCarty@cityofsacramento.org
Robbie Waters - District 7	916-808-7007	rwaters@cityofsacramento.org
Bonnie Pannell - District 8	916-808-7008	bpannell@cityofsacramento.org

SACRAMENTO CITY PLANNING COMISSION

Michael Mendez	300 Richards Boulevard, 3rd Floor	Sacramento, CA 95811
Panama Bartholomy	300 Richards Boulevard, 3rd Floor	Sacramento, CA 95811 Panamaredhat@hotmail.com
Joseph Contreraz	455 Bowman Ave	Sacramento, CA 95833 916-284-7101
Chris Givens	300 Richards Boulevard, 3rd Floor	Sacramento, CA 95811
Michael Notestine	300 Richards Boulevard, 3rd Floor	Sacramento, CA 95811 916-443-1033 mnotestine@mognot.com
Jodi Samuels	300 Richards Boulevard, 3rd Floor	Sacramento, CA 95811 planning.samuels@yahoo.com
Barry Wasserman	6456 Fordham Way	Sacramento, CA 95831 916-392-7537 blw2@mindspring.com
Darrel Woo	300 Capitol Mall, Suite 1700	Sacramento, CA 95814

SACRAMENTO COUNTY SUPERVISOR

Supervisor Susan Peters
700 H Street, Suite 2450
Sacramento CA 95814
susanpeters@saccounty.net
(916) 874-5471 (916) 874-7593 FAX

From: Teresa Haengi
To: Teresa Haengi
Date: 11/13/2008 3:16 PM
Subject: Fwd: Fw: Arden Arcade

--- On Thu, 11/13/08, Betsy Coyne <eac@winfirst.com> wrote:

From: Betsy Coyne <eac@winfirst.com>
Subject: Arden Arcade
To: Panamaredhat@hotmail.com, mnotestine@mognot.com, planning.samuels@yahoo.com, blw2@mindspring.com,
susanpeters@saccounty.net
Date: Thursday, November 13, 2008, 10:12 AM

Nov. 13, 2008

Ladies and Gentlemen:

I am a resident of Arden Arcade and I am strongly opposed to annexation by the City of Sacramento. This is not in the best interest of our community. Our unique local interests are presently being well served by our special districts and we strongly believe the City Council is not in a position to govern us fairly. Furthermore, we are well aware of the instant tax increases which would accompany this annexation and we are absolutely unwilling to take on that burden needlessly. The municipal services we are presently receiving are meeting our needs. We do not wish to subsidize the City's fiscal shortcomings, for which we have no responsibility.

This area does not identify with the City of Sacramento, and we do not want to be part of it. Annexation without our consent would not be well received. There will be strong opposition.

This is my formal request that you remove the annexation of Arden Arcade from your general plan.

Sincerely,
Elizabeth A. Coyne
4101 Winding Creek Rd.
Sacramento, CA 95864

From: Teresa Haengi
To: Teresa Haengi
Date: 11/13/2008 3:19 PM
Subject: Fwd: Re: Annexationm

>>> Benita Besse <tony@accessbee.com> 11/13/2008 10:47 AM >>>

WE SAY NO TO THE ANNEXATION OF THE ARDEN-ARCADE AREA TO THE CITY OF
SACRAMENTO!

PHILIP AND BENITA BESSE
3916 ADELHEID WAY

916 483 7464

tony@accessbee.com

November 12, 2008

James Pachl, Judith Lamare
500 N Street #1403
Sacramento, CA 95814
(w) 916-446-3978
(h) 916-444-0910

MEMO TO: Chair Darrell Woo and Members of Sacramento Planning Commission

SUBJECT: General Plan Update: protecting Residential uses within proposed "Central Business District" area ("CBD"). COMMISSION MEETING 11/13/08

Dear Chairperson Woo and Commissioners,

We spoke to the Commission on October 16, and sent a letter dated October 19, 2008. Thank you for your patience. The issue is whether the City's downtown housing goals are impeded or helped by the proposal to replace current Residential designations of existing housing with a "Central Business District" designation that would allow intensive non-residential development in place of existing residential housing in the CBD. Tom Pace and Robert Cunningham, City Planning staff, kindly met with us on November 6 for over an hour.

We continue to advocate retention of existing Residential designations, but **as an alternative**, we would support re-designation of existing Residential parcels in the proposed Central Business District as "**Urban Neighborhood**" - either high-density, medium-density or low-density Urban Neighborhood, consistent with the current residential uses, which would protect continued residential use of existing residential areas. Nothing would prevent a future City Council from amending the General Plan to redesignate a residential parcel to non-residential use if the project proponent could state a convincing justification.

We appreciate staff's proposed additional General Plan Policy, but by itself it may have little effect and does not recognize or further the City's desire to have **increased** residential units in downtown:

"Retention of Existing Downtown Residential Character". The City shall support mixed use, vibrant, Central Business District by *encouraging retention* of existing residential units and *ensuring replacement* of residential units lost to demolition through residential construction in the immediate area."

"Encouraging" retention of existing residential units is useless if a landowner wants to replace an existing housing with non-residential (such as high-rise office).

"Encouraging" also implies that City will do no more than "encourage" retention of

residential and will not deny permission to replace existing residential use with a non-residential use.

We respectfully suggest adding the following to clarify the City's intent:

“City retains the discretion to deny permission to demolish or replace existing residential use with non-residential use.”

“Ensuring replacement” is not defined. What “ensures”? Replacement of demolished residential units with nearby new residential units can be “ensured” only if the developer executes an agreement to build specified new residential units which may be enforced by legal action brought by City or a citizens to compel specific performance, and secured by a performance bond. No developer would sign such an agreement. As only a CEQA mitigation measure or condition of development, it would be unenforceable if the developer claims (after building high-rise offices) that construction of the promised residential units is financially infeasible. New high-rise residential may be infeasible in Sacramento at today's construction costs and current and recent market rents and condominium sales in the region. There is no reason to expect market rents and prices paid for downtown high-rise residential to rise faster than inflation and construction costs.

The last successful high-rise residential project was Bridgeway Tower, completed in 1980. To our knowledge, the only successful high-rise residential developments in Sacramento are Bridgeway (newly-renovated condominium), Pioneer (senior rental), and Capitol (renovated rental) Towers. This 4-block area is a unique model of successful, working high density residential in the Central City which could be replicated at other sites in or near downtown. Long-term and new residents of Bridgeway and Pioneer towers could offer experience-based insight to City Planning staff as to practical issues of downtown living, neighboring uses that are compatible and not compatible with high-density residential development, what features are attractive and what may discourage persons from living in downtown, etc, etc. This type of experience-based analysis could inform the City's efforts to implement its goals for high density uses in the Central City.

Finally, some have argued that our particular four block residential area is on light rail and therefore should be converted to employment uses. The Capitol Villas project now proposes to replace 2-story recently-renovated residential with three office towers. There are ample light rail adjacent sites within the City that remain underdeveloped while our four block area has the highest density residential in the region. We fail to see the benefit of converting any of it to office towers when there are ample sites elsewhere needing to be developed to their potential.

Very Truly Yours,

James P. Pachl, Judith L. Lamare

Cc: Neighbors of Capitol Villas, Environmental Council of Sacramento, Tom Pace

From: Commission submit
To: Teresa Haeggi
Date: 11/13/2008 11:20 AM
Subject: Fwd: 2030 General Plan Comments (Florin-Perkins Area)

>>> Commission submit 11/13/2008 11:06 AM >>>

>>> John Deglow <jadeglow@sbcglobal.net> 11/13/2008 10:09 AM >>>
November 13, 2008

To: Chris Givens, Commissioner
City of Sacramento Planning Commission
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

From: Annette Deglow, President
College-Glen Neighborhood Association
8424 Olivet Court *Sacramento, CA 95826 * Cell: 806-3138

Regarding: 2030 General Plan - Florin-Perkins Area

Our Association and the area residents that we represent strongly support the proposed changed land use designation for the Florin-Perkins site from Industrial Use to Employment Center - Low Rise. The change in designation is consistent with the land development that has occurred over the past 50 years in that area and represents the vision of the community residents who participated in the general plan workshops.

We are strongly opposed to any modification to the 2030 General Plan to increase the solid waste processing in the Florin-Perkins area as requested by representatives for Zanker Road Resource Management. We support the goal of the General Plan, which seeks to "ensure that solid waste and recycling facilities are distributed equitably throughout the city, avoiding over-concentration in areas that are well served." We also support the General Plan position that "future recycling and transfer facilities be located in areas closer to the origin of the waste stream to reduce travel distance for trucks." See page 6.11.71 of the Draft MEIR, proposed General Plan Policy U 5.1.3.

Thank you for your interest and concern for our community and the City of Sacramento.



JOHN Y. "JACK" DIEPENBROCK
KAREN L. DIEPENBROCK
KEITH W. McRAIDE
BRADLEY J. ELKIN
EILEEN M. DIEPENBROCK
MARK D. HARRISON
GENE K. CHEEVER
LAWRENCE B. GARCIA
ANDREA A. MATAZZO
JOEL PATRICK ERB
JON D. RUBIN
JENNIFER L. DAUER
JEFFREY K. DORSO

R. JAMES DIEPENBROCK
(1929 - 2002)

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SEAN K. HUNGERFORD
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VALERIE C. RINCAID
RACHEL A. COLES
COURTNEY K. FRIED
ANTHONY J. CORTEZ
BRADLEY B. JOHNSON

November 7, 2008

VIA E-MAIL TO: Jodi Samuels@planning.samuels@yahoo.com

Jodi Samuels, Commissioner
Sacramento City Planning Commission
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Re: 2020 - 2030 General Plan

Dear Commissioner Samuels:

At the instance of the opponents of the Sacramento Natural Gas Storage Project on Power Inn Road and north of Florin Road, City Planning Staff is proposing inclusion of the following in the General Plan:

"Risks from Hazardous Material Facilities. The City shall review proposed facilities that would produce or store hazardous materials, gas, natural gas, or other fuels to identify, and provide feasible mitigation, for any risks. The review shall consider, at a minimum, the following: presence of seismic or geologic hazards; presence of hazardous materials; proximity to residential development and areas in which substantial concentrations of people would occur; and nature and level of risk and hazard associated with the proposed project. (RDR)"

In a recent meeting with Messrs. Buford and McDonald of the Planning Staff we objected to inclusion of this language because it is overbroad and because it has the potential of requiring a whole new level of review of projects which involve hazardous materials.

Our first objection is premised on the fact that the overly broad language would not only include the SNGS project but also many, many other facilities where hazardous materials are used or stored. Such facilities would include all of the local hospitals, many physicians, dentists and other healthcare providers, as well as service stations, hardware and other outlets where propane gas sale and exchanges are a normal part of

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DIEPENBROCK HARRISON

Jodi Samuels
November 7, 2008
Page 2

business and countless other facilities, even including the RT bus refueling station in midtown. A list of hazardous materials is enclosed for your review.

From the standpoint of SNGS alone, the application for that project is currently undergoing rigorous scrutiny by the California Public Utilities Commission for which a major CEQA review is now under way with expected issuance of a Draft EIR within the next 30 days. For the City to require its own independent review would be duplicative, time consuming, confusing and expensive to the City and the applicants.

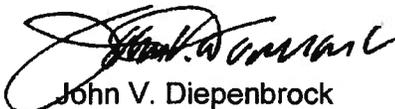
To that end, and without specific attention to the issue that the language is overbroad, we did propose to Staff an amendment which would differentiate between the levels of review where the City is acting as lead agency versus the situation where another agency is in fact the lead agency, such as we have in the case of the SNGS project. The additional language which was proposed but rejected by Staff is marked as follows:

"Risks from Hazardous Material Facilities. When acting as the Lead Agency under CEQA, the City shall review proposed facilities that would produce or store hazardous materials, gas, natural gas, or other fuels to identify, and provide feasible mitigation, for any risks. The review shall consider, at a minimum, the following: presence of seismic or geologic hazards; presence of hazardous materials; proximity to residential development and areas in which substantial concentrations of people would occur; and nature and level of risk and hazard associated with the proposed project. (RDR)" When not acting as the Lead Agency, the City shall take the appropriate steps to verify that such review has been undertaken by the Lead Agency.

We strongly urge your careful review of this issue such that this inappropriate addition to the new General Plan be discarded, substantially amended or deferred for later consideration after the CPUC has completed the CEQA process in the SNGS project. Indeed, this was our first request in this matter as set forth in my letter of September 11, 2008, a copy of which is attached.

Thank you very much for your attention to this matter.

Very truly yours,



John V. Diepenbrock

JVD:sa
Enclosure
cc: Thomas Pace
Thomas Buford

{00137265; 1}



COPY

JOHN V. "JACK" DIEPENBROCK
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R. JAMES DIEPENBROCK
(1929 - 2002)

September 11, 2008

Mellanie Marshall, Associate Planner
City of Sacramento, Development Services Dept.
Environmental Planning Services
300 Richards Blvd., Third Floor
Sacramento, CA 95811

Re: Draft EIR for the Sacramento 2030 General Plan
Our File No.: 3611-000

Dear Ms. Marshall:

On behalf of Sacramento Natural Gas Storage, LLC ("SNGS"), we write in response to comments on the above-referenced Draft EIR for the City's updated General Plan concerning geology, soils and mineral resources.

As you may know, SNGS proposes to develop a natural gas storage facility as a re-use of the depleted Florin Gas Field located on Power Inn Road north of Florin Road and south of Elder Creek Road ("SNGS Project"), and shown generally on the aerial map attached as Exhibit A. The SNGS Project is now being processed before the California Public Utilities Commission in furtherance of a Certificate of Public Convenience and Necessity. The Project's principal user will be the Sacramento Municipal Utility District ("SMUD"), a copy of whose supporting letter is attached as Exhibit B. The SNGS Project is intended to provide storage capability for a 30-day supply of natural gas in the event SMUD's current sources of supply were interrupted for whatever reason.

For purposes of CEQA, the SNGS Project is the subject of environmental review under the auspices of the Public Utility Commission. We are informed that an administrative draft of the SNGS Project EIR is being circulated and the DEIR is expected later this month. Any potentially significant environmental or policy concerns associated with this type of facility will be addressed in the context of this review process. Under these circumstances, any change in the draft General Plan concerning existing or proposed

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DIEPENBROCK HARRISON

Melanie Marshall
September 11, 2008
Page 2

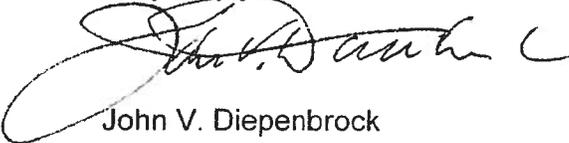
natural gas storage facilities is premature prior to the City's review of the independent environmental assessment to be set forth in the soon to be released DEIR.

It is our belief that review of the DEIR will cause you to agree with the expert conclusions stated in the recently published paper entitled "*Environmental Hazards Posed by the Los Angeles Basin Urban Oilfields: An Historical Perspective of Lessons Learned*" (Environmental Geology (2005) 47:302-317), in which the authors state:

"...Underground gas storage and oil and gas production in urban areas can be conducted safely if proper procedures are followed." "After recognition of the existing problem, proper safe operating procedures can be easily developed."

Thank you for your consideration of the foregoing.

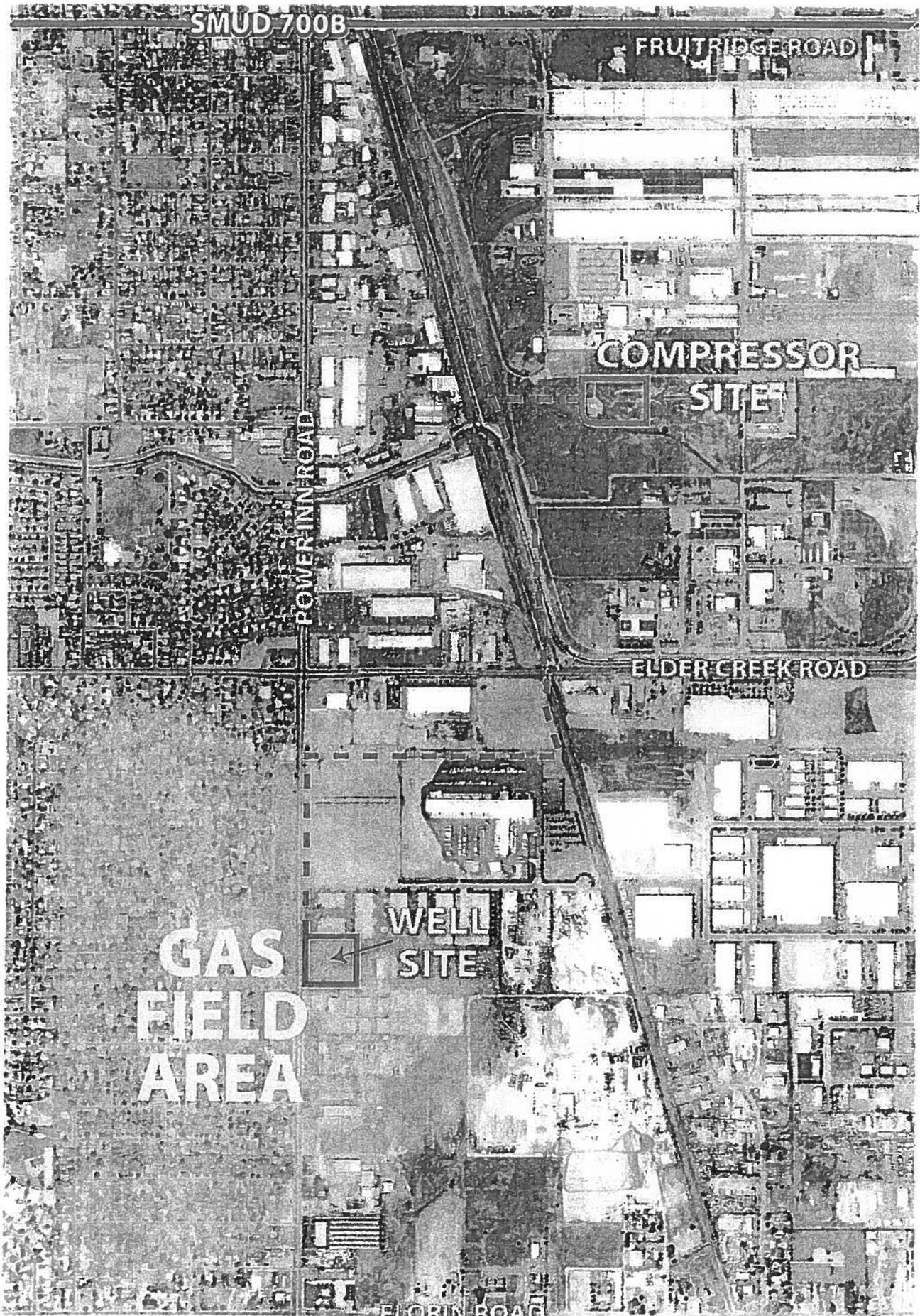
Very truly yours,



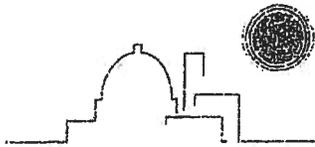
John V. Diepenbrock

JVD:sa

cc: Tom Pace, Principal Planner
City of Sacramento



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SMUD
SACRAMENTO MUNICIPAL UTILITY DISTRICT
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P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

February 25, 2008
AGM/ES 08-009

Presiding Commissioner Timothy Alan Simon
California Public Utilities Commission
Attn: ALJ Richard Smith
505 Van Ness Avenue
San Francisco, CA 94102-3298

CPUC PROCEEDING A0704013; SACRAMENTO NATURAL GAS STORAGE PROJECT

Dear Commissioner Simon:

This letter is to affirm the support of the Sacramento Municipal Utility District ("SMUD" or "the District") for the application of Sacramento Natural Gas Storage, LLC ("SNGS") for a *Certificate of Public Convenience and Necessity* to construct and operate a natural gas storage facility in the now depleted Florin Gas Field in Sacramento.

The SNGS project will offer the following benefits to SMUD:

- Provide about 30 days of back-up and emergency gas supply at a critical location on the SMUD pipeline. At this location it will supply gas to SMUD's gas-fired power plants in the event of any upstream disruption or curtailment for any reason such as pipeline maintenance, accident, terrorist activity, or other supply disruption on the PG&E backbone gas transmission system. These plants combined make up the majority of SMUD's average daily load.
- Permit the stockpiling of gas when lower cost supply is available and thereby avoid the need to purchase supply when gas is in high demand at higher prices.
- Provide reliable supply for "peaker plants" on the SMUD system.
- Provide gas-powered generation to back up solar, wind, and other alternative sources of power.

For these reasons, SMUD has entered into a long term Gas Storage Services Agreement with SNGS, subject to issuance of all necessary approvals, including the *Certificate of Public Convenience and Necessity* and ultimate completion of the actual facility, all on a timely basis.

SMUD has entered into this Storage Agreement with the expectation that the Commission and other regulatory agencies will undertake a full and complete investigation to ensure that public health and safety and the environment will be adequately protected in connection with the development of the SNGS facility. We are confident that all such issues will be fully examined during the course of these proceedings and SMUD will, of course, abide by the outcome.

SMUD is hopeful that this process will be completed this year so that this much needed project can be brought on line in 2009. If you have any questions about SMUD's position in this matter, please call me personally at 916-732-6757.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Shetler". The signature is fluid and cursive, with a horizontal line underneath the name.

James R. Shetler
Assistant General Manager
Energy Supply

Chairman Darrel Woo
Planning Commission
City of Sacramento
915 I Street
Sacramento, CA 95814

RE: Floor Area Ratio prescriptions

Dear Chairman Woo and Commission members,

The Midtown Business Association requests that the Floor Area Ratio indicated for the 16th Street Corridor in the vicinity of J Street be given added flexibility.

Our understanding is that the current proposal has a fixed limit 6:1. It is our belief that a fixed limit hinders the ability of City planners and project proponents to jointly create proposals that most beneficially enhance the community. Rather, we request that a flexible limit with a range of guidelines be adopted.

Thank you for considering our thoughts.

Sincerely,
/s Rob Kerth
Executive Director

Alkali & Mansion Flats Historic Neighborhood Association



Board of Directors

**Sean Wright,
President**

October 29, 2008

**Phillip Cunningham
Secretary**

Robert Cunningham
Assistant Planner
Planning Department
New City Hall
915 I Street, 3rd Floor
Sacramento, CA 95814

**Amber Wood
Treasurer**

**Dan Frankfield
Director**

**Luis Sumpter
Director**

**Laura Lough,
Director**

**Todd Souder
Director**

**Gary Ferderer
Director**

Mr. Cunningham,

I'd like to thank you and City staff for being very responsive and accommodating to our neighborhood concerns regarding the City of Sacramento 2030 General plan.

We support the additions to the Traditional Neighborhood density guidelines allowing for more flexibility and greater urban infill opportunities. This is a vast improvement that will allow our neighborhood to continue to become more cohesive.

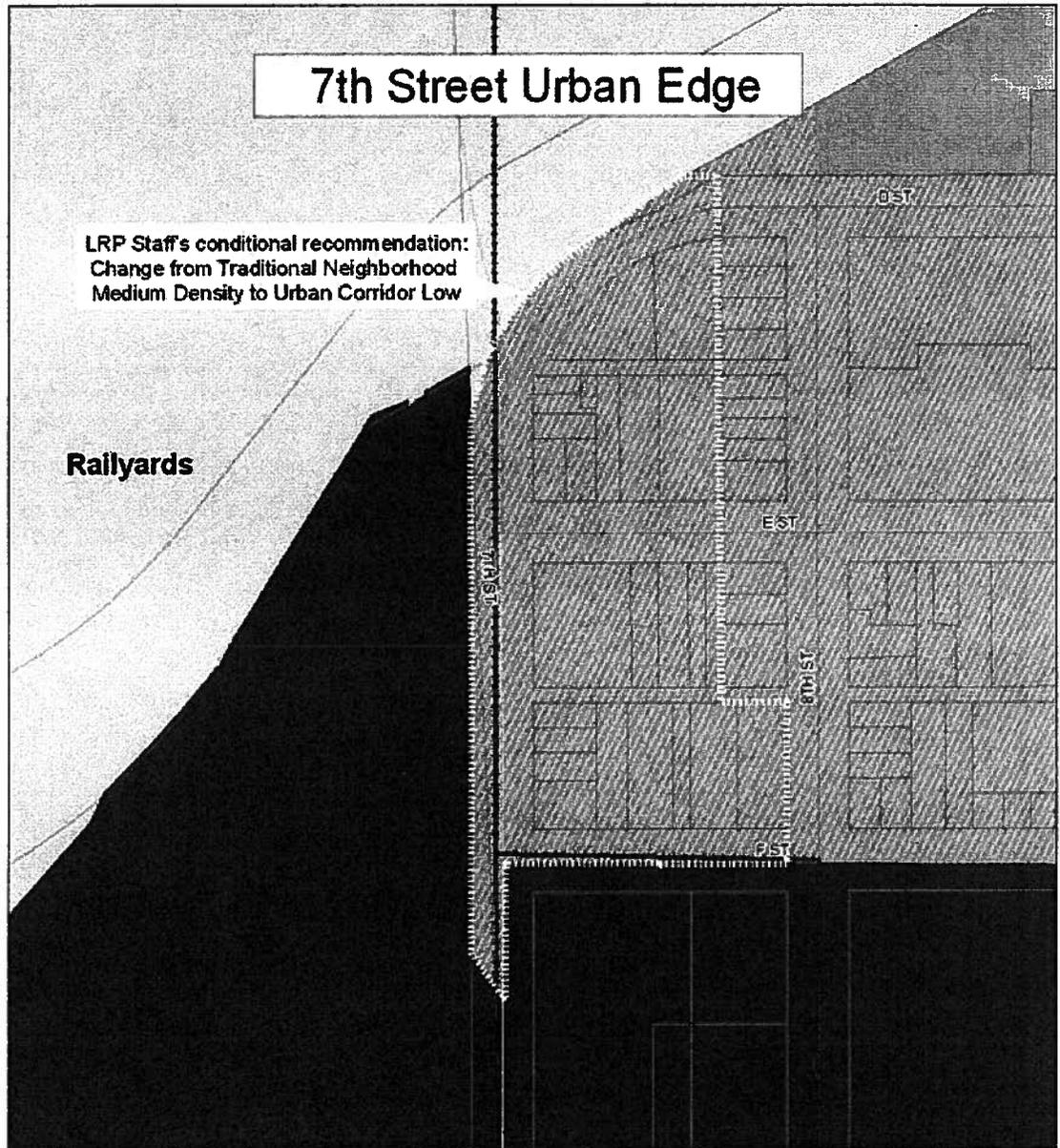
We also support the City recommendation of Urban Corridor Low for the properties along 7th bound by F, E, and D streets. While leaving most of 8th Street as Traditional Neighborhood Medium (a map is attached). This will work as a transition zone allowing higher density development and protecting the historic Alkali Flat neighborhood from the rail yards redevelopment project.

Thank you,

Sean Wright
916-806-8198
AMFHNA
President

**712 12th Street,
Sacramento, CA 95814**

Alkali & Mansion Flats Historic Neighborhood Association



DRAFT

