REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Public Hearing
September 11, 2007

Honorable Mayor and
Members of the City Council

Title: Regency Park – Lot K (P07-003)

Location/Council District: Southeast corner of Amazon Avenue and Celebration Street, Sacramento, CA; Council District 1

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** approving the Mitigated Negative Declaration Addendum and Mitigation Monitoring Plan; 2) adopt a **Resolution** adopting the General Plan Land Use Map amendment; 3) adopt a **Resolution** adopting the North Natomas Community Plan Land Use Map amendment; 4) adopt a **Resolution** approving the PUD Schematic Plan amendment for the Northpointe Park Planned Unit Development; 5) adopt a **Resolution** approving the project with a Tentative Map; and 6) adopt an **Ordinance** amending the Comprehensive Zoning Code (Title 17 of the Sacramento City Code) to rezone a property from Standard Single-Family PUD (R-1-PUD) zone to Single-Family Alternative PUD (R-1A-PUD) zone.

Contact: David Hung, Associate Planner, (916) 808-5530; Gregory Bitter, Principal Planner, (916) 808-7816

Presenters: David Hung, Associate Planner

Department: Development Services

Division: Current Planning

Organization No: 4885

Description/Analysis

Issue: The applicant is requesting a General Plan Amendment to re-designate approximately 5.6 acres from Public/Quasi-Public-Miscellaneous to Low Density Residential, a Community Plan Amendment to re-designate approximately 5.6 acres from General Public Facilities to Low Density Residential, a Rezone of approximately 5.6 acres from Standard Single-Family PUD (R-1-PUD) zone to Single-Family Alternative PUD (R-1A-PUD) zone, a PUD Schematic Plan

amendment to re-designate approximately 5.6 acres from Elementary School to Residential (R-1A-PUD), and a Tentative Map to subdivide an approximately 5.6-acre parcel into 37 single-family parcels in the proposed Single-Family Alternative PUD (R-1A-PUD) zone. The site has been designated for an elementary school but since the Rio Linda Unified School District indicated that they no longer need the site for an elementary school, the applicant is seeking entitlements for future development of single-family homes.

Policy Considerations: General Plan and Community Plan: The General Plan re-designation to Low Density Residential and the Community Plan re-designation to Low Density Residential reflect the proposal for future development of single-family homes on the site. The amendments are consistent with the objectives of the General Plan and Community Plan to provide adequate housing sites for the needs of the community.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources. This proposed infill development will provide single-family dwellings in an existing residential neighborhood which will help foster a walkable community with easy access to public transit.

Strategic Plan Implementation: The recommended action conforms with the City of Sacramento's Strategic Plan, specifically by adhering to goals that achieve sustainability, enhance livability, promote increased housing opportunities for Sacramento residents, and expand economic development throughout the City.

Committee/Commission Action: On August 9, 2007 the Planning Commission (vote of seven ayes and one no) forwarded to City Council a recommendation of approval for all entitlements of the project.

Environmental Considerations: An Addendum to the Northpointe Park Planned Unit Development (PUD) Mitigated Negative Declaration (MND) has been prepared in accordance with Sections15164 and 15162 of the California Environmental Quality Act Guidelines. In compliance with Section 15070(b)(1) of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts would occur. These mitigation measures address Biological Resources and Cultural Resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Attachment 4, Exhibit A).

Rationale for Recommendation: The project is consistent with the objectives of the General Plan and the North Natomas Community Plan in providing housing opportunities to meet the needs of the community and has been determined to

be consistent with existing lot patterns and densities in the surrounding area.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: _____
David Kwong
Planning Manager

Approved by: _____ for:
William Thomas
Director of Development Services

Recommendation Approved:

_____
Ray Kerridge
City Manager

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Attachment 1: Background

Background Information: On December 19, 1996, the Planning Commission approved the Tentative Master Parcel Map and Tentative Subdivision Map for Northpointe Park, together with various Subdivision Modifications (P96-058), and forwarded recommendations for approval on the aforementioned entitlements to the City Council. On February 4, 1997, the City Council approved the Northpointe Park Planned Unit Development (PUD), the Development Agreement, General Plan and North Natomas Community Plan Amendments, and a Rezone, along with the PUD Schematic Plan and PUD Guidelines (Resolution No. 97-061). The PUD Guidelines were subsequently amended on January 21, 1999 and March 25, 1999 (P98-133 and P99-022, respectively), primarily with respect to setback and lot coverage requirements.

The subject property was designated for half of an elementary school site in the Northpointe Park PUD and was reserved for that purpose since 1996. However, the property owner was informed by the Rio Linda Unified School District that they no longer needed the site for an elementary school because they are meeting their school site needs on other existing and planned sites. Therefore, the applicant is now requesting a General Plan Amendment to re-designate approximately 5.6 acres from Public/Quasi-Public-Miscellaneous to Low Density Residential, a Community Plan Amendment to re-designate approximately 5.6 acres from General Public Facilities to Low Density Residential, a Rezone of approximately 5.6 acres from Standard Single-Family PUD (R-1-PUD) zone to Single-Family Alternative PUD (R-1A-PUD) zone, a PUD Schematic Plan Amendment to re-designate approximately 5.6 acres from Elementary School to Residential (R-1A-PUD), and a Tentative Map to subdivide an approximately 5.6-acre parcel into 37 single-family parcels in the proposed Single-Family Alternative PUD (R-1A-PUD) zone. The applicant is not proposing to develop the homes on the 37 parcels at this time; if this request is approved, a Planning Director's Plan Review will be required to develop on the parcels.

Public/Neighborhood Outreach and Comments: Staff sent early notification to adjacent neighbors concerning the proposal. Staff also sent notifications to neighborhood groups such as the Natomas Community Association (NCA), the Regency Park Neighborhood Association and the Natomas Chapter of the Partnership for Active Communities. Staff received the following comments regarding the project:

- NCA: We have reviewed the subject proposal and support it. We believe it provides the most appropriate use consistent with the adjacent low-density residential development.

- Joanne Graham and Nathan Hitzeman of 1601 Salizar Way sent an email to staff on May 7, 2007 in opposition to the project. The main issue raised was that the additional housing units in the already dense neighborhood will create further traffic congestion (see Attachment 10). Don Barnett from Lennar Communities, the project applicant, sent an email reply to the comments (see Attachment 11)

and staff has not received further correspondence regarding the matter. Staff is of the opinion that the proposal is compatible with surrounding uses and is a viable use for the property.

Mixed Income Inclusionary Housing Ordinance: The City of Sacramento adopted a Mixed Income Housing Ordinance on October 3, 2000 which addresses the need for projects to provide a percentage of single-family and multi-family residential units for the benefit of low and very low-income levels. Under the adopted ordinance, several exemptions exist whereby projects are not required to meet the percentage of low and very low dwelling unit requirements. Specifically, any project in North Natomas having a Development Agreement in place on or before June 20, 2000, and which does not request additional major legislative entitlements is exempt.

The proposed project is exempt from the Mixed Income Housing Ordinance because it is subject to an existing Development Agreement and the requested entitlements are considered "minor legislative entitlements" as defined in the Sacramento City Code, Section 17.190 et. seq. "Minor legislative entitlements" refer to legislative entitlements or amendments to legislative entitlements, which satisfy one or more of the following:

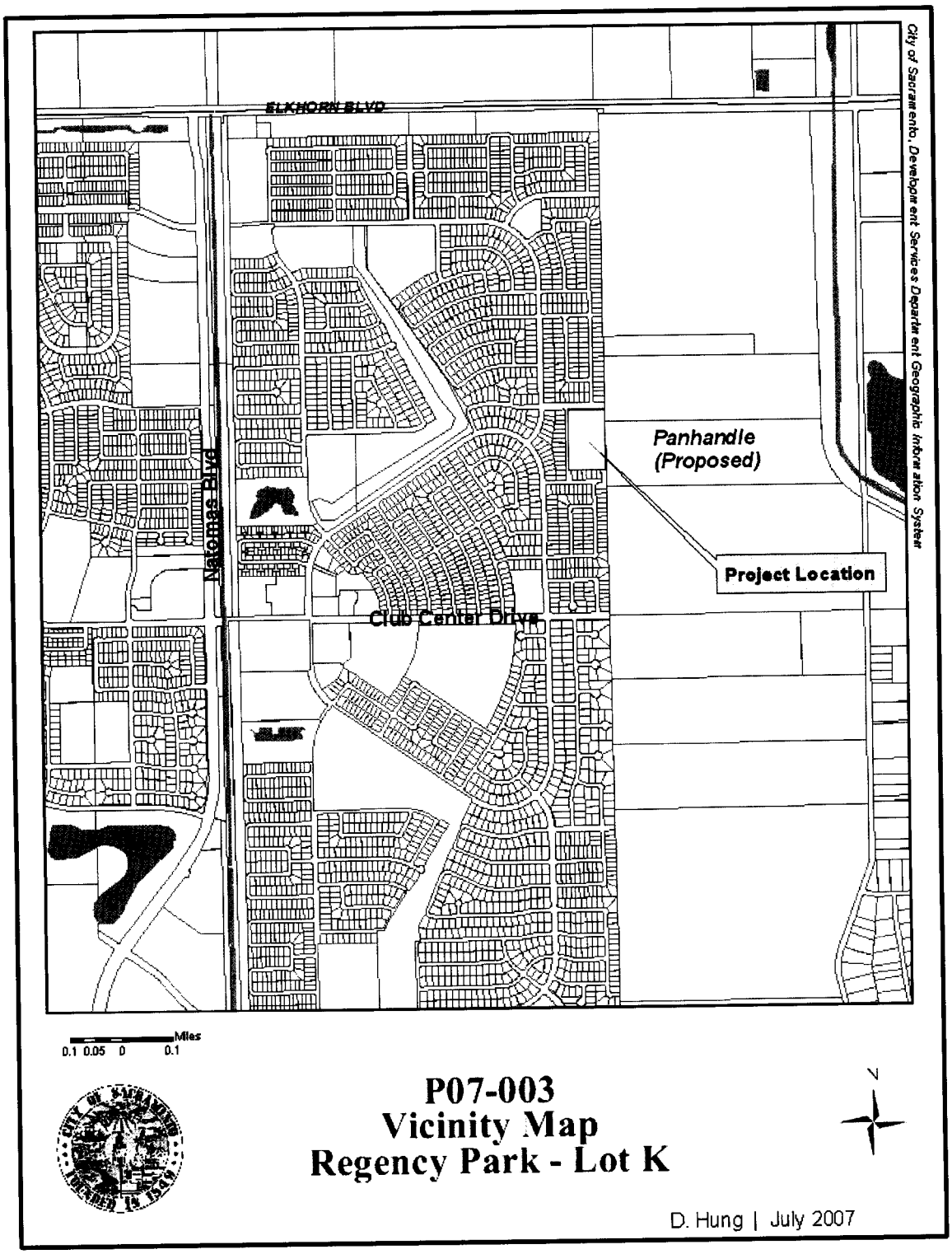
1. Entitlements that do not result in any of the following criteria as defined by the North Natomas Community Plan target average densities: a net loss of residential acreage; a net loss of acreage of land designated for high density residential (HDR) or medium density residential (MDR) development, unless the HDR total residential units replace the loss of MDR residential units; or a net loss of total residential units;

2. Entitlements that are the result of, and required by, amendments to public facilities or roadways designated in the North Natomas Community Plan; provided further that the entitlements are limited to addressing the amendments required by the City or other public agency; or

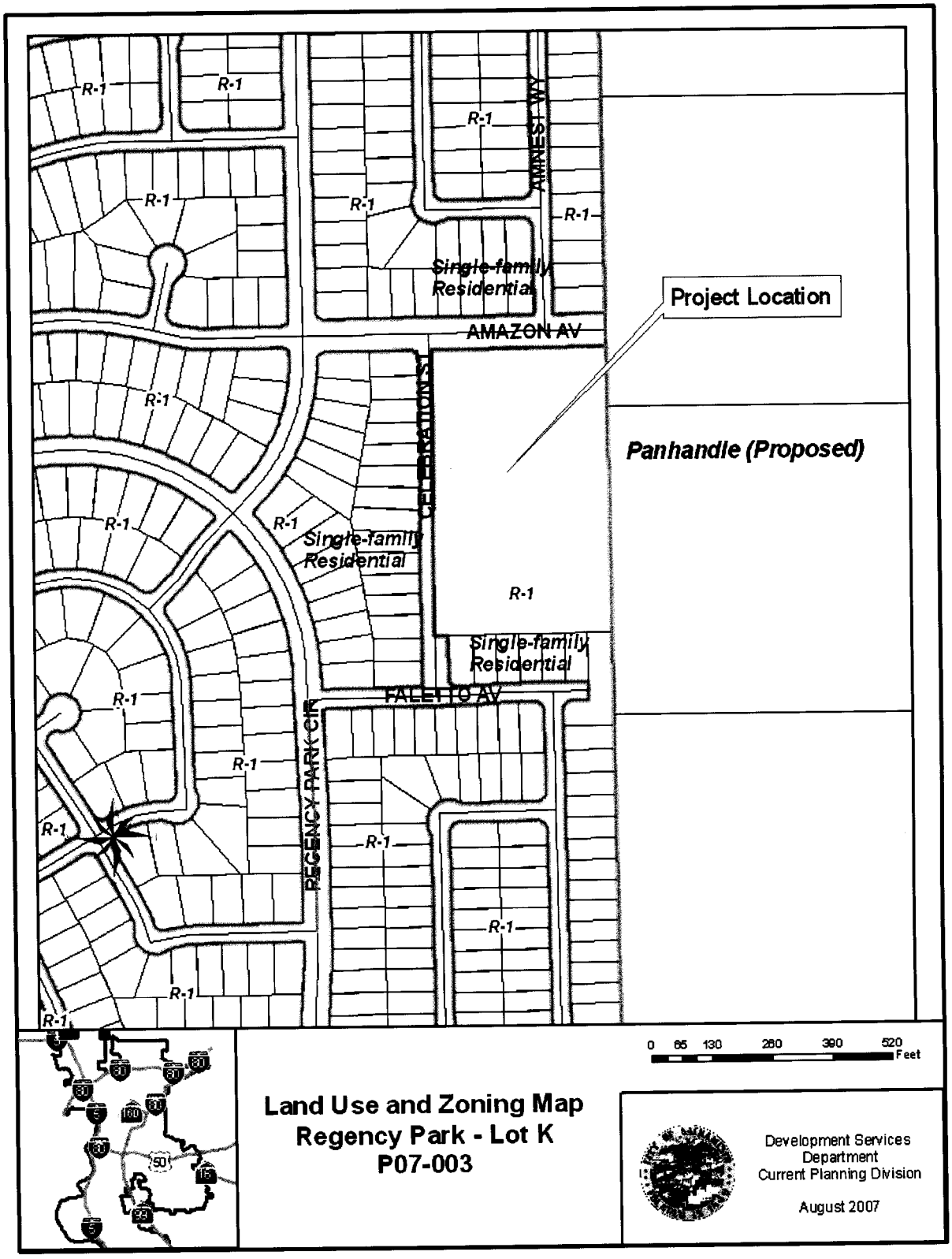
3. Entitlements that are limited to amendments to a previously approved PUD Schematic Plan, Tentative Map, or PUD development guidelines, provided that the amendments do not result in a loss of more than five (5) percent between the density of the proposed project and the density of the previously approved project.

This site is considered an exempt residential project for inclusionary housing purposes in that it has a Development Agreement executed on or before June 20, 2000. Particularly, the proposed project is considered exempt because the entitlements are considered "Minor Legislative Entitlements" pursuant to Sacramento City Code, Section 17.190.020, particularly criteria 1 in that there is no net loss of residential acreage.

Attachment 2: Vicinity Map



Attachment 3: Land Use and Zoning Map



Attachment 4: Mitigated Negative Declaration Addendum

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING THE MITIGATED NEGATIVE DECLARATION ADDENDUM AND THE MITIGATION MONITORING PLAN FOR THE REGENCY PARK – LOT K PROJECT (P07-003)

BACKGROUND

A. On August 9, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the Regency Park – Lot K project.

B. On September 11, 2007, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Sections 16.24.097(B), 17.204.020(C), and 17.208.020(C), and received and considered evidence concerning the Regency Park – Lot K project.

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

Section 1. The City Council finds as follows:

A. On February 4, 1997, pursuant to the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, the City Council adopted a Mitigated Negative Declaration (MND) and a Mitigation Monitoring Plan and approved the Northpointe Park Planned Unit Development (P96-058) Project (Project).

B. The Northpointe Park Planned Unit Development Modification, Regency Park Lot K (P07-003) (Project Modification) proposes to modify the previously approved Project as follows: The proposed project consists of the necessary entitlements to construct 37 single-family lots on an approximately 5.6 acres previously approved for an elementary school in the Northpointe Park Planned Unit Development.

C. The Initial Study on the Project Modification determined that the proposed changes to the original Project did not require the preparation of a subsequent Environmental Impact Report (EIR) or Negative Declaration. An addendum to the previously adopted MND was then prepared to address the modification to the Project.

Section 2. The City Council has reviewed and considered the information contained in the previously adopted MND for the Project, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification. The City Council had determined that the previously adopted MND and the addendum constitute an adequate, accurate, objective, and complete review of the proposed Project Modification and finds that no additional environmental review is required based on the reasons set forth below:

A. No substantial changes are proposed by the Project Modification that will require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

B. No substantial changes have occurred with respect to the circumstances under which the Project Modification will be undertaken which will require major revisions to the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

C. No new information of substantial importance has been found that shows any of the following:

1. The Project Modification will have one or more significant effects not discussed in the previously adopted MND;

2. Significant effects previously examined will be substantially more severe than shown in the previously adopted MND;

3. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Project Modification; or

4. Mitigation measures which are considerably different from those analyzed in the previously adopted MND would substantially reduce one or more significant effects on the environment.

Section 3. Based on its review of the previously adopted MND for the Project, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification, the City Council finds that the MND and addendum reflect the City Council's independent judgment and analysis and adopts the MND and the addendum for the Project Modification and readopts the findings of fact in support of the MND.

Section 4. The Mitigation Monitoring Plan for the Project is adopted for the Project Modification, and the mitigation measures shall be implemented and monitored as set forth in the plan, based on the following findings of fact:

1. The Mitigation Monitoring Plan has been adopted and implemented as part of the Project;

2. The addendum to the MND does not include any new mitigation measures, and has not eliminated or modified any of the mitigation measures included in the Mitigation Monitoring Plan;

3. The Mitigation Monitoring Plan meets the requirements of CEQA section 21081.6 and CEQA Guidelines section 15074.

Section 5. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

Section 6. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at Historic City Hall, 915 I Street, Sacramento, California 95814. The City Clerk is the custodian of records for all matters before the City Council.

Section 7. The City Council adopts the Mitigation Monitoring Plan subject to the following conditions of approval:

As stated in the Mitigation Monitoring Plan for Mitigation Measures # 5 and Br-1a, BR-1b, Br-1c, Br-1d, and Br-1e, to mitigate for impacts to Burrowing Owl habitat and foraging habitat, the following conditions shall be included on all grading and construction plans and implemented prior to the issuance of grading permits and during construction activities, as specified:

MM #5: The applicant shall participate in the Natomas Basin Habitat Conservation Plan (HCP), once adopted. At the time of the grading permit, the applicant shall pay the interim HCP fee, based on Ordinance Mo. 95-060 and Resolution No. 95-622 adopted by the City Council on October 31, 1995. If the HCP program is never implemented, or if the interim fee exceeds the actual fee, then the applicant shall be refunded the difference, with interest. If the interim fee is less than the actual fee, the applicant shall pay the difference.

BR-1a: Prior to issuance of grading permits, the applicant shall retain a qualified biologist to conduct preconstruction surveys of suitable burrowing owl habitat within the project site within 30 days prior to construction to ensure that no burrowing owls have become established at the site. If ground disturbing activities are delayed or suspended for more that 30 days after the preconstruction survey, the site shall be re-surveyed. If no burrowing owls are located, then no further mitigation is required.

1b: If located, occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by California Department of Fish and Game (CDFG) verifies through noninvasive methods that either the birds have not begun egg-laying and incubation; or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

1c: If destruction of occupied burrows is unavoidable, the applicant shall coordinate with CDFG to identify existing suitable burrows located on protected land to be enhanced or new burrows will be created by installing artificial burrows at a ratio of 2:1.

1d: If owls must be relocated away from the site the applicant shall coordinate with CDFG to relocate the owls using passive relocation techniques (as described in the CDFG's October 17, 1995, Staff Report on burrowing owl mitigation, or latest version).

1e: If avoidance is the preferred method of mitigating potential project impacts, then no disturbance shall occur within 160 feet of occupied burrows during the non-breeding season (September 1 through January 31) or within 250 feet during the breeding season (February 1 through August 31).

As stated in the Mitigation Monitoring Plan for Mitigation Measures CR-1a, CR-1b and CR-2, to mitigate for impacts to unknown cultural resources, the following conditions shall be included on all grading plans and implemented during construction activities:

CR-1 (a): In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.

CR-1 (b): If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.

If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.

In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.

CR-2: If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.

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Exhibit A: Mitigation Monitoring Plan

Exhibit A: Mitigation Monitoring Plan

MITIGATION MONITORING PLAN

FOR:
REGENCY PARK LOT K (P07-003)

PREPARED BY:
CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL PLANNING SERVICES
ROCHELLE HALL
808-5914

TYPE OF ENVIRONMENTAL DOCUMENT:
ADDENDUM TO AN
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

DATE:
July 20, 2007

ADOPTED BY:
CITY OF SACRAMENTO
CITY COUNCIL

DATE:

_____

ATTEST:

_____

REGENCY PARK LOT K (P07-003)
MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Blvd., Ste. 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: REGENCY PARK LOT K (P07-003)

Owner/Developer/Applicant:
Don Barnett
Lennar Communities
1075 Creekside Ridge Drive, Suite 110
Roseville, CA 95678
Phone: (916) 783-3224

City of Sacramento Contact:
Rochelle Hall, Assistant Planner
Environmental Planning Services
Development Services Dept
2101 Arena Blvd., Suite 200
Sacramento, CA 95834
Phone: (916) 808-5914

Project Location

The proposed project site consists of one parcel, on Assessor's Parcel Numbers (APN) 201-0540-051, lot K in the Northpointe Park Planned Unit Development. Amazon Avenue is located to the north of the site, Celebration Street is located to the west, Faletto Avenue is to the south, and the County of Sacramento is located to the east.

Project Components

The proposed project consists of the necessary entitlements to construct 37 single family lots on approximately 5.6 acres in the Northpointe Pointe Planned Unit Development. The specific entitlements include:

A. **General Plan Amendment** to change the parcel's designation from Public/Quasi-Public to Low Density Residential;
B. **Community Plan Amendment** to change the parcel's designation from General Public Facilities to Low Density Residential;
C. **Tentative Map 5-50** to subdivide the approximately 5.6 acre parcel into 37 single family lots;
D. **Rezone** to Single-Family Alternative PUD (R-1A-PUD); and
E. **Planned Unit Development Schematic Plan Amendment** to change the parcel's designation from Lot 'Y' Elementary School to Village 36 R-1 PUD.

SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation for Biological Resources and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained with the MMP. The City of Sacramento, along with other applicable local, state or federal agencies, will be responsible for ensuring compliance.

REGENCY PARK LOT K (P07-003)
MITIGATION MONITORING PLAN

			VERIFICATION OF COMPLIANCE		
MITIGATION MEASURE	**IMPLEMNTING RESPONSIBILITY**	**MONITORING RESPONSIBILITY**	**COMPLIANCE STANDARDS**	**TIMING**	**VERIFICATION OF COMPLIANCE (INITIALS/DATE**
Biological Resources: *The following mitigation measure is from the Northpointe Park PUD IS/MND and is applicable to the proposed project.* #5 The applicant shall participate in the Natomas Basin Habitat Conservation Plan (HCP), once adopted. At the time of the grading permit, the applicant shall pay the interim HCP fee, based on Ordinance Mo. 95-060 and Resolution No. 95-622 adopted by the City Council on October 31, 1995. If the HCP program is never implemented, or if the interim fee exceeds the actual fee, then the applicant shall be refunded the difference, with interest. If the interim fee is less than the actual fee, the applicant shall pay the difference. *The following mitigation measure replaces #6 in the Northpointe Park PUD IS/MND because it is the most current language form CDFG.*	Applicant	City of Sacramento – Development Services Department and California Department of Fish and Game	Measures shall be included on all grading and construction plans	Measures shall be implemented prior to the issuance of grading permits and during construction activities, as specified.	

REGENCY PARK LOT K (P07-003)
MITIGATION MONITORING PLAN

BR-1a Prior to issuance of grading permits, the applicant shall retain a qualified biologist to conduct preconstruction surveys of suitable burrowing owl habitat within the project site within 30 days prior to construction to ensure that no burrowing owls have become established at the site. If ground disturbing activities are delayed or suspended for more that 30 days after the preconstruction survey, the site shall be re-surveyed. If no burrowing owls are located, then no further mitigation is required. BR-1b If located, occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by California Department of Fish and Game (CDFG) verifies through noninvasive methods that either the birds have not begun egg-laying and incubation; or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. BR-1c If destruction of occupied burrows is unavoidable, the applicant shall coordinate with CDFG to identify existing suitable burrows located on protected land to be enhanced or new burrows will be created by installing					

REGENCY PARK LOT K (P07-003)
MITIGATION MONITORING PLAN

artificial burrows at a ratio of 2:1. BR-1d If owls must be relocated away from the site the applicant shall coordinate with CDFG to relocate the owls using passive relocation techniques (as described in the CDFG's October 17, 1995, Staff Report on burrowing owl mitigation, or latest version). BR-1e If avoidance is the preferred method of mitigating potential project impacts, then no disturbance shall occur within 160 feet of occupied burrows during the non-breeding season (September 1 through January 31) or within 250 feet during the breeding season (February 1 through August 31). *The following mitigation measures are to replace Mitigation Measure # 13 from the Northpointe Park PUD MND (P96-058) because it is the most current standard cultural resources mitigation language.* **Cultural Resources:** CR-1a In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-	Applicant	City of Sacramento—Development Services Department and Native American Heritage Commission	Measures shall be included on all grading and construction plans	Measures shall be implemented during construction activities, as specified.	

REGENCY PARK LOT K (P07-003)
MITIGATION MONITORING PLAN

related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards. CR-1b If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives. If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of					

REGENCY PARK LOT K (P07-003)
MITIGATION MONITORING PLAN

Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements. CR-2 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains					

REGENCY PARK LOT K (P07-003)
MITIGATION MONITORING PLAN

and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.					

Attachment 5: General Plan Amendment – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

AMENDING THE GENERAL PLAN LAND USE MAP FOR APPROXIMATELY 5.6 ACRES FROM PUBLIC/QUASI-PUBLIC-MISCELLANEOUS TO LOW DENSITY RESIDENTIAL FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AMAZON AVENUE AND CELEBRATION STREET (P07-003)(APN: 201-0540-051)

BACKGROUND

A. On August 9, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the General Plan Amendment for the Regency Park – Lot K project.

B. On September 11, 2007, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.204.020, and received and considered evidence concerning the Regency Park – Lot K project.

C. The proposed land use amendment is consistent with the conversion of this site to low density residential to implement the General Plan policy that adequate housing opportunities be provided for all income households and that projected housing needs are accommodated.

D. The proposal is consistent with the goals of the General Plan to develop residential land uses in a manner which is efficient and utilizes existing and planned urban resources.

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

Section 1. The property (APN: 201-0540-051), as described on the attached Exhibit A, within the City of Sacramento, is hereby designated on the General Plan land use map as Low Density Residential 4 – 15 du/na.

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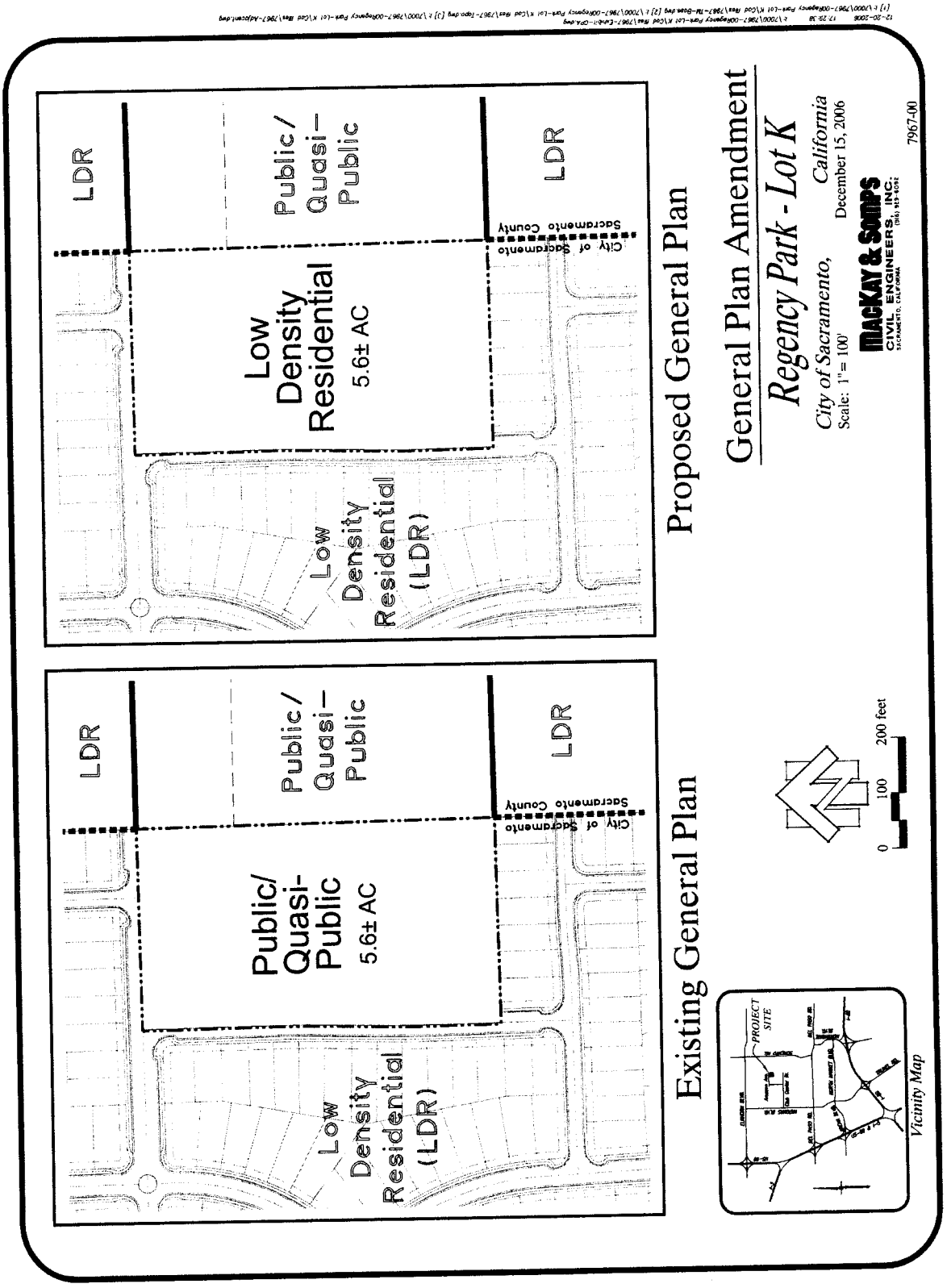
Exhibit A: General Plan Amendment – 1 page

Exhibit A: General Plan Amendment



Attachment 6: Community Plan Amendment – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

AMENDING THE NORTH NATOMAS COMMUNITY PLAN LAND USE MAP FOR APPROXIMATELY 5.6 ACRES FROM GENERAL PUBLIC FACILITIES TO LOW DENSITY RESIDENTIAL (3-10 DU/AC) FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AMAZON AVENUE AND CELEBRATION STREET (P07-003)(APN: 201-0540-051)

BACKGROUND

A. On August 9, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Community Plan Amendment for the Regency Park – Lot K project.

B. On September 11, 2007, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.204.020, and received and considered evidence concerning the Regency Park – Lot K project.

C. The proposed land use amendment is consistent with the conversion of this site to Low Density Residential (3-10 du/ac) to implement the goals and policies of the North Natomas Community Plan to provide a variety of housing densities, types, and prices to enhance a neighborhood identity and serve the wide array of residents.

D. The proposed plan amendment is compatible with the surrounding uses.

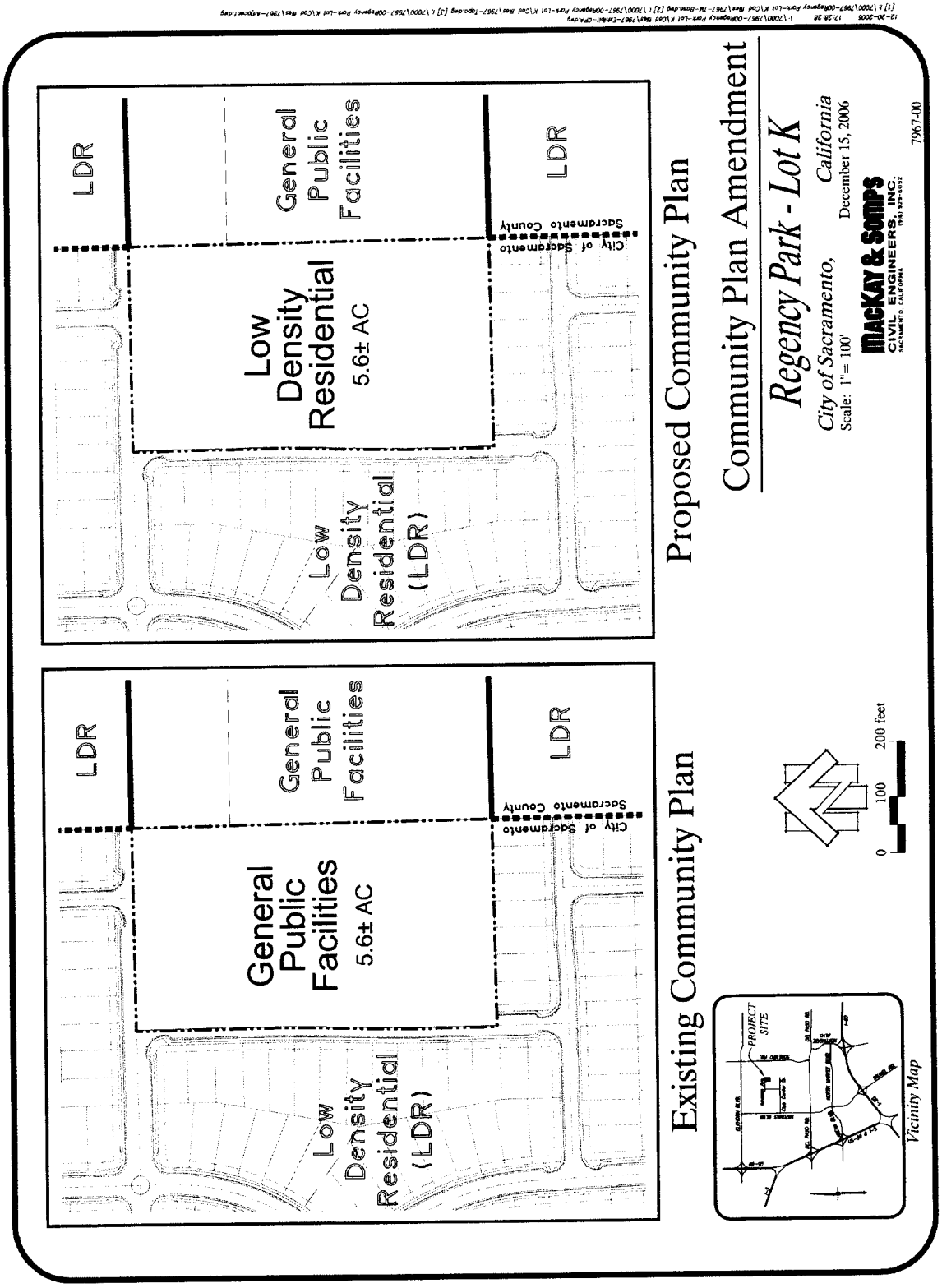
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The property (APN: 201-0540-051), as described on the attached Exhibit A, within the City of Sacramento, is hereby designated on the North Natomas land use map as Low Density Residential (3-10 du/ac).

Table of Contents:

Exhibit A: Community Plan Amendment – 1 page

Exhibit A: Community Plan Amendment



Attachment 7: PUD Schematic Plan Amendment – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

PUD SCHEMATIC PLAN AMENDMENT TO RE-DESIGNATE APPROXIMATELY 5.6 ACRES FROM ELEMENTARY SCHOOL TO RESIDENTIAL (R-1A-PUD), LOCATED AT THE SOUTHEAST CORNER OF AMAZON AVENUE AND CELEBRATION STREET (P07-003)(APN: 201-0540-051)

BACKGROUND

A. On August 9, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the PUD Schematic Plan Amendment for the Regency Park – Lot K project.

B. On September 11, 2007, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Sections 17.180.050 and 17.208.020, and received and considered evidence concerning the Regency Park – Lot K project.

C. The proposed PUD Schematic Plan Amendment conforms to policies of the General Plan and North Natomas Community Plan to provide adequate housing sites and opportunities for all households and to promote efficient development within a new growth area.

D. The PUD Schematic Plan Amendment will not be injurious to the public welfare, nor to other properties in the vicinity of the development in that the project is compatible with adjacent residential developments and the site will be developed according to the requirements of the PUD Guidelines.

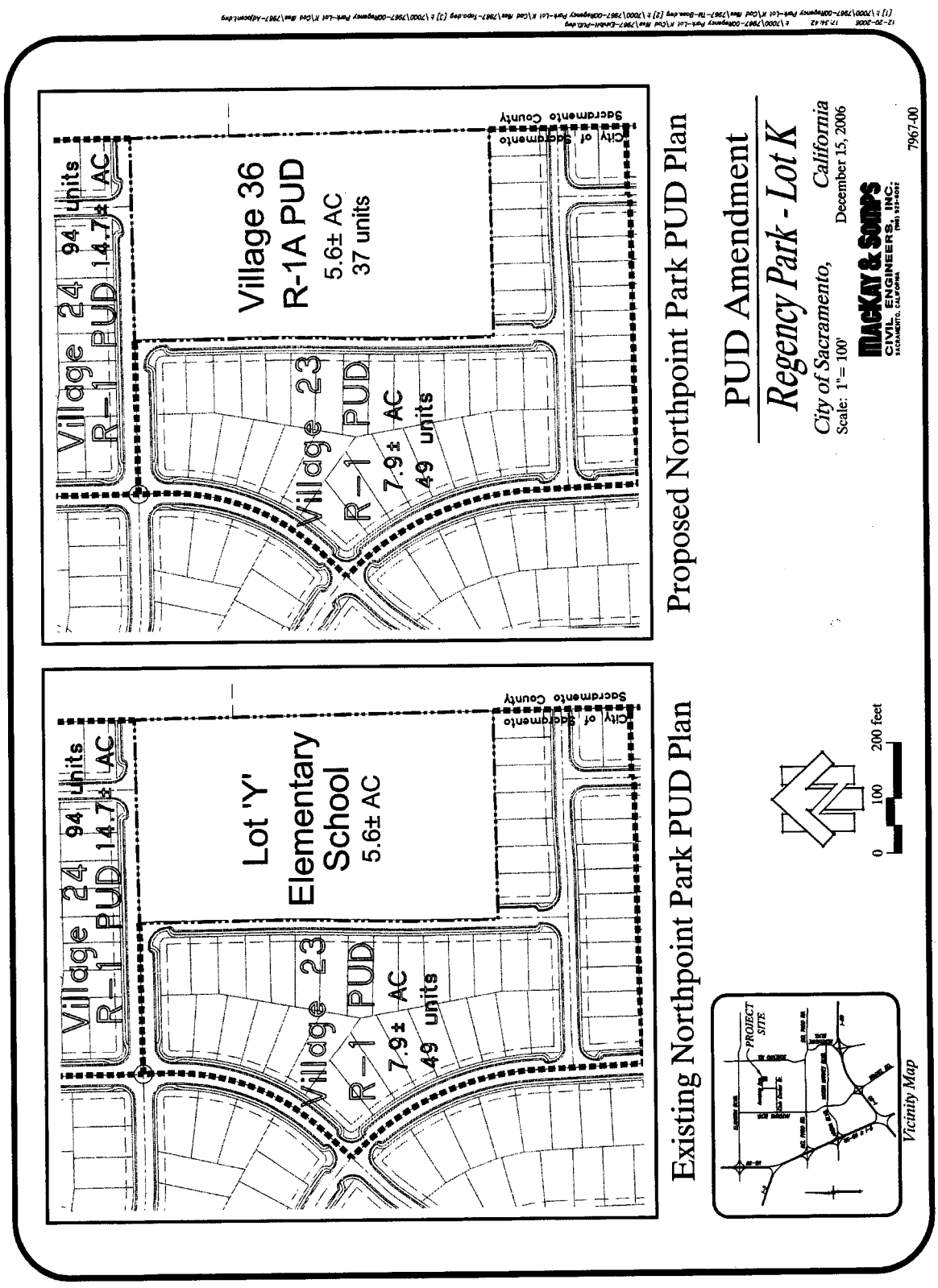
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council of the City of Sacramento, in accordance with the City Code, Chapter 17, resolves that the PUD Schematic Plan Amendment (as shown on the attached Exhibit A) is hereby approved.

Table of Contents:

Exhibit A: PUD Schematic Plan Amendment – 1 page

Exhibit A: PUD Schematic Plan Amendment



Attachment 8: Project Approval – Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING FINDINGS OF FACT AND APPROVING THE REGENCY PARK – LOT K PROJECT (P07-003)

BACKGROUND

A. On August 9, 2007, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Tentative Map with conditions for the Regency Park – Lot K project.

B. On September 11, 2007, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 16.24.097, and received and considered evidence concerning the Regency Park – Lot K project.

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

Section 1. Based on the verbal and documentary evidence received at the hearing on the Regency Park – Lot K project, the City Council approves the Tentative Map based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Tentative Map to subdivide an approximately 5.6-acre parcel into 37 single-family parcels in the proposed Single-Family Alternative PUD (R-1A-PUD) zone based on the following findings of fact

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

c. The design of the subdivision and the proposed improvements are not

likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;

e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the North Natomas Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The City Council has considered the effect of the approval of this Tentative Subdivision Map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

Section 3. The City Council approves the Tentative Map to subdivide an approximately 5.6-acre parcel into 37 single-family parcels in the proposed Single-Family Alternative PUD (R-1A-PUD) zone subject to the following conditions of approval:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map or any contradictory provisions in the PUD guidelines approved for this project (P07-003). The design of any improvement not covered by these conditions or the PUD Guidelines shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Development Engineering Division.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval:

GENERAL: All Projects

1. In accordance with City Code Section 16.24.090(c)(1), approval of this map by the Planning Commission is contingent upon approval by the City Council of all required Plan Amendments (if any), Zoning changes, and the Development Agreement. The Final Map may not be recorded unless and until such time as the City Council approves such required Plan Amendments (if any), Zoning changes, and the Development Agreement.

2. The applicant shall participate in the North Natomas Financing Plan, adopted by Resolution No. 94-495 on August 9, 1994, and updated by Resolution No. 2002-373 on June 11, 2002, and shall execute any and all agreements which may be required in order to implement this condition.

3. Comply with and meet all the requirements of the Development Agreement to the satisfaction of the City of Sacramento.

4. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P96-058).

5. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Development Engineering Division after consultation with the U.S. Postal Service.

6. Prior to submittal of improvement plans for any phase of this project, the developer's design consultant(s) shall participate in a pre-design conference with City staff. The purpose of this conference is to allow City staff and the design consultants to exchange information on project design requirements and to coordinate the improvement plan review process. Contact the Development Engineering Division, Plan Check Engineer at 808-7915 to schedule the conference. It is strongly recommended that the conference be held as early in the design process as possible.

DEVELOPMENT ENGINEERING:

7. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Improvements required shall be determined by the City. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.

8. Dedicate and construct "A" Street to a standard 41-foot residential street.

9. The design and placement of walls, fences, signs and landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25-foot sight triangle). Walls shall be set back 3 feet behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5 feet in height. The area of exclusion shall be determined by the Development Engineering Division.

10. City standard ornamental street lights (acorn style or alternate decorative style approved by the Planning and Electrical Divisions) shall be designed and constructed by the applicant in accordance with Electrical Division requirements.

SMUD:

11. Dedicate a standard 12.5-foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all public street rights-of-ways.

County Sanitation District - 1:

12. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.

13. Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.

14. Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.

15. CSD-1 requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and

other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the District on a case by case basis. Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this condition is met.

16. All structures along private drives shall have a minimum 10-foot setback so that CSD-1 can properly maintain sewer service.

CITY UTILITIES:

17. Provide standard subdivision improvements per Section 16.48.110 of the City Code. Construct water, sewer, and drainage facilities to the satisfaction of the Department of Utilities (DOU). Off-site main extensions may be required.

18. All lots shall be graded so that drainage does not cross property lines or private drainage easements shall be dedicated.

19. Two points of service for the water distribution system for this subdivision or any phase of this subdivision are required. All water lines shall be placed within the asphalt section of public right-of-ways per the City's Design and Procedures Manual.

20. Place a 2-inch (minimum) Sch. 40 PVC sleeve under the sidewalks for each single-family lot along all streets with separated curb and sidewalk for irrigation of the landscape planter. Sleeves shall be placed prior to construction of sidewalks (If separated sidewalks are required).

21. Residential water taps shall be sized per the City's Building Division onsite plumbing requirements (water taps from the water main in the street to the meter may need to be larger than 1-inch depending on the length of the house service, number of fixture units, etc.).

22. Any new domestic water services shall be metered. Only one domestic water service is allowed per parcel. Excess services shall be abandoned to the satisfaction of the DOU.

23. Water meter boxes located in driveways shall be as follows: (1) for 1-inch domestic water service, Christy traffic box B1324 (H/20 loading) with reading lid B1324-61GH and (2) for 1.5-inch domestic water service, Christy traffic box B1730 (H/20 loading) with reading lid B1730-51G.

24. The proposed development is located within CSD-1. Satisfy all CSD-1 requirements.

25. Properly abandon under permit, from the Sacramento County Environmental Health Division, any well or septic system located on the property.

26. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required. This study and shed map shall be approved by the DOU. The drainage study shall identify all existing off-site flows that are blocked by the proposed project and shall propose private drainage facilities and private easements to convey these flows. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. The drainage study shall include an overland flow release map for the proposed project. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation. Off-site private drainage easement(s) may be required. Drainage improvements shall be to the satisfaction of the DOU.

27. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the DOU.

28. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.

29. This project is greater than 1 acre in area; therefore the project is required to comply with the State "National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment Best Management Practice (BMP)'s, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

30. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is served by a regional water quality control facility, only source control measures are required. Within the proposed multi-family residential development, specific source controls are required for (1)

vehicle/equipment wash areas, and (2) waste management areas. Storm drain message and signage is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. Refer to the latest edition of the "Guidance Manual for On Site Stormwater Quality Control Measures" for appropriate source control measures.

PARK PLANNING, DESIGN & DEVELOPMENT DIVISION: Parks

31. **Payment of In-lieu Park Fee**: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication.

32. **Maintenance District**: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos Special Tax District), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Planning Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In Special Tax Districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment).

FIRE:

33. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.

SPECIAL DISTRICTS:

34. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments, in accordance with the Development Agreement.

ADVISORY NOTES:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

35. Prior to issuance of any building permits within the subject area all sanitary sewer, storm drainage, water, and flood control improvements shall be in place and fully functioning unless otherwise approved by the Department of Utilities.

36. Any use of CSD-1 sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of the

District's sanitary sewer(s), shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping.

37. Developing this property will require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to filing and recording the Final Map or issuance of Building Permits, which ever is first. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

38. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.

39. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

40. Provide a water flow test. (Make arrangements at the Downtown Permit Center's walk-in counter: New City Hall, 3rd Floor, 915 "I" Street, Sacramento, CA 95814, OR the North Permit Center's walk-in counter: 2101 Arena Blvd., Suite 200, Sacramento, CA 95834).

41. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

    1 Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map. The Quimby fee due for this project is estimated at $454,823. This is based on 37 residential units and an average land value of $687,500 per acre for the North Natomas Planning Area, plus an additional 20% for off-site park infrastructure improvements, less acres in land dedication. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.

    2 Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee (PIF) due for this

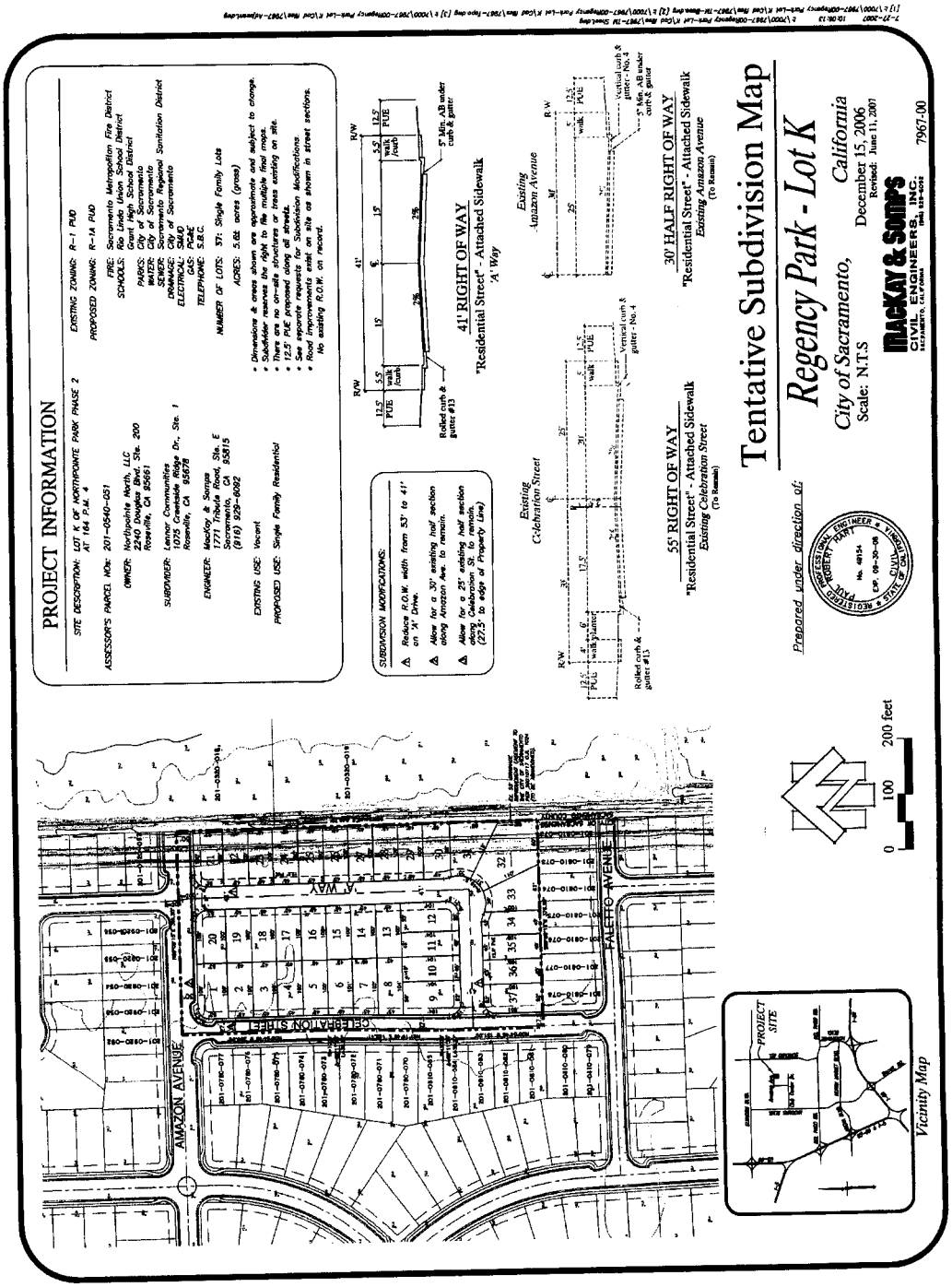
project is estimated at $166,241. This is based on 37 single-family units at $4,493 per unit. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

3 Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

Table of Contents:

Exhibit A: Tentative Map – 1 page

Exhibit A: Tentative Map



Attachment 9: Rezoning – Ordinance

ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM STANDARD SINGLE-FAMILY PUD (R-1-PUD) ZONE TO SINGLE-FAMILY ALTERNATIVE PUD (R-1A-PUD) ZONE (SOUTHEAST CORNER OF AMAZON AVENUE AND CELEBRATION STREET)(P07-003)(APN: 201-0540-051)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as Regency Park – Lot K located at the southeast corner of Amazon Avenue and Celebration Street (APN: 201-0540-051) and consisting of 5.6± acres, from Standard Single-Family PUD (R-1-PUD) zone to Single-Family Alternative PUD (R-1A-PUD) zone.

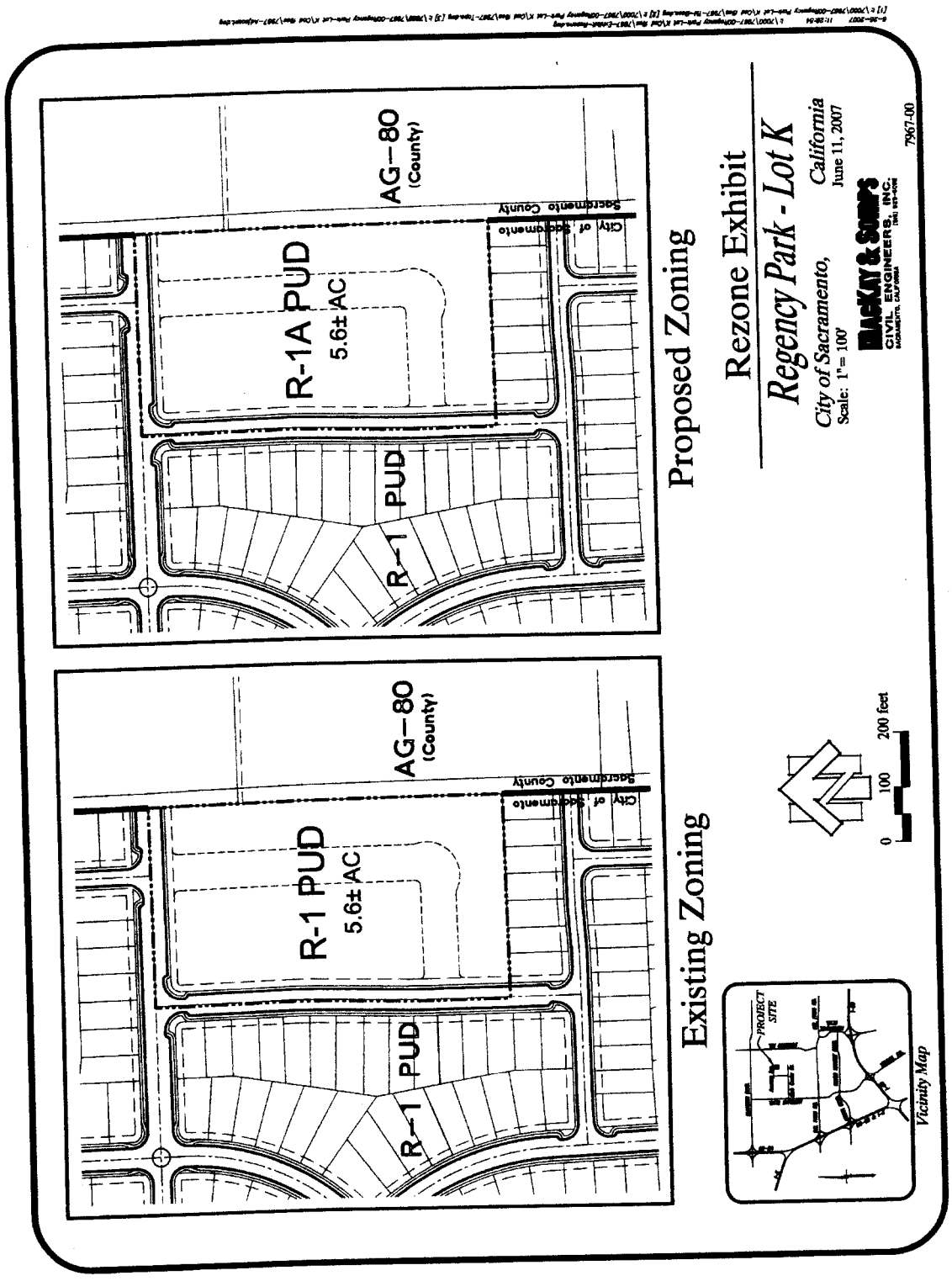
Section 2. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit A: Rezone – 1 page

Exhibit A: Rezone



Attachment 10: Letter of Opposition

>>> Joanne Graham <jmgraham@ucdavis.edu> 05/07/2007 11:17 AM >>>
Dear Mr. Angell,

We received your letter notifying us of the new project being proposed at the corner of Amazon Avenue and Celebration Street, also referred to as Lot "K" of Northpointe Park. The new proposal for the construction of 37 single family lots is truly a disappointment.

When we moved to this location we were told that several schools, in addition to parks, would be built to accommodate the multitude of families in this community. The community of Regency Park is filled with families, including ours, that are in need of public school options. We recently started our family, thinking that our child would be able to walk to school, to the elementary school previously proposed. The North Sacramento Public Library has yet finalized their site, perhaps this may be a good option for them.

Although we are very disappointed that the school district declined the reservation of this location, we also **do not** want more construction for housing in our neighborhood. The density of our community is already high, and traffic has increased greatly after the multiple family housing projects were completed on Regency Park Circle and Club Center Drive. Our streets are not very wide, and more traffic leads to more accidents. We would rather have a school, park or library built at this site before any more housing is projected.

Many of our neighbors feel the same way. We hope that you and your staff take these points into consideration and **do not approve this proposal**.

Thank you for your time,

Joanne Graham & Nathan Hitzeman
1601 Salizar Way
Sacramento, CA 95835

Attachment 11: Response from Lennar Communities

David Hung - Lot K of Northpointe Park

From: <Don.Barnett@Lennar.com>
To: <jmgraham@ucdavis.edu>
Date: 05/14/2007 10:10 AM
Subject: Lot K of Northpointe Park
CC: <dhung@cityofsacramento.org>, <lalagozian@cityofsacramento.org>, <droth@cityofsacramento.org>

Hi Joanne:

I received a copy of your email regarding the Regency Park Lot K Tentative Map and wanted to respond to your comments. My name is Don Barnett and I am a Community Planning Manager for Lennar. The Lot K property is owned by Northpointe North LLC of which Lennar is a partner. I have been involved with the planning and development process in North Natomas including Regency Park for over 10 years.

Future school sites are reserved by the applicable school district when a Tentative Subdivision Map is processed to subdivided the property. In the case of Regency Park, the Tentative Map was approved in 1996. The Lot K property was designated for 1/2 of a elementary school site and was reserved for that purpose since 1996. However, we were informed by the Rio Linda Unified School District that they no longer needed the site for an elementary school because they are meeting their school site needs on other existing and planned sites.

This change leaves few other viable options for the site. The dedication of park sites in Regency Park and other neighborhoods is based on the City standard of 5 acres per 1,000 residents. Regency Park achieves the park dedication standard with the dedication of three park sites including the 42 acre community park and two other smaller parks. I do not believe that the City Parks Department will want an addition park site in Regency Park, since Regency Park meets it's park obligations and becuase there will be several new parks built in the Panhandle area.

We do not believe this site is an appropriate site for a library because the site is isolated, and surrounded by existing residents. Libraries are typically located on more visible and accessible sites since they draw from a large service area and generate a fair amount of traffic and activity.

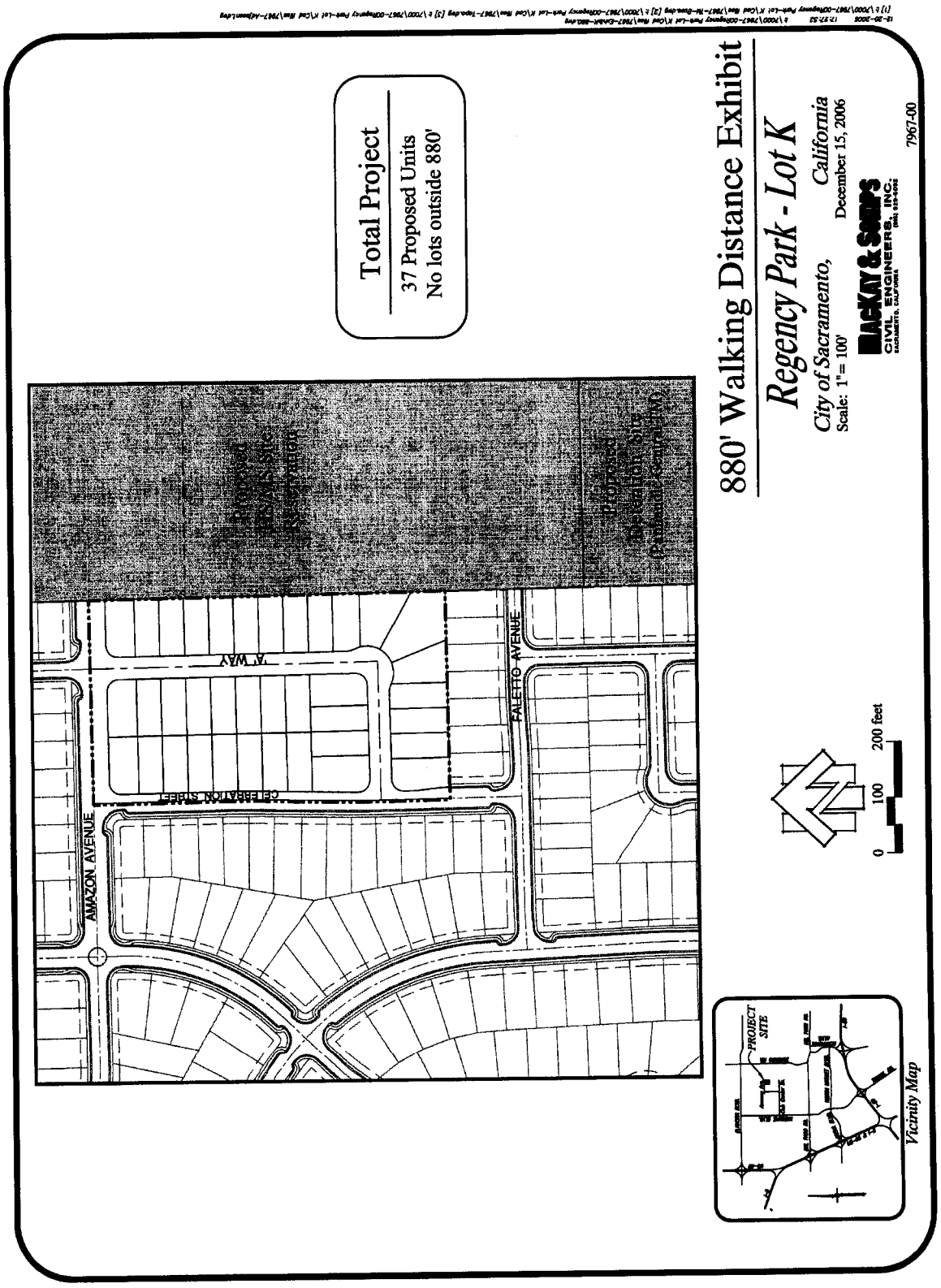
We believe that the most logical and compatible use for the site is single family homes. We have sized the homesites and the homes to be compatible with the existing residents. The streets have been designed to match the existing street system and traffic from an addition 37 homes is minimal. The traffic generation from 37 homes is much less than would be generated from a school or library.

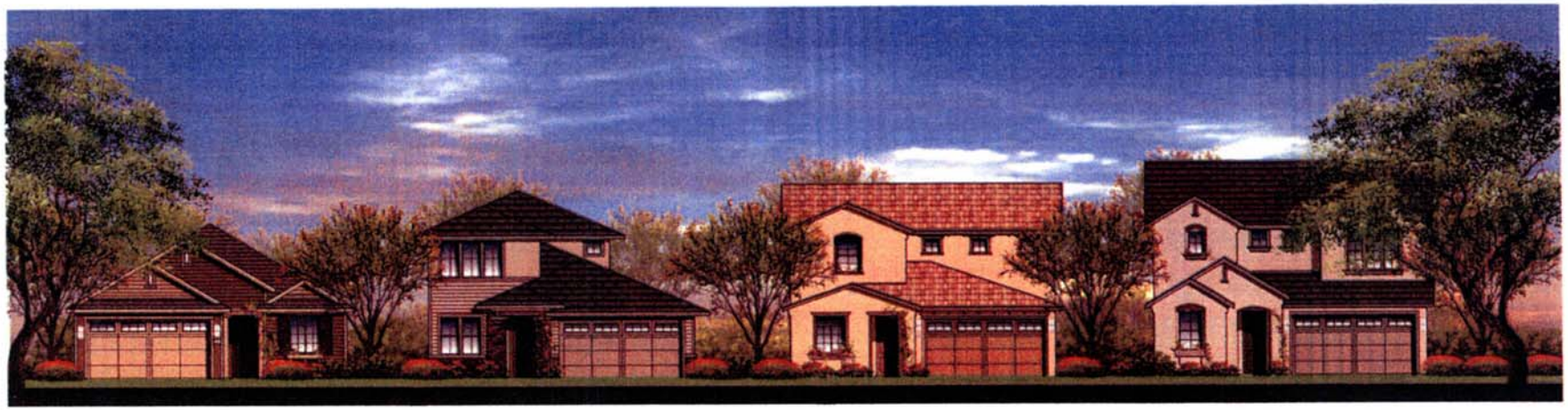
For these reasons, we believe that 37 single family homes on the Regency park Lot K site is the best and most compatible use of the site. If there are concerns about the interface between the existing residents and the new homes, we are open to meeting with individual neighbors to discuss those concerns. Please feel free to contact me should you have any questions or comments.

Respectfully,

Don Barnett
Senior Community Planning Manager
Lennar
(916) 783-3224

Attachment 12: 880' Walking Distance Exhibit





Plan 1 Cottage | Plan 2 Prairie | Plan 3 Spanish | Plan 4 European

Typical Elevations

Regency Park - Lot K

City of Sacramento, California

Scale: N.T.S.

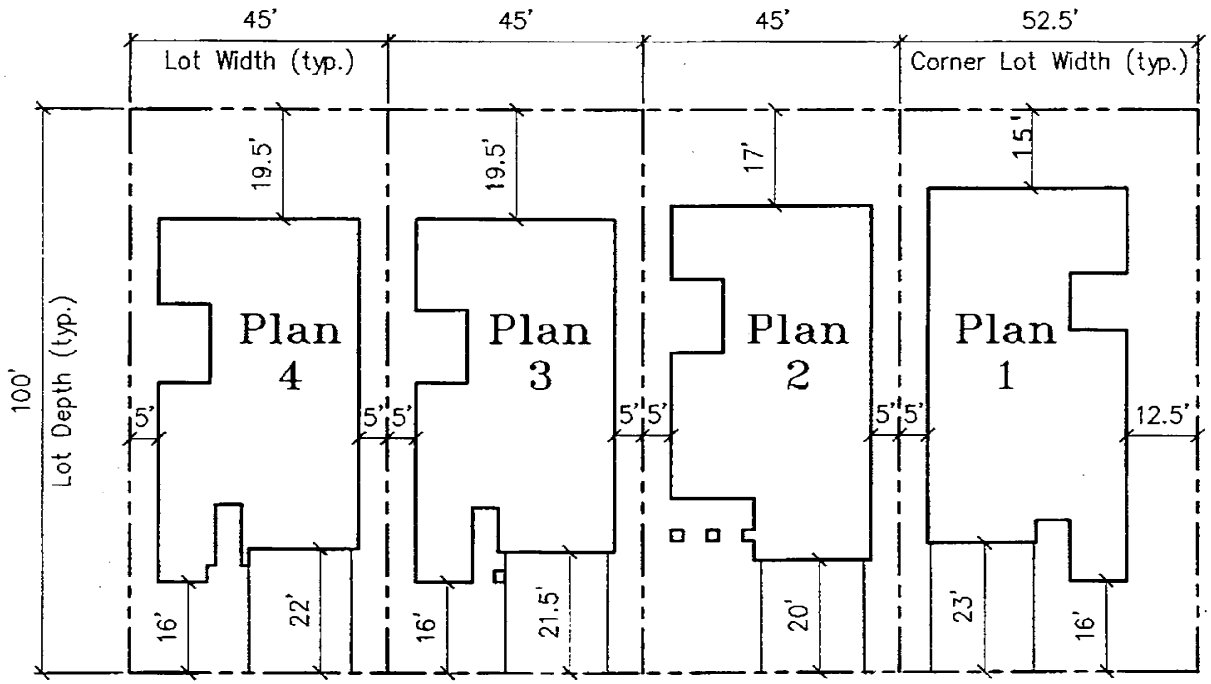
June 15, 2007

NOTE:
Building elevations shown are illustrative only and are subject to change.

LENNAR

MACKAY & SOMPS
CIVIL ENGINEERS, INC.
SACRAMENTO, CALIFORNIA (916) 929-6092

7967-00



Typical Footprints

Regency Park - Lot K

City of Sacramento, California

Scale: 1"=20'

June 18, 2007

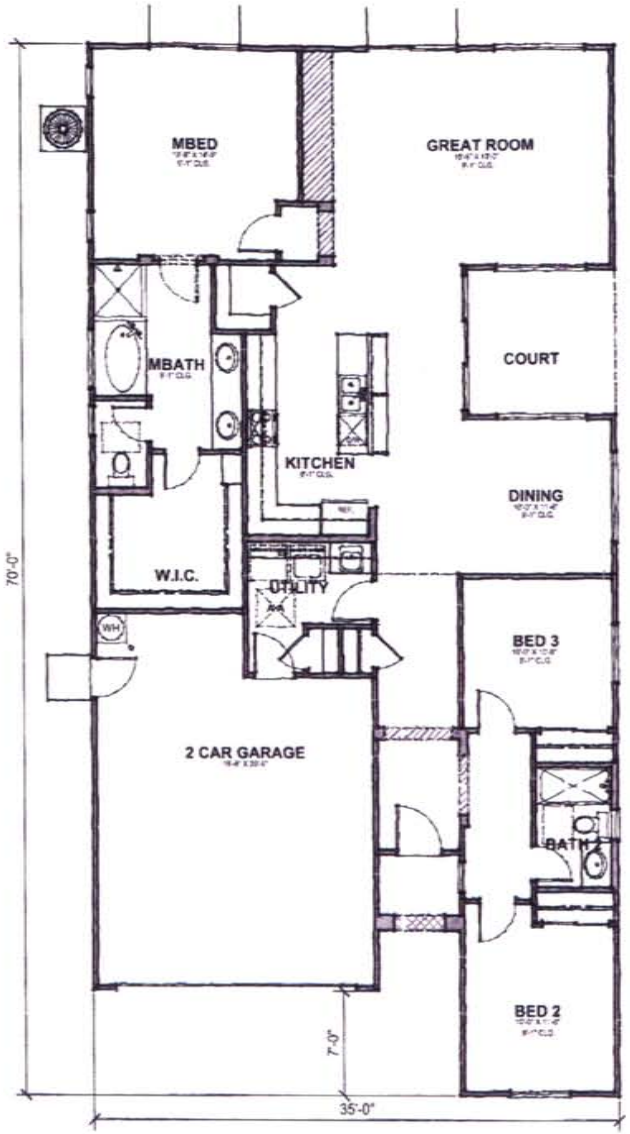
NOTE:
Building envelopes shown are illustrative only and are subject to change.

0 20
Feet

LENNAR

MACKAY & SOMPS
CIVIL ENGINEERS, INC.

7967-00

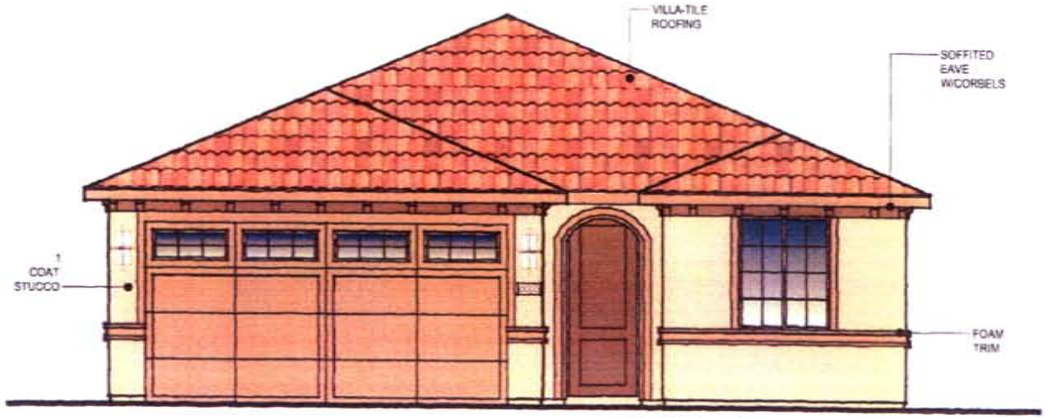


PHA architects
December 6, 2006
1730 I St. Suite 101 Sacramento, California 95814 916.554.8411

Chateau at Blackstone 35'

Plan 1
1700 SF
1/8"=1'-0"

LENNAR



Front Elevation
3/16"=1'-0"

Right Elevation

Rear Elevation

Left Elevation
1/16"=1'-0"

PHA architects December 8, 2006
1730 I St. Suite 101 Sacramento, California 95814 916.554.5411

Elevation 1 Italianate Color Group: 3-01

Chateau at Blackstone 35' Plan 1

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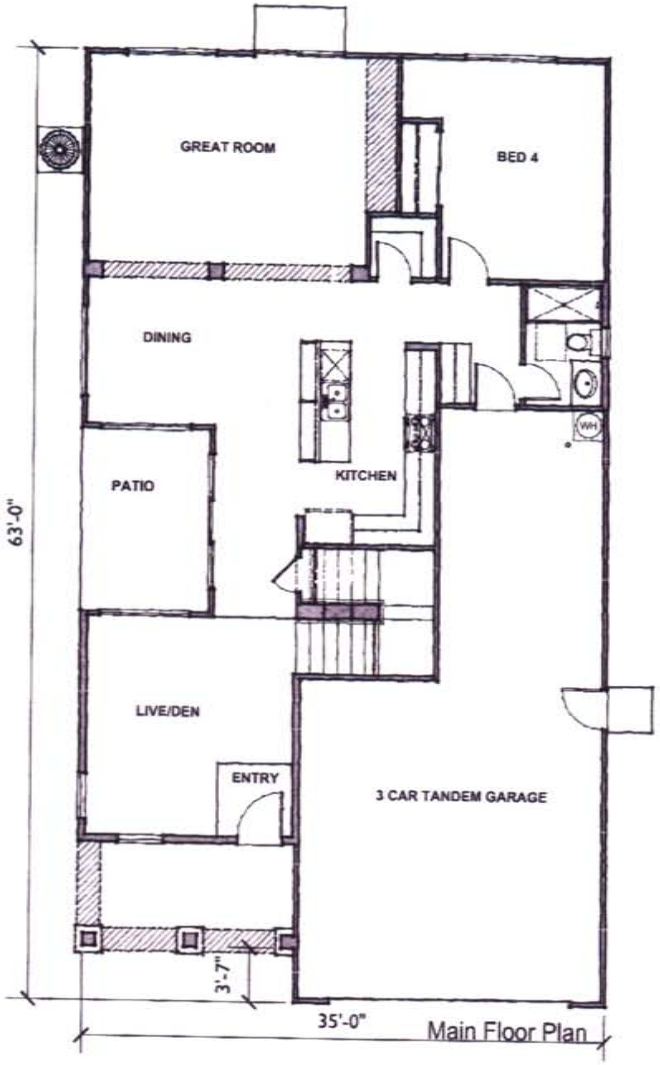
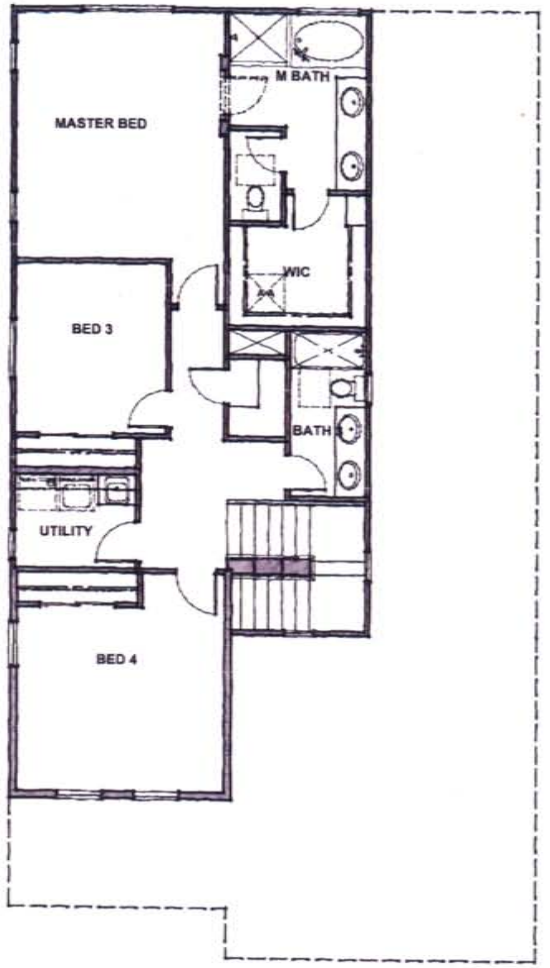
Right Elevation
Rear Elevation
Left Elevation
1/16"=1'-0"
WOOD SHUTTER
HARDIE PLANK SIDING
WOOD POT/SHELF
SHAKE TILE
Front Elevation
3/16"=1'-0"
Elevation 1 Cottage Color Group: 1-02
Chateau at Blackstone 35' Plan 1
C
LENNAR
architects
December 8, 2006

Right Elevation
Rear Elevation
Left Elevation
1/16"=1'-0"
WOOD CORBELS
1 COAT STUCCO
WOOD BOARD AND BATT
WOOD POTSHELF
Slate Tile
BRICK
Front Elevation
3/16"=1'-0"
Elevation 1 Tudor Color Group: 1-04
B
Chateau at Blackstone 35' Plan 1
LENNAR
PHA architects
December 6, 2006



Main Floor Plan



Upper Floor Plan

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1730 I St. Suite 101 Sacramento, California 95814 916.554.6411

Chateau at Blackstone

Plan 2
35' 2376 SF
1/8"=1'-0"

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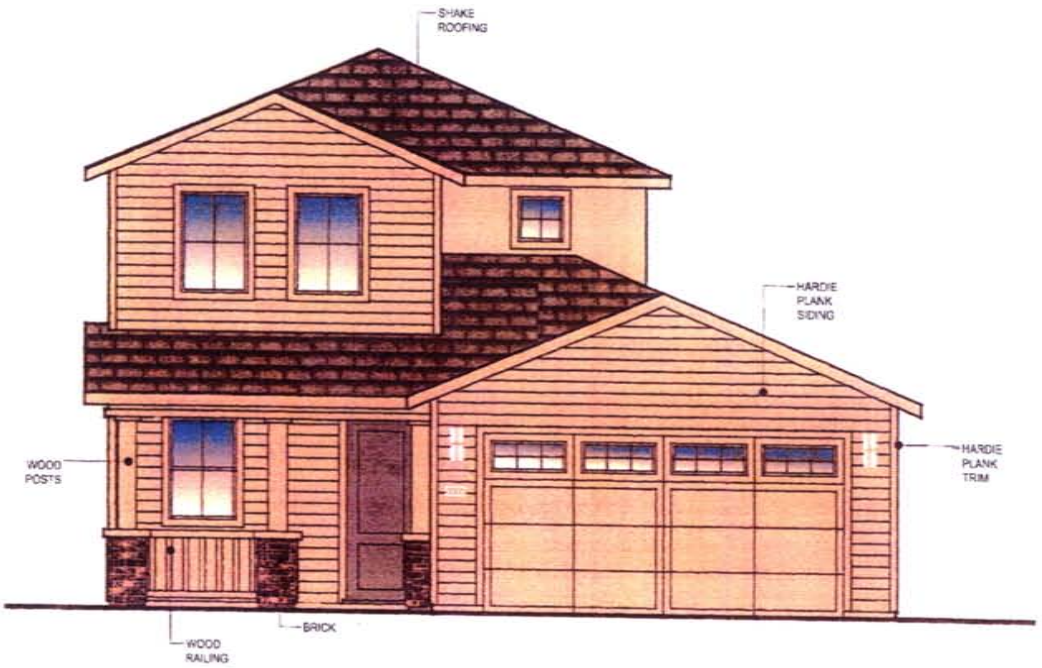

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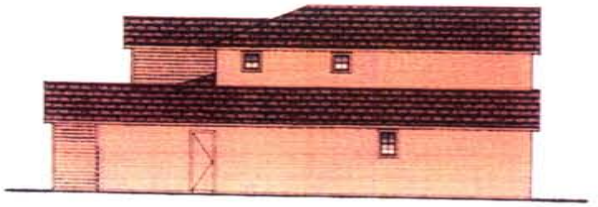

Right Elevation

Rear Elevation

Left Elevation
1/16"=1'-0"

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1730 I St. Suite 101 Sacramento, California 95814 916.554.5411

Elevation 2 Farmhouse Color Group: 2-01

Chateau at Blackstone 35' Plan 2

D

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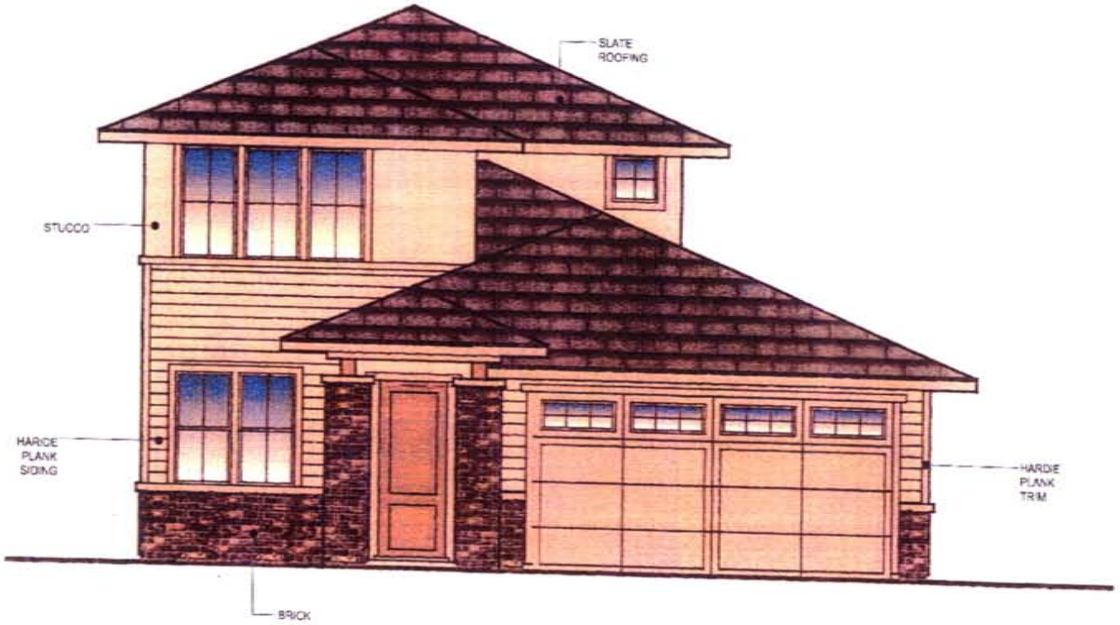

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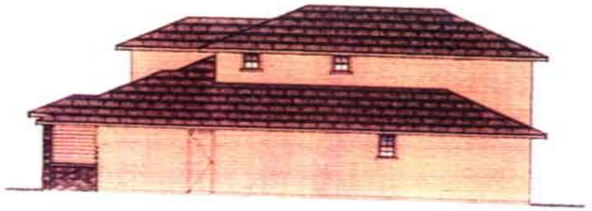

Right Elevation

Rear Elevation

Left Elevation
1/16"=1'-0"

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1730 I St. Suite 101 Sacramento, California 95814 916.554.5411

Elevation 2 Prairie Color Group: 2-02

Chateau at Blackstone 35' Plan 2

F

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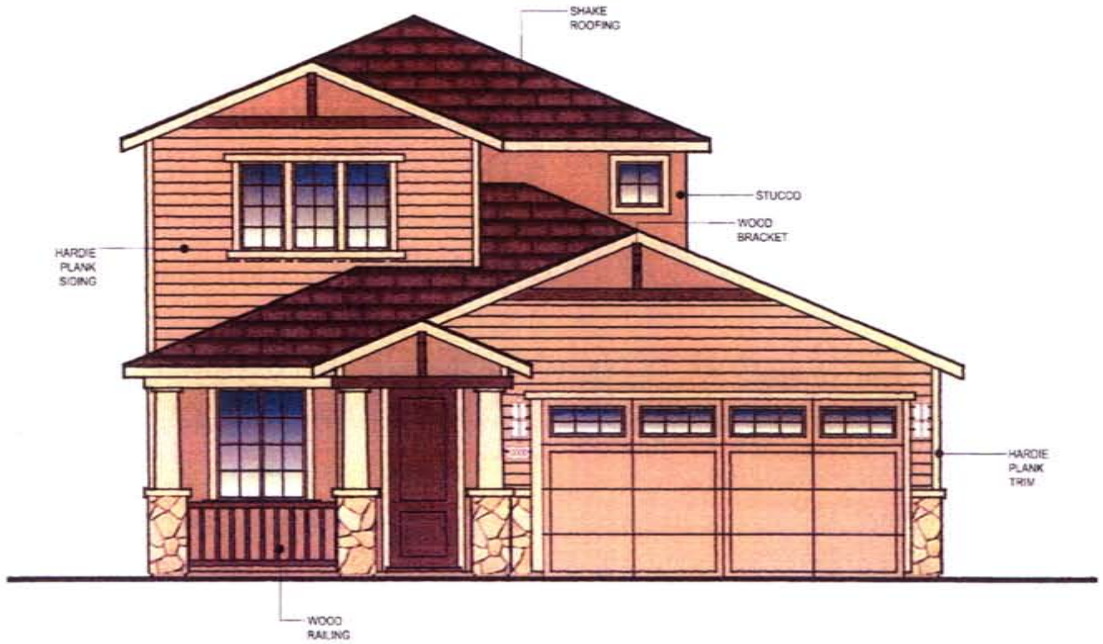

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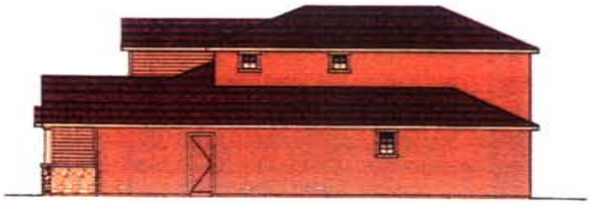

Right Elevation

Rear Elevation

Left Elevation
1/16"=1'-0"

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1730 I St. Suite 101 Sacramento, California 95814 916.554.6411

Elevation 2 Craftsman Color Group: 2-04

Chateau at Blackstone 35' Plan 2

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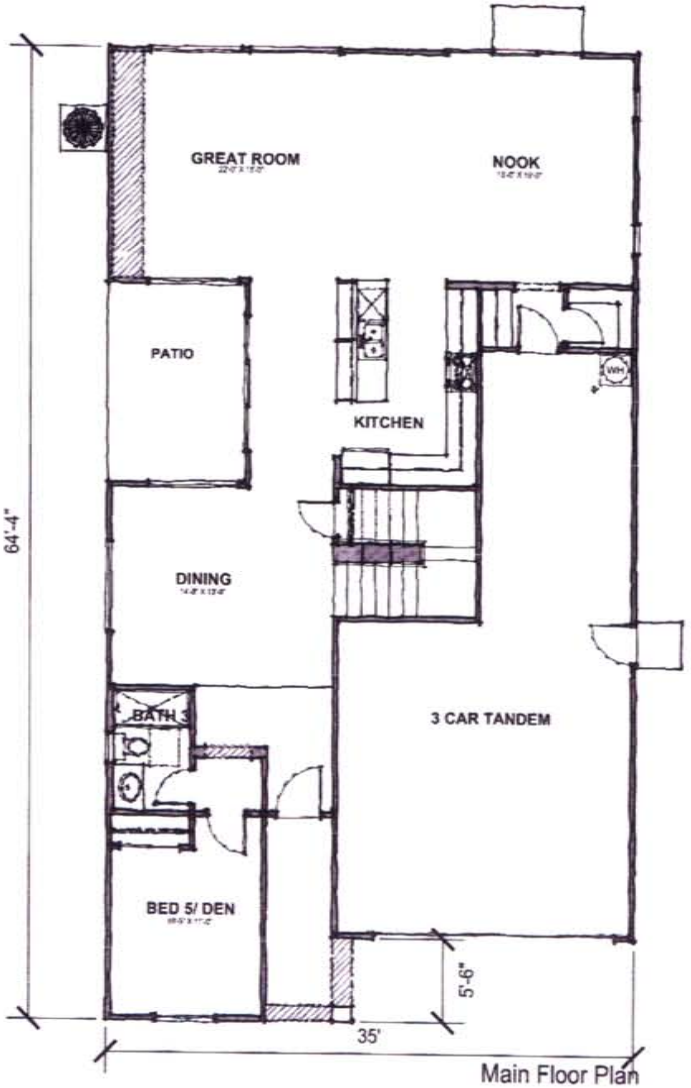
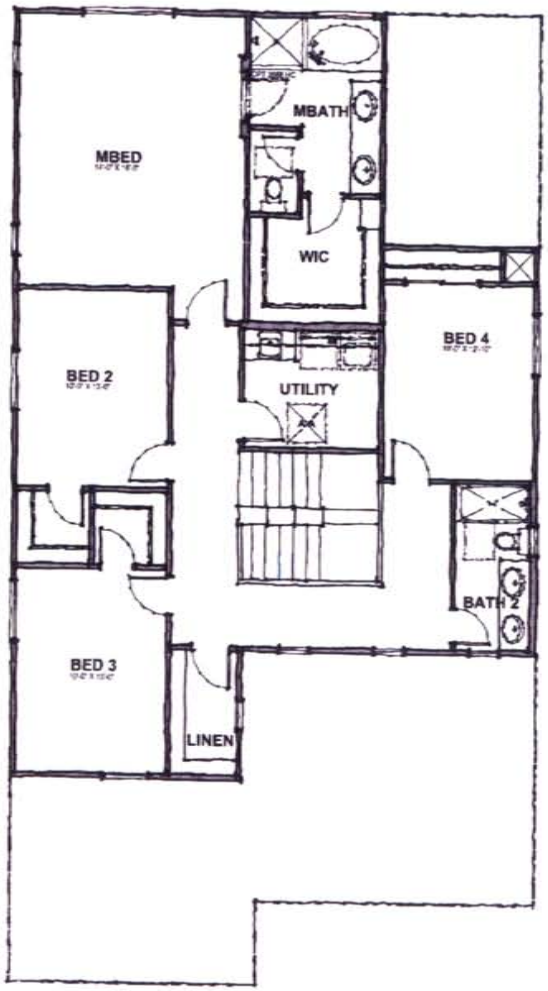


Main Floor Plan



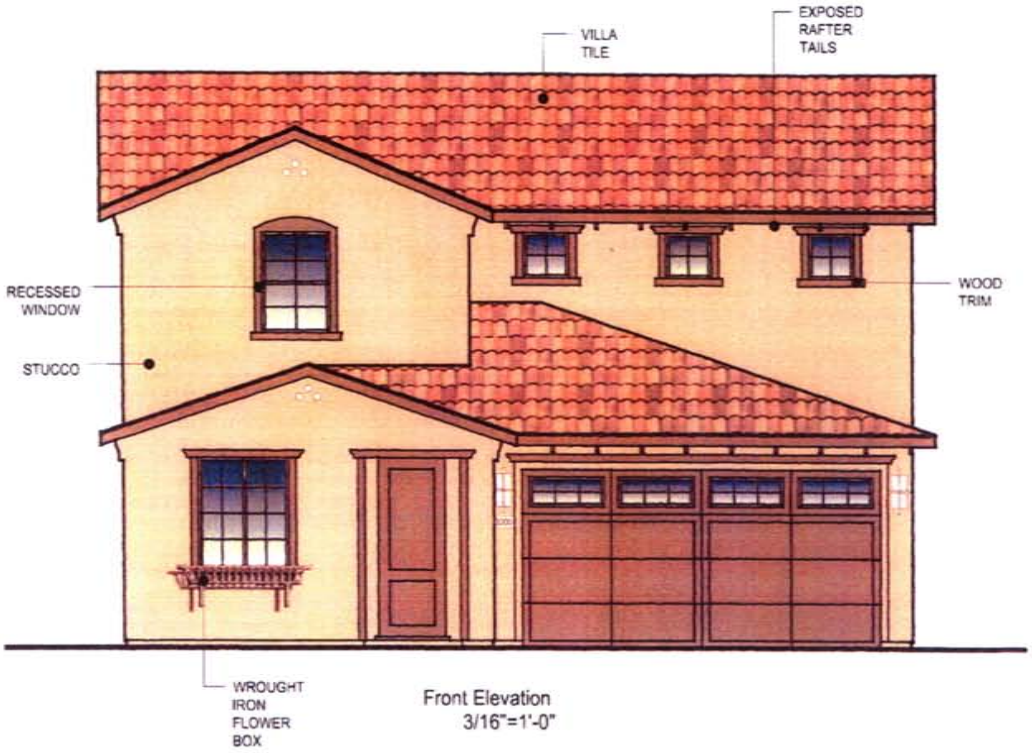
Upper Floor Plan

PHA architects December 6, 2006
1730 I St. Suite 101 Sacramento, California 95814 916.554.6411

Chateau at Blackstone

Plan 3
2734 SF
35' 1/8"=1'-0"

LENNAR



Front Elevation
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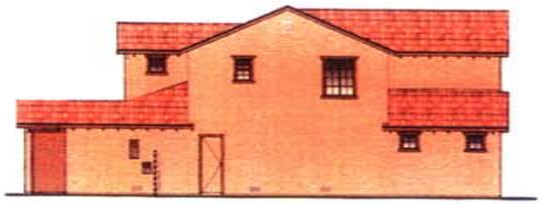

Right Elevation

Rear Elevation

Left Elevation
1/16"=1'-0"

PHA architects December 5, 2006
1730 I St. Suite 101 Sacramento, California 95814 916.554.6411

Elevation 3 Spanish Color Group: 3-02

Chateau at Blackstone 35' Plan 3

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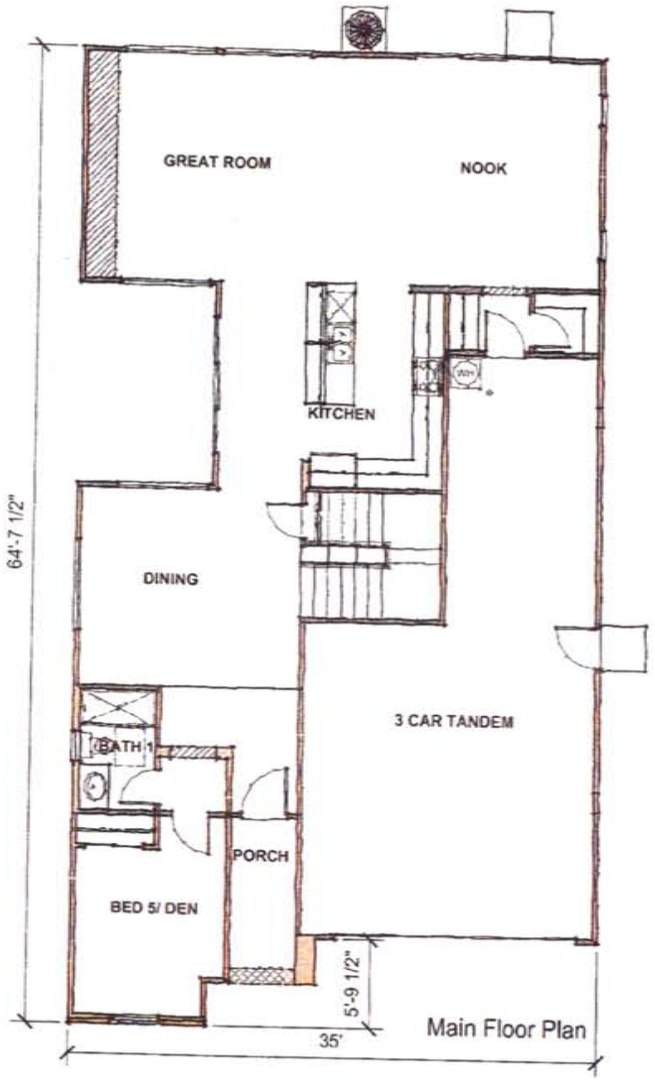
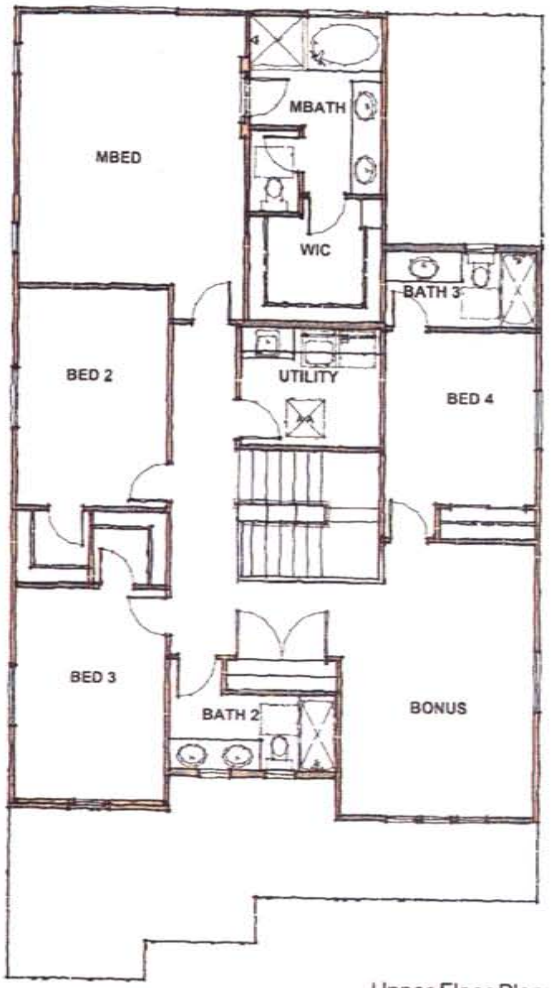
Right Elevation
Rear Elevation
Left Elevation
1/16"=1'-0"
WOOD SHUTTER
STUCCO
SHAKE TILE
HARDIE PLANK TRIM
HARDIE PLANK SIDING
BRICK
Front Elevation
3/16"=1'-0"
Elevation 3 Traditional Color Group: 2-01
Chateau at Blackstone 35' Plan 3
I
LENNAR
PHA architects

Right Elevation
Rear Elevation
Left Elevation
1/16"=1'-0"
HARDIE PLANK TRIM
SHAKE TILE
WOOD CORBEL
WOOD SHUTTERS
HARDIE PLANK SIDING 6" LAP
HARDIE PLANK SIDING 3" LAP
Front Elevation
3/16"=1'-0"
PHA architects
December 8, 2006
Elevation 3 American Cottage Color Group: 2-03 Chateau at Blackstone 35' Plan 3
H
LENNAR



Main Floor Plan

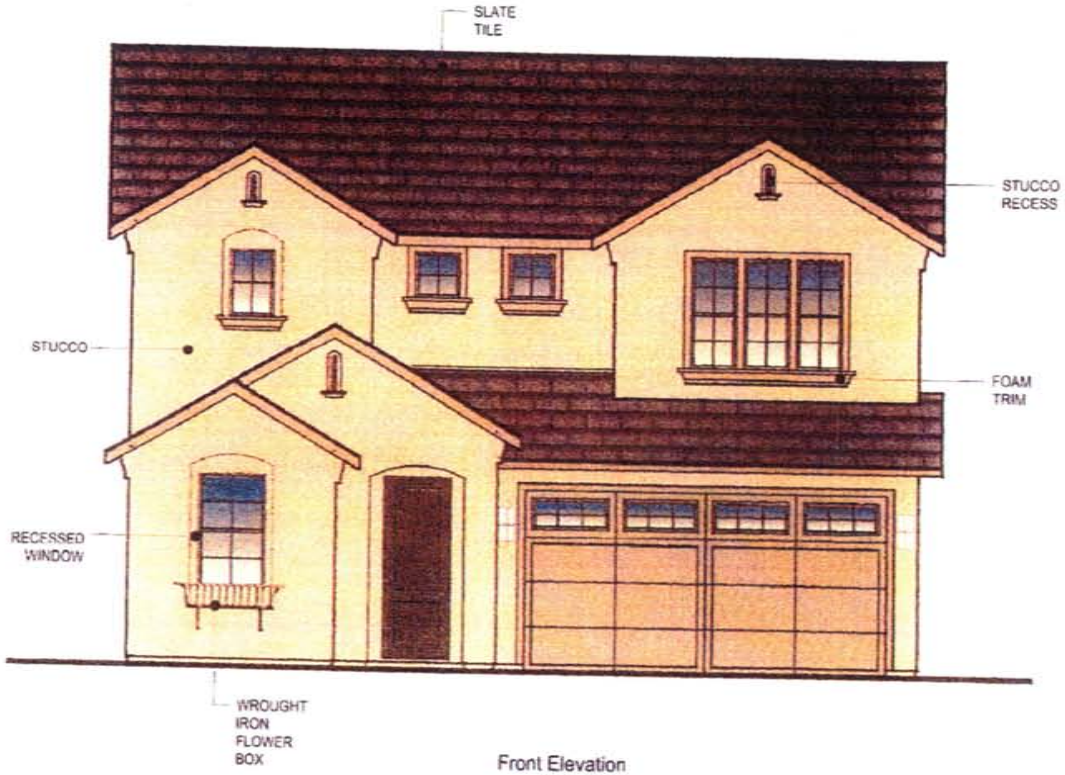


Upper Floor Plan

PHA architects December 6, 2006
1730 I St. Suite 101 Sacramento, California 95814 916.554.6417

Chateau at Blackstone 35' Plan 4 2980 SF 1/8"=1'-0"

LENNAR



Front Elevation
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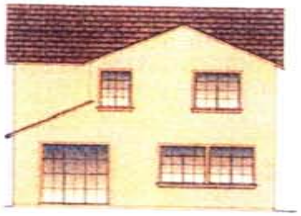
Right Elevation



Rear Elevation

Left Elevation
1/16"=1'-0"

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1730 I St. Suite 101 Sacramento, California 95814 916.924.6411

Elevation 4 European Color Group: 3-03

Chateau at Blackstone 35' Plan 4

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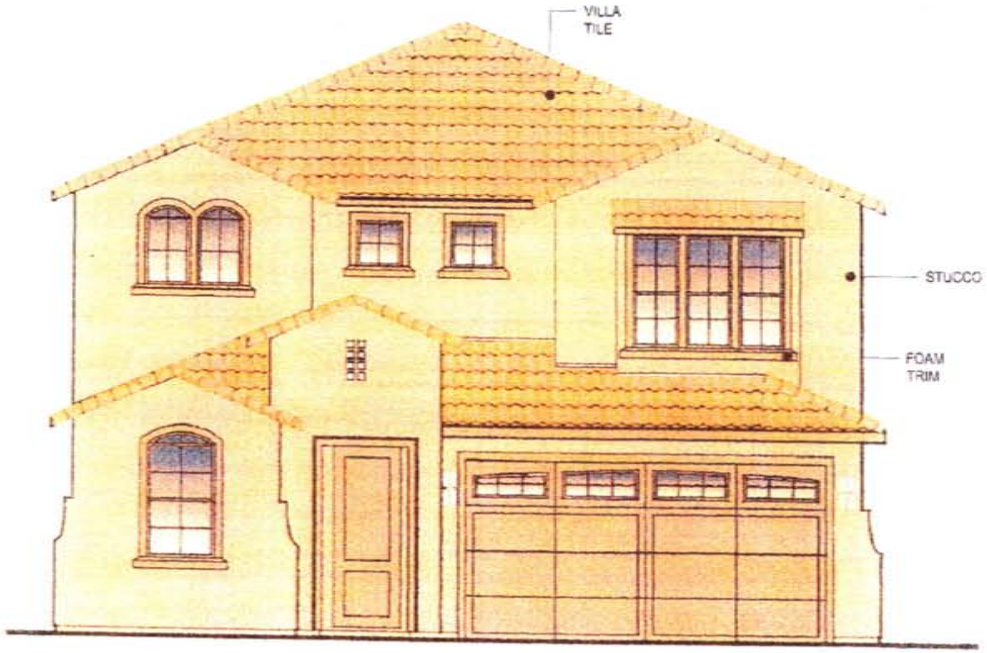
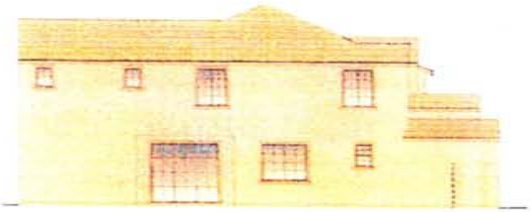


Front Elevation
3/16"=1'-0"

Right Elevation

Rear Elevation



Left Elevation
1/16"=1'-0"

PHA architects December 8, 2006
1730 I St. Suite 101 Sacramento, California 95814 916.554.6611

Elevation 4 Spanish Revival Color Group: 2-03 *Chateau at Blackstone* 35' Plan 4

K

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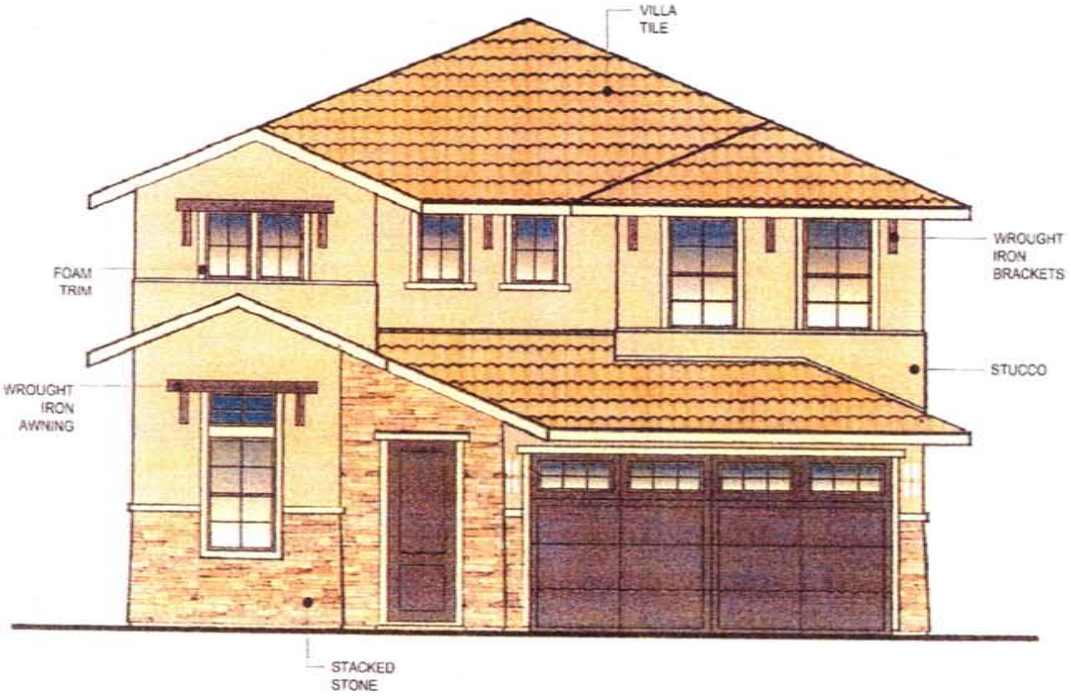

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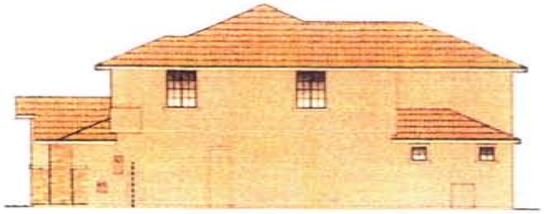
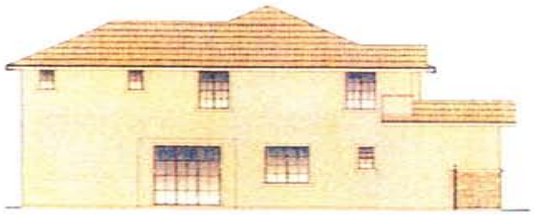


Right Elevation

Rear Elevation



Left Elevation
1/16"=1'-0"

PHA architects December 6, 2006
1730 I St. Suite 101 Sacramento, California 95814 916.554.8411

Elevation 4 Tuscan Color Group: 4-04 *Chateau at Blackstone* 35' Plan 4

LENNAR

DEVELOPMENT SERVICES DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

NORTH PERMIT CENTER
2101 ARENA BLVD., SECOND FLOOR
SACRAMENTO, CA 95834

ENVIRONMENTAL PLANNING SERVICES

916-808-5381
FAX 916-566-3968

ADDENDUM TO AN ADOPTED MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, make declare, and publish this Addendum to an Adopted Negative Declaration for the following described project:

Regency Park Lot K (P07-003)

The proposed project consists of the necessary entitlements to construct 37 single family lots on approximately 5.6 acres in the Northpointe Park Planned Unit Development. The specific entitlements include:

A. **General Plan Amendment** to change the parcel's designation from Public/Quasi-Public to Low Density Residential;
B. **Community Plan Amendment** to change the parcel's designation from General Public Facilities to Low Density Residential;
C. **Tentative Map 5-50** to subdivide the approximately 5.6 acre parcel into 37 single family lots;
D. **Rezone** from Single-Family (R-1-PUD) to Single-Family Alternative PUD (R-1A-PUD); and
E. **Planned Unit Development Schematic Plan Amendment** to change the parcel's designation from Elementary School to Standard Single-Family Residential PUD.

The City of Sacramento, Development Services Department, has reviewed the proposed project and on the basis of the whole record before it, has determined that there is no substantial evidence that the project, as identified in the attached Initial Study, will have a significant effect on the environment. This Addendum to an Adopted Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California). This Addendum to an Adopted Mitigated Negative Declaration has been prepared pursuant to Title 14, Section 15164 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

A copy of this document and all supportive documentation may be reviewed or obtained at the City of Sacramento, Development Services Department, Environmental Planning Division, 2101 Arena Blvd., 2nd Floor, Sacramento, California 95834.

Environmental Services Manager, City of Sacramento, California, a municipal corporation

By: _____

CONCLUSION TO PREPARE AN ADDENDUM TO AN ADOPTED NEGATIVE DECLARATION

An Addendum to an Adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary (CEQA Guidelines Section 15164). The City has decided to prepare an Addendum in that none of the following findings necessary to prepare a Subsequent Negative Declaration have been made pursuant to CEQA Guidelines Section 15162:

1. No substantial changes are proposed to the project which will require major revisions of the previous Negative Declaration.

   On February 4, 1997, the City Council approved the Mitigated Negative Declaration, the Mitigation Monitoring Plan, and approved the necessary entitlements to configure the land use designations and zoning for the approximately 945.7 acre project site establishing the Northpointe Park Planned Unit Development (P96-058).

   The Northpointe Park PUD Mitigated Negative Declaration (P96-058) identified potentially significant impacts to air quality, biological resources, cultural resources, hazards, traffic, and water. Mitigation measures were implemented which reduced these impacts to less-than-significant levels.

   The proposed project, Regency Park lot K (P07-003), consists of a request to construct 37 single family lots on an approximately 5.6 acre vacant lot originally reserved for the Rio Linda Union School District. The Rio Linda Union School District has officially declined the reservation by the applicant; therefore, the following entitlements are requested: Community Plan amendment to change the parcel's designation from General Public Facilities to Low Density Residential; General Plan amendment to change the parcel's designation from Public/Quasi-Public Facilities to Low Density Residential; Planned Unit Development Schematic Plan Amendment to change the parcel's designation from Elementary School to Single-Family Alternative PUD (R-1A-PUD), Rezone to change the parcel's designation from Standard Single-Family PUD (R-1-PUD) to Single-Family Alternative PUD (R-1A-PUD); and Tentative Map to subdivide the approximate 5.6 acre parcel into 37 single family lots.

   Although the proposed project site was previously reserved for an elementary school, the underlying zoning is Standard Single-Family PUD (R-1-PUD). Forty-four dwelling units are allowed on the proposed project site under the existing zoning. The proposed entitlements to construct 37 single family lots are allowed within the existing zoning. An entitlement to change the parcel's zoning designation from Standard Single-Family PUD (R-1-PUD) to Single-Family Alternative PUD (R-1A-PUD) is necessary to accommodate lot sizes less than 52 feet by 100 feet and 62 feet by 100 feet for corner lots in order to match the adjacent, existing Northpointe Park subdivision.

   The City of Sacramento's Development Engineering Division reviewed the proposed request to develop 37 single-family homes on 5.6 acres, and determined that the change in land use from an elementary school to 37 single-family residential lots would not be significant for the following reasons. The proposed project would not generate more

traffic trips or traffic congestion greater than what was analyzed, approved, and mitigated in the Northpointe Park PUD Mitigated Negative Declaration. Additionally, the Development Engineering Division determined the proposed project has adequate emergency access, adequate parking, and does not include hazards from design features nor incompatible uses.

For these reasons, the current entitlement requests do not significantly alter the analysis in the previously certified environmental document; therefore, an addendum is being prepared for the proposed project. Although the Addendum provides additional information and evaluation, the new information and evaluation will not trigger the need for a subsequent Mitigated Negative Declaration. The modifications of the previous entitlements for the proposed project are within the scope of analysis of the prior approved project and will not result in any new potential environmental impacts or any more severe impacts than those previously evaluated, identified and mitigated in the Northpointe Park PUD Mitigated Negative Declaration (P96-058).

2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration.

Some changes have occurred since the time the Northpointe Park PUD Mitigated Negative Declaration was approved. These changes include the approval of the Natomas Basin Habitat Conservation Plan (NBHCP) in May 2003. At the time of approval for the Northpointe Park Planned Unit Development, a mitigation measure was adopted for the proposed project requiring the applicant to participate in the Natomas Basin Conservation Plan (NBHCP) once adopted, by paying an interim fee. However, if the NBHCP was not implemented or if the interim fee exceeds the NBHCP fee, the applicant shall be refunded the difference. Similarly, if the interim fee is less than the NBHCP fee, the applicant shall pay the difference. In 2003, the NBHCP was approved by the City of Sacramento, United States Fish and Wildlife Service, and California Department of Fish and Game. The NBHCP is a conservation plan supporting application for Incidental Take Permits (ITP) under Section 10(a)(1) (B) of the Endangered Species Act and Under Section 2081 of the California Fish and Game Code. The purpose of the NBHCP is to promote biological conservation while allowing urban development and continuation of agriculture within the Natomas Basin. The NBHCP establishes a multi-species conservation program to mitigate the expected loss of habitat values and incidental take of protected species that would result from urban development, operation of irrigation and drainage systems, and rice farming. The goal of the NBHCP is to preserve, restore, and enhance habitat values found in the Natomas Basin. Therefore, because the NBHCP was adopted, the applicant shall be required to pay the NBHCP amount, per mitigation measure #5 of the Northpointe Park PUD Mitigated Negative Declaration and Mitigation Monitoring Plan.

The release of the July 2004 Guide to Air Quality Assessment by the Sacramento Metropolitan Air Quality Management District (SMAQMD) establishing thresholds for Reactive Organic Gases (ROG), for operation of a project, and thresholds for Nitrogen Oxides (NOx), for construction and operation of a project. Other changes include the implementation of SMAQMD's modeling tool, URBEMIS 2002, Version 8. The Northpointe Park PUD Mitigated Negative Declaration did not identify impacts to air quality more severe than identified in the North Natomas Community Plan nor the Sacramento General Plan Update. However, because changes in air quality thresholds have changed

and a tool for estimating ozone precursors was implemented, the URBEMIS model was utilized for the proposed project. Estimated emissions from construction and operation of the proposed project are lower than the SMAQMD's thresholds for ROG and NOx; the results are shown in the following table.

Table 1. Ozone Precursors Significance Thresholds

Pollutant	**Emissions (pounds per day)**	
	Thresholds of Significance	**Proposed Project**
Construction Oxides of Nitrogen (NOx)	85	31
Operational Reactive Organic Gases (ROG)	65	2.79
Operational Ozides of Nitrogen (NOx)	65	3.12

Additionally, the flood zone designation has changed from A99 to Shaded X. since the Northpointe Park PUD Mitigated Negative Declaration was adopted. The Federal Emergency Management Agency (FEMA) revised the Flood Insurance Rate Map (FIRM) for the area in which the proposed project is located. The Northpointe Park PUD was located in the A99 Flood Zone indicating areas having less than 100-year flood protection. The proposed project is located in the Shaded X Flood Zone indicating areas of 500-year flood, areas of 100-year flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from 100-year flood. The A99 Flood Zone requires an Agreement Regarding risk of Flooding on Property for new construction, while the Shaded X Flood Zone has no restrictions or requirements.

However, new information and evaluations are considered technical changes and do not include new impacts that have not already been discussed in the Northpointe Park Mitigated Negative Declaration (P96-058).

3. No new information of substantial importance has been found that shows any of the following:

   a) The project will have one or more significant effects not discussed in the previous Negative Declaration and EIRs;

   b) Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration and EIRs;

   c) Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or

   d) Mitigation measures which are considerably different from those analyzed in the previous Negative Declaration and EIRs would substantially reduce one or more significant effects on the environment.

The proposed project involves the development of 37 single family lots on an approximately 5.6 acre site previously reserved as an elementary school site in the Northpointe Park PUD. Because the School District declined the reservation, the applicant is proposing single-family development consistent with the adjacent land uses in the Northpointe Park PUD. Development of the proposed project would not result in any

new significant effects not discussed in the Northpointe Park PUD environmental document. No new mitigation measures are identified for the proposed project. However, the following mitigation measures were identified for the previous project and are applicable to the proposed project. Mitigation Measures 5 and 6 address potentially significant impacts to biological resources and include mitigation for loss of Burrowing Owl foraging habitat a process to follow if Burrowing Owls are found on the site. Mitigation Measures 13 and 14 address potentially significant impacts to cultural resources and include a process to follow if archaeological and paleontological resources are discovered on the project site.

Regency Park "Lot K" (P07-003)
Addendum to an Adopted Negative Declaration

The following information is provided as a minor revision in the language of the original Initial Study/Negative Declaration for Regency Park "Lot K" (P07-003). All responses to the California Environmental Quality Act (CEQA) Guidelines checklist questions, project impact analysis, and mitigation measures contained in the original Initial Study/Negative Declaration remain the same unless modified or replaced by the addendum information provided below.

PROJECT INFORMATION

File Number/Project Name:

P07-003 / Regency Park "Lot K"

Project Location:

The proposed project consists of one parcel, on Assessor's Parcel Number 201-0540-051, lot K in the Northpointe Park Planned Unit Development. Amazon Avenue is located to the north, Celebration Street is located to the west, Faletto Avenue is to the south, and the County of Sacramento is to the east.

Existing Plan Designations and Zoning:

The Sacramento General Plan designates the site as Medium Public/Quasi-Public. The North Natomas Community Plan designates the site General Public Facilities. The Planned Unit Development Schematic Plan designates the sites as Elementary School. The project site is zoned Single Family PUD (R-1 PUD).

Other Project Studies/Reports/References:

All documents are available at the City of Sacramento, Development Services Department, Environmental Services, 2101 Arena Blvd., Suite 200, Sacramento, CA 95834.

- City of Sacramento General Plan
- City of Sacramento General Plan Update
- North Natomas Community Plan
- City of Sacramento Zoning Ordinance
- Northpointe Park PUD Mitigated Negative Declaration (P96-058)

Project Background:

On February 4, 1997, the Sacramento City Council adopted the Northpointe Park Planned Unit Development Mitigated Negative Declaration, Mitigation Monitoring Plan, Development Agreement, General Plan Amendment, Community Plan Amendment, Rezone, and Planned Unit Development Designations, Tentative Master Parcel Map, Tentative Map, and Subdivision Modification. The proposed project is located on the proposed elementary school site. The Rio Linda Union School District officially declined the reservation by the applicant.

Project Purpose

The purpose of the proposed project is to obtain the necessary entitlements to construct 37 single family lots on an approximately 5.6 acre lot due to the declination of the site by the Rio Linda Union School District. The requested entitlements are necessary to develop the proposed project site with a land use consistent with adjacent land uses and zoning in the Northpointe Park PUD.

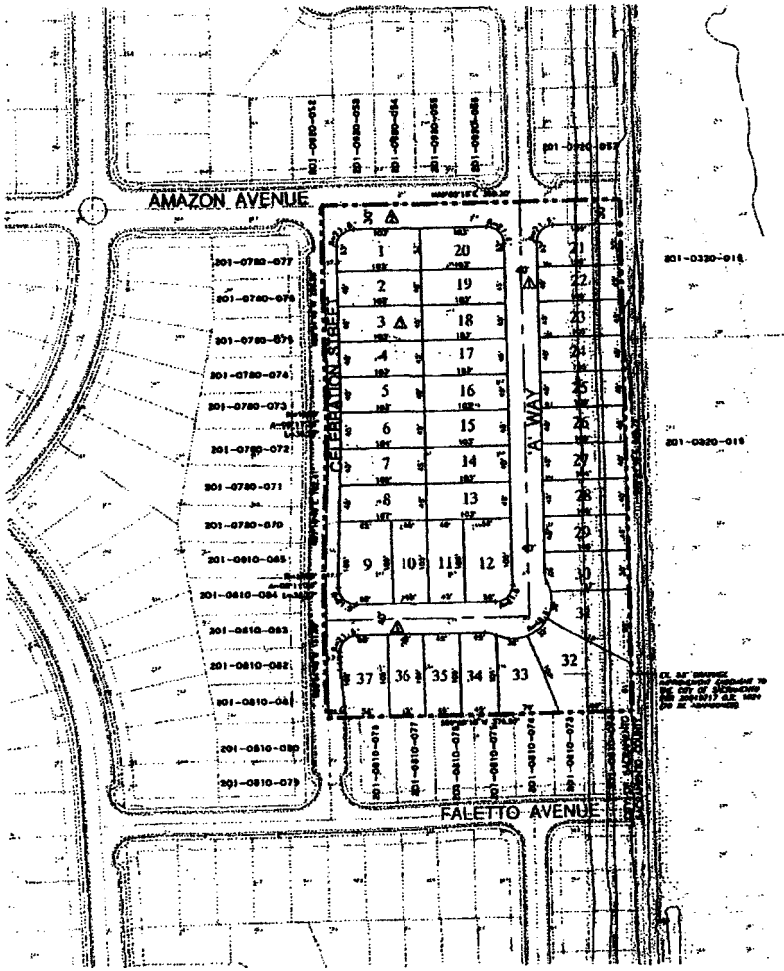
Project Components:

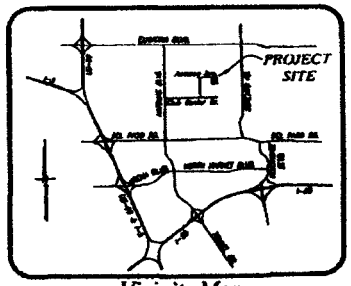
A. **General Plan Amendment** to change the parcel's designation from Public/Quasi-Public to Low Density Residential;
B. **Community Plan Amendment** to change the parcel's designation from General Public Facilities to Low Density Residential;
C. **Tentative Map** to subdivide the approximately 5.6 acre parcel into 37 single family lots;
D. **Rezone** from Single-Family (R-1-PUD) to Single-Family Alternative PUD (R-1A-PUD); and
E. **Planned Unit Development Schematic Plan Amendment** to change the parcel's designation from Elementary School to Residential R-1A-PUD.

Environmental Effects:

The purpose of this Addendum is to provide a factual basis for determining whether the proposed project would have a significant effect on the environment beyond what has already been evaluated under CEQA. This Addendum also identifies which mitigation measures from the Northpointe Park PUD Mitigated Negative Declaration and Mitigation Monitoring Plan are applicable to the proposed project. Applicable mitigation measures are as follows: 5, 6, 13, and 14. The Northpointe Park PUD Mitigated Negative Declaration evaluated the entitlements for the development plan of the Northpointe Park PUD, within which the proposed project site is located. Although this Addendum provides new information and evaluation, the modifications of the previous entitlements for the proposed project are within the scope and analysis of the prior project and would not create significant impacts over and above those previously evaluated, identified, and mitigated in the Northpointe Park PUD Mitigated Negative Declaration (P96-058). The following items are included as attachments to this addendum:

Attachment A:	**Project Site Plan and Vicinity Map**
Attachment B:	**Northpointe Park PUD (P96-058) Negative Declaration**
Attachment C:	**Northpointe Park PUD (P96-058) Mitigation Monitoring Plan**
Attachment D:	**Regency Park Lot K (P07-003) Mitigation Monitoring Plan**





Vicinity Map

PROJECT INFORMATION

SITE DESCRIPTION: LOT K OF NORTHPOINTE PARK PHASE 2 AT 184 P.M. 4

ASSESSOR'S PARCEL NOs: 201-0540-051

OWNER: Northpointe North, LLC
2240 Douglas Blvd. Ste. 200
Roseville, CA 95661

SUBDIVIDER: Lennar Communities
1075 Creekside Ridge Dr., Ste. 1
Roseville, CA 95678

ENGINEER: MacKay & Somps
1771 Tribute Road, Ste. E
Sacramento, CA 95815
(916) 929-8092

EXISTING USE: Vacant

PROPOSED USE: Single Family Residential

EXISTING ZONING: R-1 PUD

PROPOSED ZONING: R-1 PUD

FIRE: Sacramento Metropolitan Fire District
SCHOOLS: Rio Linda Union School District
Grant High School District
PARKS: City of Sacramento
WATER: City of Sacramento
SEWER: Sacramento Regional Sanitation District
DRAINAGE: City of Sacramento
ELECTRICAL: SMUD
GAS: PG&E
TELEPHONE: S.B.C.

NUMBER OF LOTS: 37: Single Family Lots

ACRES: 5.8± acres (gross)

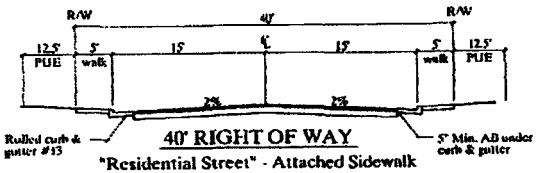
- Dimensions & areas shown are approximate and subject to change.
- Subdivider reserves the right to file multiple final maps.
- There are no on-site structures or trees existing on site.
- 12.5' PUE proposed along all streets.
- See separate requests for Subdivision Modifications.
- Abandonment of R.O.W., P.U.E., and S.D.E as shown.
- Road improvements exist on site as shown in street sections. No existing R.O.W. on record.

SUBDIVISION MODIFICATIONS:

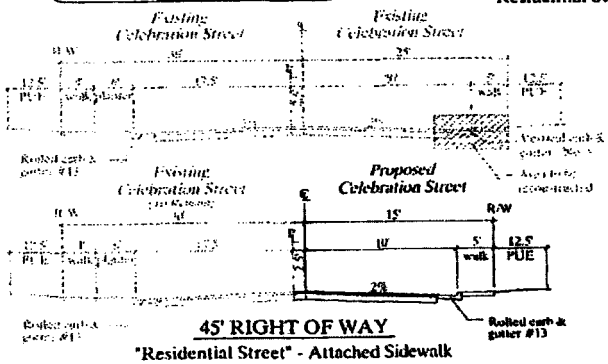
⚠ Reduce R.O.W. width from 53' to 40' on 'A' Drive.

⚠ Allow for a 30' existing half section along Amazon Ave. to remain.

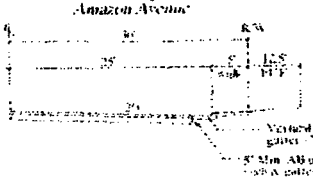
⚠ Reduce typical lot requirement from 52' x 100' to 45' x 100' lot.



40' RIGHT OF WAY
"Residential Street" - Attached Sidewalk
'A' Way



45' RIGHT OF WAY
"Residential Street" - Attached Sidewalk
Modified Celebration Street



30' HALF RIGHT OF WAY
"Residential Street" - Attached Sidewalk
Existing Amazon Avenue
(To Remain)

Tentative Subdivision Map

Regency Park - Lot K

City of Sacramento, California

Scale: 1"= 100'

December 15, 2006

Prepared under direction of:

REGISTERED PROFESSIONAL ENGINEER
PAUL ROBERT PARTAIN
No. 49154
EXP. 09-30-08
CIVIL
STATE OF CALIFORNIA

MACKAY & SOMPS
CIVIL ENGINEERS, INC.
SACRAMENTO, CALIFORNIA (916) 929-8092

7967-00

NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does prepare, make, declare, and publish this Negative Declaration for the following described project:

Northpointe Park (P96-058)
A. Negative Declaration
B. Mitigation Monitoring Plan
C. Development Agreement between City and Valley Land Company Investors
D. General Plan Amendment to make modifications to the land uses on 945.7± gross acres; specifically to delete 164.4 net acres of golf course uses designated Parks, Recreation and Open Space, 39.6± acres of Medium Density Residential (16-29 dwelling units per net acre), and 2.5± acres of detention basin designated Water and to add 139.7± acres of Low Density Residential (4-15 du/na), 71.8± acres of community parks designated Parks, Recreation, and Open Space, 8.5± acres of other open space uses designated Parks, Recreation, and Open Space, and 2.6± acres of institution uses designated Public/ Quasi-Public/ Miscellaneous
E. North Natomas Community Plan Amendment to make modifications to the land uses on 945.7± acres; specifically to delete 164.4 net acres of Golf Course, 39.6± acres of High Density Residential (11-29 dwelling units per net acre, target=22 du/na), 16.0± acres of Medium Density Residential (7-21 dwelling units per net acre, target=12 du/na), and 2.5± acres Detention Basin and to add 155.7± acres Low Density Residential (3-10 du/na, target=7 du/na); 71.8± acres Parks, 8.5± acres open space, and 2.6± acres Institution uses
F. Rezone of 945.7± gross acres from 573.9± gross acres Standard Single Family Planned Unit Development (R-1-PUD), 167.8± gross acres Single Family Alternative-PUD (R-1A-PUD), 159.7± gross acres Multi-Family-PUD (R-2B-PUD), and 44.3± gross acres Agriculture Open Space-PUD (AOS-PUD) to 349.0± gross acres R-1-PUD, 282.0± gross acres R-1A-PUD, 17.5± gross acres Single Family or Two Family-PUD (R-1B-PUD), 81.5± gross acres Multi-Family-PUD (R-2A-PUD), and 52.7± gross acres Multi-Family-PUD (R-3-PUD), 12.3± gross acres Limited Commercial-PUD (C-1-PUD), 9.2± gross acres Shopping Center-PUD (SC-PUD), and 141.5± gross acres Agriculture Open Space (AOS-PUD)
G. PUD Designation for Northpointe Park consisting of 945.7± gross acres including portions of 3 neighborhoods in North Natomas: Neighborhood #11 (northern portion of the site); Neighborhood #12 (central portion of the site); and Neighborhood #13 (southern portion of the site)
H. Tentative Master Parcel Map to subdivide 10 parcels totaling 945.7± gross acres into 73 master parcels consisting of 21 low density, single family residential parcels; 16 medium density, single family residential parcels; 8 medium density, multi-family residential parcels, 6 high density multi-family residential parcels, 3 convenience commercial parcels, 1 neighborhood commercial parcel, 5 park parcels, 2 open space parcels for the agricultural buffer along Elkhorn Boulevard, 3 elementary school parcels, 1 junior high school parcel, 1 parcel for a commmunity center, 1 parcel for a fire station, 2 parcels for day care centers, 2 parcels for detention basins, and 1 parcel for civic - utilities use
I. Tentative Map to subdivide 73 proposed master parcels totaling 945.7± gross acres into 3,575 lots consisting of 3,532 single family residential lots on 602.7± gross acres (557.4± net acres) (including low and medium density single family lots); 8 medium density, multi-family lots (863 units); 6 high density, multi-family lots (1,158 units); 3 convenience commercial lots; 1 neighborhood commercial lot; 5 park parcels; 9 open space parcels (2 agricultural buffer lots along Elkhorn, 3 parcels for the bike trail adjacent to the East Drain, and 4 landscape parcels along Del Paso Road); 3 elementary school lots; 1 junior high school lot; 1 lot for a community center; 1 lot for a fire station; 2 parcels for day care centers; 2 parcels for detention basins; and 1 parcel for civic utilities uses.
J. Subdivision Modification to allow the modification of street standards related to 90 degree elbows; greater than 100 degeree and less than 80 degree elbows; wide-mouth cul-de-sacs; rolled versus vertical curbs in the single family residential area; and right of way width and improvement design for streets within the proposed Northpointe Park subdivision.

The City of Sacramento, Department of Planning and Development, has reviewed the proposed project and has determined that the project, with mitigation measures, as identified in the attached Initial Study, as resolved, will not have a significant effect on the environment. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Division 13 of the Public Resources Code of the State of California).

This environmental review process and Negative Declaration filing is pursuant to Title 14, Division 6, Chapter 3, Article 6, Section 15070 of the California Administrative Code and pursuant to the Sacramento Local Environmental Regulations (Resolutions 78-171) adopted by the City of Sacramento and pursuant to the Sacramento City Code, Chapter 63.

A copy of this document may be reviewed/obtained at the City of Sacramento, Department of Planning and Development, Planning Division, 1231 "I" Street, 3rd Floor, Sacramento, California 95814.

City of Sacramento, California
A Municipal Corporation

By:

P96-058- Northpointe Park
attachment
rev. 11/15/95

form.mit For the Environmental Services Division Manager

ATTACHMENT 1

DISCUSSION OF INITIAL STUDY

PROJECT INFORMATION

Project Number: **P96-058**

Project Name: **Northpointe Park**

Project Location:

The subject property consists of 945.7± vacant gross acres and is located within the North Natomas Community Plan (NNCP) area between Del Paso Road and Elkhorn Boulevard east of the East Drain (see Attachment 2). The site is identified as the following 10 Assessor's Parcel Numbers: 201-0310-017, 018, 022, and 023; 225-0050-017 to 019; and 225-0060-018 to 020.

Existing Plan Designation(s) and Zoning:

Sacramento General Plan Update Designation	Low Density Residential (4-15 dwelling units/ net acre (du/na)), Medium Density Residential (16-29 du/na), Community/ Neighborhood Commercial and Offices, Parks- Recreation- Open Space, Water, Public/Quasi-Public & Misc.
North Natomas Community Plan Designation	Low Density Residential (3-10 du/na, target=7), Medium Density Residential (7-21 du/na, target=12), High Density Residential (11-29+ du/na, target=22), Convenience Commercial, Village/Neighborhood Commercial, Park, Open Space, Golf Course, Elementary School, Junior High School, and Public Civic (Civic-Use, Community Center, Fire Station)
Existing Zoning	R-1-PUD, R-1A-PUD, R-2B-PUD, and AOS-PUD

Entitlement Requests:

The applicant is seeking the following entitlements in order to develop the subject site:

A. Negative Declaration

B. Mitigation Monitoring Plan

C. Development Agreement between the City of Sacramento and Valley Land Company Investors

D. General Plan Amendment to make modifications to the land uses on 945.7± gross acres,

specifically to delete 164.4 net acres of golf course uses designated Parks, Recreation and Open Space, 39.6± acres of Medium Density Residential (16-29 dwelling units per net acre), and 2.5± acres of detention basin designated Water and to add 139.7± acres of Low Density Residential (4-15 du/na), 71.8± acres of community parks designated Parks, Recreation, and Open Space, 8.5± acres other open space uses designated Parks, Recreation, and Open Space, and 2.6± acres of institution uses designated Public/ Quasi-Public/ Miscellaneous

E. North Natomas Community Plan Amendment to make modifications to the land uses on 945.7± acres, specifically to delete 164.4 net acres of Golf Course, 39.6± acres of High Density Residential (11-29 dwelling units per net acre, target=22 du/na), 16.0± acres Medium Density Residential (7-21 du/na, target=12 du/na) and 2.5± acres Detention Basin and to add 155.7± acres Low Density Residential (3-10 du/na, target=7 du/na); 71.8± acres Parks, 8.5 acres open space uses, and 2.6± acres Institution uses

F. Rezone of 945.7± gross acres from 573.9± gross acres Standard Single Family Planned Unit Development (R-1-PUD), 167.8± gross acres Single Family Alternative-PUD (R-1A-PUD), 159.7± gross acres Multi-Family-PUD (R-2B-PUD), and 44.3± gross acres Agriculture Open Space-PUD (AOS-PUD) to 349.0± gross acres R-1-PUD, 282.0± gross acres R-1A-PUD, 17.5± gross acres Single Family or Two Family-PUD (R-1B-PUD), 81.5± gross acres Multi-Family-PUD (R-2A-PUD), and 52.7± gross acres Multi-Family-PUD (R-3-PUD), 12.3± gross acres Limited Commercial-PUD (C-1-PUD), 9.2± gross acres Shopping Center-PUD (SC-PUD), and 141.5± gross acres Agriculture Open Space (AOS-PUD)

G. PUD Designation for Northpointe Park consisting of 945.7± gross acres including portions of 3 neighborhoods in North Natomas: Neighborhood #11 (northern portion of the site); Neighborhood #12 (central portion of the site); and Neighborhood #13 (southern portion of the site)

H. Tentative Master Parcel Map to subdivide 10 parcels totaling 945.7± gross acres into 73 master parcels consisting of 21 low density, single family residential parcels; 16 medium density, single family residential parcels; 8 medium density, multi-family residential parcels, 6 high density multi-family residential parcels, 3 convenience commercial parcels, 1 neighborhood commercial parcel, 5 park parcels, 2 open space parcels for the agricultural buffer along Elkhorn Boulevard, 3 elementary school parcels, 1 junior high school parcel, 1 parcel for a commmunity center, 1 parcel for a fire station, 2 parcels for day care centers, 2 parcels for detention basins, and 1 parcel for civic - utilities use

I. Tentative Map to subdivide 73 proposed master parcels totaling 945.7± gross acres into 3,575 lots consisting of 3,532 single family residential lots (including low and medium density single family lots); 8 medium density, multi-family lots (863 units); 6 high density residential lots (1,158 units); 3 convenience commercial lots; 1 neighborhood commercial lot; 5 park parcels; 9 open space parcels (2 agricultural buffer lots along Elkhorn, 3 parcels for the bike trail adjacent to the East Drain, and 4 landscape parcels along Del Paso Road); 3 elementary school lots; 1 junior high lot; 1 lot for a community center; 1 lot for a fire station; 2 parcels for day care centers; 2 parcels for detention basins; and 1 parcel for civic utilities uses.

J. Subdivision Modification to allow the modification of street standards related to 90 degree elbows;

elbows greater than 100 degrees or less than 80 degrees; wide-mouth cul-de-sacs; rolled versus vertical curbs in the single family residential area; and right of way width and improvement design for streets within the proposed Northpointe Park subdivision.

Other Project Studies/Reports/References: All documents are available at the City Planning and Development Department, 1231 I Street, Room 300, Sacramento, CA 95814

1. 1986 North Natomas Community Plan Environmental Impact Report (86 NNCP EIR)

2. Supplement to the 1986 NNCP EIR for the 1994 North Natomas Community Plan (NNCP SEIR)

3. Mitigation Monitoring Plan for the 1994 North Natomas Community Plan

4. Transportation Evaluation of the North Natomas Composite Plan - September 18, 1992, Prepared for the City of Sacramento by Kittelson and Associates

5. 1994 North Natomas Community Plan (94 NNCP)

6. North Natomas Financing Plan (August 1994, Chapter V- Land Acquisition Program amended October 31, 1995)

7. North Natomas Development Guidelines (November 1994)

8. Traffic Impact Analysis for Northpointe Park prepared by the City Public Works, Transportation and Engineering Planning Division (November 1996)

9. Natomas Basin Habitat Conservation Plan, Revised Draft, dated October 1995

10. Cultural Resources Inventory and Evaluation for the Proposed Northpointe Development, prepared by PAR Environmental Services, Inc., dated October 16, 1990

12. Archaeological Inventory and Extended Phase I Test Excavations at CA-SAC-422, Northpointe Development Project conducted by PAR Environmental Services, Inc., dated April 1992

13. Geotechnical Engineering Investigation for Northpointe Property prepared by Wallace - Kuhl and Associates, Inc. dated January 14, 1991

14. Biological Inventory and Impact Analysis for the Proposed Northpointe Development, prepared by PAR Environmental Services, Inc., dated October 16, 1990

15. Environmental Noise Analysis for Northpointe Lakes, prepared by Brown- Buntin Associates, Inc., dated October 9, 1990

16. Environmental Site Assessment for Northpointe Property, prepared by Wallace-Kuhl and Associates, Inc., dated February 1995

South Natomas Impacts

Paragraph 13 of the North Natomas Settlement Agreement states that:

> In order to properly consider the significant direct and indirect impacts of North Natomas development on South Natomas, the City and Council agree that all initial studies, negative declarations, and EIR's concerning development in North Natomas shall address specifically all potentially significant impacts on South Natomas, including any adverse impacts arising out of each adopted mitigation measure and project alternative.

All impacts identified in each environmental section will be followed with an evaluation of its significance on the South Natomas Community.

Project Description

Valley Land Company (AKT Development) has submitted an application to the City of Sacramento's Planning and Development Department for the necessary entitlements to develop portions of three neighborhoods in the North Natomas community (see Attachments 3 through 10). The total project area is 945.7± gross acres. The applicant is proposing 5,553 dwelling units, including 3,532 single family units on 602.7± gross acres (557.4± net acres) (including both low and medium density single family units), 863 medium density multi-family units on 77.9± gross acres (68.3± net acres); and 1,158 high density multi-family units on 49.2± gross acres (41.2± net acres). The proposal also includes 12.3 gross acres (10.0 net acres) of convenience commercial and 9.2 gross acres (7.9 net acres) of neighborhood commercial. The following parks and open space lands are included in the proposal: 97.3 acres of community/ neighborhood parks (not including any joint use school/park land); 16.7 gross acres of Detention Basins and 32.5 gross acres of open space (including the agricultural buffer along Elkhorn Boulevard- but not including the civic-utilities site along Elkhorn (28.1 acres), open space/ bike trail along the East Drain (4.4 acres), and landscaping lots along Del Paso Road (1.4 acres). Three elementary school sites are included; two complete school sites of 10 acres each and one half-school site of five acres (the balance of the half school site is located on adjacent property in the County). The following civic uses are located on the site: 1.4 gross acre (1.0 net acre) lot for a fire station, a 4.1 gross acre (3.5 net acre) lot for a community center, and a 5 acre lot for civic utilities uses. A Sacramento Municipal Utilities District (SMUD) substation and a City water tank are proposed to be located at the civic utilities site.

The subject site includes portions of three neighborhoods. Each neighborhood in North Natomas has an elementary school as its focal point and includes a variety of housing densities and types, as well as commercial, transit, and park/ open space services. A village center is proposed at the intersection of the three neighborhoods (North Loop Road and G Drive) and includes a commercial center, community center/ transit center, fire station, multi-family residential uses, and senior housing. Two linear parkways converge on the village center.

The project, as proposed, includes a modification of land uses as described in the entitlements above that basically includes deleting the 164.4± acre golf course, 16 acres of Medium Density Residential (7-21 dwelling units per net acre, 12= du/na), 39.6 acres of High Density Residential (16-29 dwelling units per net acre, target=22 du/na) uses, and adding 155.7 acres of Low Density Residential (3-10 du/na, target=7 du/na), 71.8 acres of Parks, 8.5 acres of open space uses, and 2.6 acres of Institution uses.

The applicant is proposing a Tentative Master Parcel Map to subdivide ten existing parcels into 73 master parcels, including 21 parcels for low density single family residential uses, 16 parcels for medium density single family residential, 8 parcels for medium density multi-family residential, 6 parcels for high density multi-family residential, 4 parcels for commercial uses, 9 parcels for parks, open space, and detention basins, 3 parcels for elementary schools, 1 parcel for a portion of the junior high school, 3 parcels for civic uses, and 2 parcels for day care centers. Also, the applicant is proposing a Tentative Map to subdivide 73 proposed master parcels into 3,575 lots consisting of 3,532 single family residential lots (including both low and medium density single family lots); 8 medium density, multi-family lots (863 units); 6 high density residential lots (1,158 units); 3 convenience commercial lots; 1 neighborhood commercial lot; 5 park parcels; 9 open space parcels (2 agricultural buffer lots along Elkhorn, 3 parcels for the bike trail adjacent to the East Drain, and 4 landscape parcels along Del Paso Road); 3 elementary school lots; 1 junior high lot; 1 lot for a community center; 1 lot for a fire station; 2 parcels for day care centers; 2 parcels for detention basins; and 1 parcel for civic utilities uses. The applicant is also requesting a subdivision modification to allow modifications of the street standards related to 90 degree elbows; elbows greater than 100 degrees or less than 80 degrees; wide-mouth cul-de-sacs; rolled versus vertical curbs in the single family residential areas and right-of-way widths and improvement design for the streets within the proposed subdivision.

ENVIRONMENTAL EFFECTS

1. EARTH

The North Natomas study area is located within the Sacramento Valley which is a part of the larger Great Central Valley. The Great Central Valley is a deep trough that extends 400 miles from the Klamath Mountains in the north to the Tehachapi Mountains in the south. The Sacramento Valley is drained by the Sacramento River and its tributaries, which flow south and west toward San Francisco Bay (NNCP DEIR, K-1).

The surface deposits in the North Natomas study area consist of Quaternary age gravels, silts, sands, and clay deposited along stream channels, natural and man-made levees, and in alluvial basins. Hydraulic mining of gold-bearing deposits during the 1800's increased the sediment load carried by the rivers. Subsequently, large amounts of coarse, unweathered sediments were deposited downstream. The surface soils in the North Natomas study area have developed on alluvial deposits under the semi-arid conditions of the Sacramento Valley. Under natural conditions, all of the soils would be periodically flooded, but the construction of dams and levees has reduced the flooding. The differences in soils are due mainly to the differences in parent material, drainage, and topography (NNCP DEIR, K-1).

The soils in the study area have developed on alluvial deposits, on natural levees, and within the floodplain of the Sacramento River. The deposits consist of a thick sequence of sands, silts, and clays of varying thickness and lateral distribution. Deposits may occur in pockets (or lenses) or in abandoned stream channels within more extensive layers. Relative shrink-swell potential is variable within each soil type and depends upon the amount and type of clay present in any specific area (NNCP DEIR, K-4). The project area includes the following soil types: Clear Lake Series, Cosumnes Series, San Joaquin Series, Sailboat Series and others (NNCP DEIR, Exhibit K-3). Clear Lake Series soils are poorly draining soils

developed in a basin; they are clay and clayey loam, often underlain by a hardpan layer, and usually have a high shrink-swell potential. Cosumnes Series soils consist of very deep, drained soils which have developed on recent alluvial floodplains and which have a low shrink-swell potential and moderate permeability. San Joaquin Series soils are deep, well-drained soils composed of clay loam, sandy loam, and silty loam with low shrink-swell potentials. Sailboat Series soils are very deep, well-drained silty, loam soils which have developed on the natural levees and floodplains of the Sacramento River and which have a low shrink-swell potential. Other soils are found in the subject area. According to the Geotechnical Engineering Investigation for the project conducted by Wallace-Kuhl and Associates, "In summary, the soil profile at the site can be generalized as consisiting primarily of silty clays and clayey silts within the upper five feet, underlain by more granular materials such as sandy silts and silty sands to at least ten feet below grade." According to the report, "when dry, this soil exhibits deep cracking." Also, according to the report, the clay loam is about 14 inches thick over a silica cemented hardpan that extends to 64 inches.

Cities in California are required to consider seismic safety as part of the General Plan safety elements. The City of Sacramento also recognizes that it is prudent for the City to prepare for seismic related hazards and has, therefore, adopted policies as a part of the General Plan, Health and Safety Element. These policies require that the City protect lives and property from unacceptable risk due to seismic and geologic activity or unstable soil conditions to the maximum extent feasible, that the City prohibit the construction of structures for permanent occupancy across faults, that soils reports and geologic investigations be required for multiple story buildings, and that the Uniform Building Code requirements that recognize State and federal earthquake protection standards in construction be used. The policies listed above are implemented through the building permit process for new construction projects and reduce the potential significant health and safety impacts. According to the 1986 NNCP EIR (page K-5), the site lies within Seismic Zone "2" (Zone 0 represents least damage with most damage occuring in Zone 3). No active faults are known to be located on the property. The closest faults are the Bear Mountain fault zone about 25 miles to the east, the Melones fault zone 40 miles to the east and the Midland fault zone about 25 miles to the west. Strong ground shaking can be expected in the area in the event of a large or moderate earthquake on any of the nearby faults. Strong ground shaking can cause damage to structures and infrastructure and ground failure, such as liquefaction or lurching, can result from strong ground shaking.

For the purposes of this analysis, an impact is considered significant if it allows a project to be built that will introduce geologic, soils, or seismic hazards by allowing the construction of the project on such a site without protection against those hazards. Prior to issuance of building permits, the City Planning and Development Department requires a site-specific soil investigation (including detailed analyses of surface and subsurface conditions, per Uniform Building Code) for individual structures proposed for development. The information from this soil investigation is then incorporated into the site-specific engineering and seismic designs for the proposed structures as required by the Planning and Development Department. Satisfaction of these Planning and Development Department conditions is required prior to the issuance of building permits. If the potential for geologic, soils, or seismic hazards exists on the site, the Planning and Development Department will require that the UBC standards be met in order to ensure proper design to mitigate potential impacts.
Thus, for the purposes of this environmental analysis, the potential for a significant geology, soils, and seismic impact created by construction of the project has been substantially lessened by the use of regulatory requirements. Therefore, the City does not recognize a significant impact in the areas of geology, soils, and seismicity.

NORTH NATOMAS IMPACT:

The above regulatory provisions are expected to reduce any geology, soils, or seismic impacts to a less-than-significant level.

SOUTH NATOMAS IMPACT:

A less-than-significant geology, soils, or seismic impact is expected in South Natomas.

2. AIR

Setting - Air Quality

In order to gauge the significance of the air quality impacts of a proposed project, those impacts, together with existing background air quality levels, must be compared to the applicable ambient air quality standards. These standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those people most susceptible to further respiratory distress, such as asthmatics or the elderly.

Air pollutants are often characterized as being primary or secondary. Primary pollutants, such as Carbon Monoxide (CO), are emitted directly into the atmosphere and are usually associated with congested traffic conditions. Carbon Monoxide is primarily a winter period pollution problem. The SGPU EIR states that motor vehicle emissions are the dominant source of CO in most problem areas (Z-17). The SGPU EIR also states that CO problems are usually localized, often the result of a combination of high traffic volumes and significant traffic congestion (Z-17).

Secondary pollutants are formed through chemical reactions in the atmosphere. These chemical reactions usually involve primary pollutants, normal constituents of the atmosphere, and other secondary pollutants exposed to sunlight. These compounds, which react to form secondary pollutants, are often referred to as reactive pollutant precursors or precursor emission products. Photochemical smog is a diverse group of secondary pollutants. A major component of photochemical smog is ozone which results from a complex reaction of primary pollutants, reactive organic gases (ROG's) and oxides of nitrogen (NOx). Because of the nature of smog formation, it is considered a regional problem, generally not attributable to one particular project. Ozone problems have been identified as the cumulative result of regional development patterns, rather than the result of a few incrementally significant emission sources (SGPU EIR, Z-9). The main source of photochemical smog in Sacramento is automobile emissions.

The 1986-2006 SGPU DEIR identified urban emission sources as the primary source for existing air quality problems (Z-6). The document states that federal air quality standards for Ozone and Carbon Monoxide (CO) are being exceeded several times per year in Sacramento County. Sacramento is a non-attainment area for ozone, carbon monoxide (CO) and PM-10 (particulate matter 10 microns or smaller in size). Ozone levels and localized carbon monoxide increases in the Sacramento region, resulting from traffic associated with the SGPU buildout, represent unavoidable significant adverse impacts (SGPU EIR, Z-60 and Z-67). A Statement of Findings and Overriding Considerations was adopted by the City Council

for the 1986-2006 SGPU. Specific ozone, carbon monoxide (CO), and PM-10 impacts are discussed below.

Vehicles associated with the project will produce those emissions that contribute to regional ozone and localized CO air quality impacts. Traffic originating within the NNCP area produced one (1) percent of the City generated traffic emissions in 1986, and is expected to generate 10.5 percent at SGPU buildout (SGPU EIR, Z-16, Z-61). The highest predicted worst case 8-hour average CO concentrations are in the range of 7-15 ppm (parts per million) at the intersection of I-5 and I-80. The highest predicted worst case 1-hour average CO concentrations are in the range of 10-22 ppm at the same location (SGPU EIR, Z-68). The federal and state standards for CO are as follows:

Carbon Monoxide Standards

Federal	State	PPM
8-hour	8-hour	9
1-hour	-	35
-	1-hour	20

The net increase in regional emissions of carbon monoxide and reactive organic gases (ROG's), which contribute to ozone, are described as being significant environmental effects (86 NNCP FEIR, pg. 24). The City Council found that these emissions are significant environmental effects that would arise from the cumulative development of North Natomas in the absence of appropriate and feasible mitigation measures.

The 1986 NNCP EIR, certified in 1986, identified three mitigation measures related to air quality: 1) Implement requirements for the Air Quality Plan (Air Quality Mitigation Strategy) for new developments; 2) Implement transportation control measures such as incentives for ride-sharing, transit, and bicycle use; and 3) Implement land use measures which would reduce the number of vehicle trips. Such measures include mixed land uses which provide housing within walking distance of employment centers and development of housing with prices compatible with the salary structure of major local employers. (NNCP DEIR pg. B-21-24) The project will be required to submit an Air Quality Mitigation Strategy (AQMS) and Transportation Systems Management (TSM) Plan in compliance with those measures.

The 1994 NNCP SEIR sets forth additional air quality mitigation measures. The requirement of implementing an AQMS and a TSM Plan was restated as well as the following guiding policies that serve as mitigation measures:

- Development in North Natomas shall comply with the Federal and the California Clean Air Acts. (NNCP pg.48)

- Structure the community and each development to minimize the number and length of vehicle trips. (NNCP pg. 48)

- Minimize air quality impacts through direct street routing, providing a support network for zero-emission vehicles, bicycles, and pedestrians, and sizing streets suitable to the distance and speed of

the traveler. (NNCP pg. 38)

- Provide commercial sites at transit stations/stops to make it easier for transit riders to shop on their commute rather than making a separate trip. (NNCP pg. 25)

The ability of the project to comply with these measures is discussed below in the Project Related Impacts.

The rapid growth and expansion experienced by the City of Sacramento over the past few years have contributed to the increased demand on our local transportation systems. This increased demand has resulted in traffic congestion, greater traffic volumes, and declining air quality. In an effort to mitigate the negative aspects of this increased demand, the City of Sacramento has enacted two Transportation Systems Management (TSM) Ordinances. The purpose of TSM is to provide more efficient utilization of existing transportation facilities.

The Transportation Systems Management (TSM) Element and the required detailed Air Quality Mitigation Strategy of the North Natomas Community Plan were found to substantially lessen all the significant and potentially significant air quality impacts resulting from development of the North Natomas Community Plan area. The TSM element establishes a goal of 35 percent reduction in peak hour vehicle trips to assist in achieving an adequate level of service on North Natomas arterials. The Air Quality Mitigation Strategy establishes a community-wide goal of a 35 percent reduction in traffic and other related ROG's to assist in achieving and maintaining federal ozone standards.

Project Related Impacts

Transportation Systems Management (TSM Strategy): The proposed project will have an impact on existing air quality, with regard to increased automobile emissions. To reduce this impact, any non-residential development within the proposed project will be required to implement a Transportation Systems Management (TSM) strategy. The strategy helps make the maximum use of the existing transportation system, thus reducing the need for or delaying construction of new transportation facilities. TSM strategies work in several ways: 1) to reduce the number and length of vehicle trips, 2) to spread traffic throughout the day, or 3) to improve traffic flows. TSM measures are also intended to reduce air pollution levels. The TSM plan is a citywide requirement per the City Zoning Ordinance, Section 6-E. The applicant may select from a menu of options that, used community-wide, will reduce peak hour trips by at least 35 percent. These options for non-residential uses include bike lockers and showers, carpool/ vanpool incentives, transit incentives, and others. Options for residential uses may include provision of bikes, transit incentives, neighborhood telecommute or carpool centers. A corresponding CO reduction would also be associated with the trip reduction for the project site. (Please see Section 13, Transportation and Circulation).

Air Quality Mitigation Strategy: Also, all development in the North Natomas Community Plan area is required to submit a project-wide Air Quality Mitigation Strategy to reduce the ROG emissions generated by the community. The North Natomas Community Plan contains an Air Quality Mitigation Strategy which requires that projects in North Natomas be planned and developed in a way that reduces the community's reliance on single-occupant vehicles. Three types of measures are included in the strategy: 1) site design, 2) target area, and 3) community wide. An example of a site design measure is the orientation of the building(s) to promote transit use. A target area measure might include the reduction in parking allowed because the site is located within 1/4 mile of a light rail station. And a community-wide

measure might include provision of a shuttle system or formation of a Transportation Management Association (TMA) for the community.

The City Planning and Development and Public Works Departments, with help from the Sacramento Metropolitan Air Quality Management District (SMAQMD), will verify that a 35 percent community-wide reduction in projected ROG emissions will result from successful implementation of the Air Quality Mitigation Strategy. All new residential development must reduce ROG emissions by a minimum of 20 percent compared to the single occupant vehicle baseline. And all non-residential development must reduce ROG emissions by a minimum of 50 percent compared to the single occupant vehicle baseline (NNCP SEIR). Promotion of electric, other zero-emission, and low-emission vehicle use is part of the Air Quality Mitigation Strategy. This NNCP requirement is in addition to the citywide requirement that all new non-residential developments prepare a Transportation Systems Management (TSM) Plan.

Mixture of Land Uses: Per the 1986 NNCP EIR, a mixture of land uses is viewed as a benefit to reducing air quality because fewer trips may need to be made between activity centers. The proposed project is designated for a mixture of uses: residential, retail, civic, and open space uses. Additional off-site employment generating uses are designated in the NNCP just south of the site along Del Paso Road. Community commercial and transit commercial sites are located southwest of the site in the North Natomas Town Center. This mixture of land uses allows residents to work and shop within close proximity to their homes encouraging fewer and shorter trips.

Reduce Trips, Direct Street Routing and Ped/Bike/Low Emission Network: The Guiding Policies of the 1994 NNCP indicate that air quality can be improved by: 1) structuring each development to reduce trips, 2) providing direct street routing and ped/bike/transit linkages, and 3) providing commercial services at light rail stations. To accomplish these improvements, the project and PUD guidelines shall ensure that buildings are close to the street and transit station/ stop; provide an on-street/ off-street bike system and a pedestrian network throughout all three neighborhoods; and encourage transit-serving commercial uses at the corner of North Loop Road and G Drive where the major bus transit center is proposed. And, two future light rail stations are located off-site, close by, and linked to the bus route: 1) a proposed station located within the North Natomas Town Center to the southwest of the site; and 2) a proposed station located to the west at North Loop Road and East Commerce Way. Both stations are designated to provide commercial services. The project provides two north-south bike routes through the project area: 1) a direct route along the east side of the East Drain; and 2) a meandering route through the two linear park sites and the village center (see Attachment 9). Two east-west bike routes were added to the project at the suggestion of the Natomas Community Association. The vehicular street system is designed to focus the trips on the village center, the convergence of three neighborhoods (see Attachment 8).

Particulate Matter-10: Development of the site may result in short term particulate impacts. The Sacramento City Code (SCC, Article 9) states that any person who has been issued a building permit shall take responsible precautions to prevent and control movement of dust created by work activities. If a project is in violation of this article, the Building Official may order the work to be stopped (Sections 9.381, 9.382). Enforcement of these sections under the SCC will ensure that there is a less-than-significant PM-10 air quality impact.

Because the applicant must comply with these regulations and mitigation measures included in the NNCP EIR and SEIR pertaining to air quality, a less-than-significant air quality impact is anticipated by the

project.

NORTH NATOMAS IMPACT:

The **TSM Plan** required for the project is expected to result in a minimum 35 percent decrease in peak hour vehicle trips compared to the single occupant vehicle baseline. The **Air Quality Mitigation Strategy** required for the project is expected to result in a minimum 35 percent community-wide (20 percent for residential and 50 percent for non-residential) decrease in Reactive Organic Gas (ROG) emissions when measured against the baseline conditions and to promote electric, other zero-emission, and low-emission vehicle use. Construction management practices related to reducing PM-10 are expected to reduce the impacts of PM-10 to a less-than-significant level. These decreases in trips and emissions are expected to reduce the proposed project's contribution to project specific and cumulative air quality impacts below a level of significance.

MITIGATION:

Mitigation Measure #1: Comply with the NNCP's requirement to prepare an Air Quality Mitigation Strategy that reduces ROG emissions by 20 percent for residential uses and 50 percent for non-residential uses.

SOUTH NATOMAS IMPACT:

The TSM/ Air Quality measures required for the project are expected to result in a minimum 35 percent decrease in community-wide peak hour vehicle trips and a minimum 35 percent decrease in community-wide Reactive Organic Gas (ROG) emissions when measured against the baseline conditions. Construction management practices related to reducing PM-10 are expected to reduce the impacts of PM-10 on South Natomas. These measures are expected to reduce the proposed project's air quality impacts on South Natomas below a level of significance.

3. WATER

Flood Protection

A-99 Flood Zone: The proposed project is located in the A99 Flood Zone, an area of the City determined to have less than 100-year flood protection currently. Implementation of the project will therefore expose people and/or property to the risk of injury and damage in the event of a 100-year or lesser flood. These risks are considered significant adverse impacts under CEQA. The City Council has evaluated these impacts in the Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (the "Policy") (M89-054) adopted by the City Council on February 6, 1990. On December 7, 1993, the City Council refined City policy to state that "No building permit shall be issued for the construction of any residential structure in the Natomas area until certain conditions are met."

The Policy EIR is available through the Department of Planning and Development, 1231 I Street, Room 300, Sacramento, California. This document serves as a Program EIR addressing the flood-related risks

to people and property created by new development in the 100-year floodplain in the City. The flood-related risks created by the proposed project fall within the scope of the Program EIR. Accordingly, the findings adopted by the Council in connection with its certification of the Program EIR and its adoption of the Policy and Revised Flood Policy are applicable to the proposed project. These findings are set forth in the Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City of Sacramento. This document is appended to the Program EIR available through the Department of Planning and Development (see Land Use Section 8).

The Policy and the subsequently Revised Flood Policy require that non-residential development in the Natomas area must meet the building restrictions for non-residential structures to reduce property damage as stated in the attached Findings. Building permits may be issued in connection with the project only if the applicant ensures that any permitted new construction complies with specific flood-related design restrictions set forth in Article XXVII of Chapter 9, of the Sacramento City Code. Residential development must be built at an elevation of at least one foot above the base flood elevation or obtain a flood variance. As set forth in the Findings, no additional flood-related mitigation measures applicable to the project have been required.

AE Flood Zone - Internal 100 Year Floodplain: A linear portion of the western side of the project area, ranging in width from 300± feet to 800± feet, is located within the internal 100 year floodplain (AE Flood Zone). A 100 year flood event is anticipated to overtop the eastern levee of the East Drain inundating that portion of the project area with flood water. Prior to building any structure in that area, the U.S. Army Corps of Engineers shall issue a Conditional Letter of Map Revision (CLOMR) to indicate that adequate infrastructure has been completed to remove the area from the 100 year internal floodplain. Obtaining the CLOMR will be a condition of approval for portions of the site affected by the AE Flood Zone.

AR (Restoration) Flood Zone: In October, 1994, the Federal Emergency Management Agency (FEMA) promulgated its Restoration (AR) Flood Zone Interim Rule. The Final Rule was expected out in June 1995 and has not been released as of October 1996. The AR zone is intended for cities, like Sacramento, where a certified 100 year or greater flood protection system has been de-certified due to updated hydrologic or other data. The North Natomas Community Plan area, as well as much of the city, is anticipated to be designated AR zone. The Interim Rule, as drafted, segregates any area that is zoned AR into two categories: "developed" or "undeveloped". "Developed" is defined as 75 percent or more of the parcels within the area are developed. As drafted, residential and non-residential development may occur in areas designated "developed" as long as the floor of the building is elevated three feet above adjacent grade. No development will be allowed in "undeveloped" areas until 100 year flood protection is obtained. Once the Final Rule is set forth, the City will have six months to amend its policies to comply with the AR zone regulations. The project area is likely to be within the AR "undeveloped" zone and will therefore be required to comply with the City's policy, once adopted, unless 100 year flood protection has been obtained.

Comprehensive Flood Management Plan Development Guidelines for Residential and Non-Residential Structures: On February 13, 1996, the City Council approved the city-wide Comprehensive Flood Management Plan (CFMP) and approved a resolution that would lift flood related development restrictions in Natomas once certain conditions were met. The CFMP establishes Residential and Non-Residential Development Guidelines (Section 8 of the CFMP) for buildings within an area that has less than 200 year

flood protection. Once 200 year or better flood protection is provided, the development guidelines will be reviewed and perhaps modified to reflect the improved flood protection.

The proposed project includes residential and non-residential land uses within the floodplain with flood depths of greater than 3 feet in depth; therefore, the following development guidelines are required pursuant to the CFMP and are included below as a mitigation measure of the project:

- Provide multiple access points in subdivisions that are 10 acres or larger in size to facilitate evacuation and other emergency services;

- New residential subdivisions shall either identify refuge areas to the satisfaction of the City Planning and Development Department or ensure that at least 50 percent of all residential units shall have a top plate above the base flood elevation;

- Major projects (40,000 square feet or larger) shall have second story construction or roof access and a top plate above the base flood elevation in order to provide adequate refuge areas. Refuge areas at private structures should be required to accommodate employees only;

- All residential and non-residential structures must be anchored to their foundations per regulations in the City Building Code;

- Gas valve shut-off keys must be attached in a visible location for all residential and commercial gas water heaters; and

- Special facilities, such as hospitals, elder care facilities, and schools, shall be required to implement flood safety measures in their designs to the satisfaction of the City Planning and Development Department.

Anticipated Ground Water Impacts

Ground water conditions may impact development of the site depending upon when construction is planned. Water levels in the drainage canals and beneath the site are influenced by seasonal weather conditions. Buried structures such as underground fuel tanks may be subjected to buoyancy forces that must be considered in design. If underground tanks are needed on the proposed project site, future tenants shall be required to obtain an underground tank permit from the County of Sacramento (Sacramento County Code No. 0716). In this instance, the City's Fire Department will conduct site visits to ensure that permitting requirements are followed (City Ordinance No. 88-012).

The Environmental Site Assessment conducted for the site by Wallace - Kuhl and Associates, Inc., dated February 1995, states "Ground water in the property vicinity has varied from approximately one foot to greater than 25 feet below the ground surface. ... Regional ground water flow is southeasterly..." Further, the report states, "Our field reconnaissance and reviews of agency databases and previous reports by our firm indicate no evidence of significant hazardous materials contamination on or adjacent to the subject property. We observed no obvious evidence of improper storage of hazardous materials during our windshield survey of nearby sites. No state or Federal "Superfund" sites were identified within a one mile radius of the subject property." The study recommends that, if ground water below the property is

intended as a potable source of water, the water should be sampled and analyzed from the existing agricultural supply well and/or from the on-site ground water monitoring well(s), in order to evaluate ground water for potential contaminants not visible from the visual reconnaissance or data review. If the wells are not to be used, they should be properly abandoned.

Seasonal Water

If earthwork is undertaken during the winter or spring months, the upper soils likely will be saturated due to the topography and the impervious nature of the shallow subsurface soils. Grading operations should be scheduled to avoid fill construction during this period as soils may be too saturated to be properly compacted; also, equipment access most likely will be impeded.

Drainage

The proposed project would increase the runoff volumes generated by the property. The impervious surfaces of residential and non-residential development would require an on-site storm drain system which would deliver runoff from the site to two detention basins and the East Drain. City Utilities staff has indicated that prior to the approval of the final master parcel map, an assessment district, or other financing mechanism acceptable to the City, must be formed for the purpose of constructing all common drainage facilities within Detention Basins #3 and 4 and any additional drainage capacity or facilities required to accommodate development in the project area and all facilities shall be bonded for (or otherwise financed) or constructed. The project proponent shall provide adequate stormwater drainage to the satisfaction of the City Utilities Director.

NORTH NATOMAS IMPACT:

With the provision of an adequate stormwater drainage system, compliance with the building restrictions related to flood proofing non-residential structures, compliance with the Comprehensive Floodplain Management Plan Development Guidelines for Residential and Non-Residential Structures, and prohibition of residential structures until 100 year flood protection has been obtained, the proposed project is expected to have a less-than-significant water impact.

MITIGATION:

Mitigation Measure #2: A Drainage Agreement ensuring the provision of stormwater drainage must be executed. An adequate stormwater drainage plan shall be designed to the satisfaction of the City Utilities Director prior to recordation of the Master Parcel Map. Construction of the drainage facilities shall be commenced prior to issuance of any building permit. Construction of the drainage facilities shall be completed prior to issuance of a certificate of occupancy for any building on the site.

Mitigation Measure #3: The project shall comply with the applicable Residential and Non-Residential Development Guidelines in the adopted Comprehensive Flood Management Plan to the satisfaction of the Director of Planning and Development, including:

! Provide multiple access points in subdivisions that are 10 acres or larger in size to facilitate

evacuation and other emergency services;

- New residential subdivisions shall either identify refuge areas to the satisfaction of the City Planning and Development Department or ensure that at least 50 percent of all residential units shall have a top plate above the base flood elevation;

- Major projects (40,000 square feet or larger) shall have second story construction or roof access and a top plate above the base flood elevation in order to provide adequate refuge areas. Refuge areas at private structures should be required to accommodate employees only;

- All residential and non-residential structures must be anchored to their foundations per regulations in the City Building Code;

- Gas valve shut-off keys must be attached in a visible location for all residential and commercial gas water heaters; and

- Special facilities, such as hospitals, elder care facilities and schools, shall be required to implement flood safety measures in their designs to the satisfaction of the City Planning and Development Department.

Mitigation Measure #4: No encroachment into the FEMA designated floodway (shown as AE Flood zone on the most current flood maps or the most current RD1000 100 year floodplain designation) shall be allowed until construction or bonding of the East Draiange Canal project or other mitigation approved by the Department of Utilities and RD1000.

SOUTH NATOMAS IMPACT:

The proposed project is expected to create a less-than-significant water impact on the South Natomas Community.

4/5. PLANT AND ANIMAL LIFE

The following information on plant and animal life in the project area is based upon the Biological Inventory and Impact Analysis for the Proposed Northpointe Development, prepared by PAR Environmental Service, Inc., dated October 16, 1990, which included literature reviews, a review of the California Natural Diversity Database (CNDDB), and consultations with the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS); and figures in the draft Natomas Basin Habitat Conservation Plan (HCP) (revised draft October 1995).

The 1986 NNCP EIR and the subsequent 1994 NNCP SEIR evaluated four distinct habitat types which exist in the North Natomas study area. These four habitat types are as follows: 1) Wooded Riparian/ Wetland, 2) Non-wooded Riparian/ Wetland, 3) Agricultural, and 4) Developed Areas. According to Exhibit N-2 - Vegetation Types in the 1986 NNCP EIR, dated 1985, the project area included agricultural- rice and agricultural- other and riparian/ wetland (few or no trees) along the existing East Drain. On the All Crops Map prepared by the Natomas Mutual Water Company, dated 1993, in the draft

Natomas Basin HCP, the project area land cover is other farming (i.e., not rice).

Potential impacts on biological resources would result from direct and indirect disturbance of wildlife and loss of wildlife and plant habitat from construction of the project area. Impacts on the following special status plants and animals may result from development of this project:

Special Status Plants: According to the 1986 NNCP EIR and the 1994 NNCP SEIR, based on field surveys, data search, and literature searches, four special status plant species could exist at the project site. These species are the Boggs Lake Hedge-Hysopp (Gratiola heterosepala), Palmate-bracted Bird's Beak (Cordylanthus palmatus), California Hibiscus (Hibiscus californicus), and Downingia (Downingia humilis). All four of these species are associated with wetland or vernal pool habitat types. According to the Biological Inventory for Northpointe, the same four rare plant species may be located on the site. None of the four species were found on the project site. The California hibiscus could possibly occur in the canals on or near the property, although it was not detected during the plant survey. A floristic survey conducted in September and October 1990 did not locate any special status plant species on the property. No mitigation measures related to special status plants are required for the project. Development of the site would create a less-than-significant impact on special status plants.

Special Status Animals: The following special status animals were studied in the 1986 NNCP EIR, the 1994 NNCP SEIR and the Biological Inventory for the project:

Giant Garter Snake (Thamnophis couchi gigas). The giant garter snake is designated a Threatened species by the California Department of Fish and Game (CDFG) and the US Fish and Wildlife Service (USFWS). During the active season (generally March through October), these snakes bask on stream banks or drape on emergent and streamside vegetation. The giant garter snake is very aquatic, and will quickly retreat to water when alarmed. They feed on carp, bullfrogs, and other fish and amphibians. The snakes spend the winter in dormancy, inhabiting cracks and burrows above the high water line.

A giant garter snake was observed basking on the levee of the East Drainage Canal on the morning of September 26, 1990, by the author of the Biological Inventory report. The snake took refuge in the water after being disturbed by the observer. Giant garter snakes have previously been recorded in the East Drainage Canal and its tributary canals (CNDDB 1990).

Giant garter snakes probably live in the canal and some of its tributaries; other tributaries may be used only as dispersal corridors. The East Drain, adjacent to the west side of the site, is only moderately appropriate giant garter snake habitat; however, given the loss of suitable primary habitat in the area to agriculture and development, canals have become important secondary habitat for the species. Fish and amphibians in the canals provide potential prey items for foraging snakes. Giant garter snakes use the levees of the canals as basking habitat and use abundant abandoned ground squirrel burrows as hibernacula during the winter months.

The 1994 NNCP requires a Habitat Conservation Plan be approved to reduce the impacts of urban development on plants and animals in the community plan area. Impacts to the Giant Garter Snake would be less-than-significant because the project proponent would be required to participate in the Natomas Basin Habitat Conservation Plan, once adopted.

Swainson's Hawk (Buteo swainsonii). The Swainson's hawk is listed as Threatened by the CDFG, and as a Category 3C Species by the USFWS. This hawk typically nests in oaks or cottonwoods in or near riparian areas (Schlorff and Bloom, 1984). Swainson's hawks prefer nesting habitats that provide nearby foraging grounds of grasslands, irrigated pasture, alfalfa, hay, and wheat crops. The nesting season of the Swainson's hawk extends from late March through mid-July. Swainson's hawks have become almost entirely dependent on annual grassland and crops such as alfalfa for foraging habitat in California. Most of the native grasslands which formerly provided foraging habitat have been eliminated by agriculture and urbanization.

Several Swainson's hawk nests have been reported west of the project site along the Sacramento River (CNDDB, 1990). According to the California Natural Diversity Database, October 1994, and the Biological Inventory, Ocotber 1990, no Swainson's hawks were observed on or near the project site. Swainson's hawks usually leave their nesting territories and foraging grounds in the Central Valley and begin migrating toward South America in September (Estep, pers. comm.), so the survey dates were not appropriate for detecting this species. However, the site provided moderate to excellent foraging habitat for the Swainson's hawks during the summer nesting season (depending on crop type). There are no trees on the property that would serve as nesting trees for the Swainson's hawks, but there are several large gum trees (Eucalyptus sp.) adjacent to the northeastern corner of the proposed project site that could invite nesting activity. Impacts to the Swainson's hawk are expected to be less-than-significant.

Peregrine Falcon (Falco peregrinus). The peregrine falcon is listed as Endangered by CDFG and USFWS. The population is increasing due to restrictions on the use of DDT and an intensive, multi-agency recovery program. There are no suitable nesting sites for this species on the property. Impacts to the peregrine falcon are expected to be less-than-significant.

Black-shouldered Kite (Elanus cearuleus). The black-shouldered kite is listed as a Fully Protected Species by the CDFG. This raptor usually nests in oaks and willows, and forages for small rodents on agricultural lands and grasslands. In the winter, black-shouldered kites often roost communally in stands of trees or orchards. The black-shouldered kite is a non-migratory resident of the North Natomas Community Plan area. Communal roosts are given special consideration by the California Department of Fish and Game when reviewing project impacts. The closest communal roosting site was observed in the willow-cottonwood woodland at the southern end of Fisherman's Lake, southwest of the site. Groups of up to 34 individuals were observed roosting in large willows and cottonwoods along Fisherman's Lake on four dates during the 1984 survey for the NNCP EIR and by the Department of Fish and Game.

A black-shouldered kite was observed roosting in a buttonbush and hunting on the site on Octboer 13, 1990, by the author of the Biological Inventory. It is unlikely that black-shouldered kites nest on the site because these raptors favor nesting communally in riparian habitat, like the above mentioned Fisherman's Lake roosting site. This project does not impact that roosting site.

Burrowing Owl (Athene cunicularia). The CDFG lists the burrowing owl as a Species of Special Concern. Burrowing owls are semi-fossorial, nesting in abandoned ground squirrel burrows and hunting on agricultural lands and grasslands. The burrowing owl is a non-migratory resident of the project area.

Several colonies of burrowing owls in the community plan area have been reported to CNDDB (1990). The site is suitable for burrowing occupancy because of the numerous ground squirrel burrows on the

property and bordering levees, and because of the foraging opportunities provided by the vacant lots. According to the Biological Inventory and Impact Analysis conducted for the subject site dated October 16, 1990, two active owl burrows were observed near the northeast boundary of the property. Snags and fence posts on the hils furnish favored roosting sites for the owls. The fields on the project site provide good foraging opportunities for burrowing owls. An owl was observed hunting in the northeastern portion of the agricultural fields on September 28, 1990. Any construction activities which take place during the nesting season, from March through August, should avoid destroying the burrows by flagging a 50 foot buffer zone around the burrows. Unless it is verified by a qualified biologist that the nests are not being used that season, the burrows should be left intact until after the breeding season. Although there is no guarantee that displaced owls would use them, appropriate burrows could be created by encouraging ground squirrel populations in the 250 foot wide agricultural buffer zone on the south side of Elkhorn Boulevard.

A mitigation measure from the 1994 NNCP SEIR Mitigation Monitoring Plan will be required to reduce impacts on the burrowing owl to a less-than-significant level. The mitigation measure calls for a pre-construction survey of the site to determine if any burrowing owls are using the site for foraging or nesting. If any nests are found, the CDFG shall be contacted regarding suitable mitigation measures. Mitigation measures may include the provision of a 300 foot buffer from the nest site during the breeding season (March 15 - August 31) or a relocation effort for the burrowing owls. The pre-construction survey shall be submitted to the City prior to commencement of construction activities.

By incorporating the mitigation measure to reduce the impact of development on the nesting area and the applicant's participation in the Natomas Basin HCP, impacts to the burrowing owl are expected to be less-than-significant.

Northern Harrier (Circus cyaneus). The northern harrier is another Species of Special Concern. This raptor breeds between April and September, and nests on the ground in shrubby vegetation. They forage in annual grasslands, pastures, fresh emergent wetlands, and some croplands. This species is frequently observed in Sacramento County and has been observed foraging in North Natomas. No mention of northern harriers was made by the biologist conducting the Biological Inventory.

Long-billed Curlew (Numenius arquata). This species is a Category 2 candidate for Federal listing. Long-billed curlews were observed resting and foraging in the North Natomas area in July 1990 (CNDDB).

Valley Elderberry Longhorn Beetle (Desmocerus californicus dimorphis). The valley elderberry longhorn beetle is listed as Threatened by the USFWS. This insect is entirely dependent on elderberry shrubs (Sambucus species) for reproduction and feeding (USFWS, 1984). According to the Biological Inventory report, no elderberry shrubs were found on the surveyed property, indicating that the valley elderberry longhorn beetle does not occur on the project site.

Northwestern Pond Turtle (Clemmys marmorata). The CDFG lists this species as a Species of Special Concern and the USFWS lists it as a Candidate Category 2 Species. Permanent, or nearly permanent bodies of water, including irrigation ditches, lakes, and streams are inhabited by the pond turtle. Mats of floating vegetation, rocks, open mud banks, or partially submerged logs are required as basking sites by this species. The pond turtle normally hibernates between November and February. Eggs are laid by

females between March and August in a band near the water's edge or occasionally in fields up to 300 feet from the nearest water (Behler and King, 1979). No pond turtles were observed by PAR Environmental Services during their Biological Inventory. Because the site is adjacent to the East Drain, it is likely the turtles use the canal. No impact is expected to the turtle during development of the property because no construction is anticipated along the East Drain.

The special status birds that forage on the property will probably forage in nearby agricultural fields once development occurs at Northpointe Park. The only special status bird which was observed nesting on the site was the burrowing owl. The mitigation measure of the 1994 NNCP SEIR related to burrowing owls described above will be required to reduce the impact on the burrowing owl to a less-than-significant level. A less-than-significant impact on special status animals is anticipated given the requirement that the proponent must participate in the Habitat Conservation Plan.

Jurisdictional Wetlands: According to the Biological Inventory conducted by PAR Environmental Services dated October 16, 1990, no vernal pool sites are found on the project area. Furthermore, on Figure 22 of the draft Natomas Basin HCP, no vernal pool sites are shown to be located on the project area. When an area has been identified as containing seasonal wetlands, there is typically a concern for special-status species that may reside in the seasonal wetlands. These species include Vernal Pool Fairy Shrimp, California Linderiella, Longhorn Fairy Shrimp, Vernal Pool Tadpole Shrimp, and California Tiger Salamander. Due to the likelihood that there are no vernal pools on the site, it is very unlikely that these species will occur on the project site. According to the Natural Resources Evaluation, only the East Drainage Canal bordering the western boundary of the property is considered a waters of the US by state and federal agencies. Development will not occur on this canal nor will it be filled. A less-than-significant impact on wetlands is expected by the project.

Tree Resources: According to the Biological Inventory, isolated cottonwood trees (Populus fremontii), willows (Salix spp.), and one buttonbush (Cephalanthus occidentalis) are growing on the property. The noted saplings are not significant and could be retained or removed at the discretion of the applicant.

Drought-Tolerant, Native Plants: The use of drought tolerant, native plants is encouraged in landscaped areas in North Natomas as required by the North Natomas Development Guidelines on page 13. The use of native plants encourages native wildlife to inhabit the area.

Habitat Conservation Plan: A Habitat Conservation Plan is a required mitigation measure of the 1994 NNCP SEIR. A draft Natomas Basin Habitat Conservation Plan (HCP), dated March 1995 and revised October 1995, prepared by Thomas Reid and Associates and Cribbs and Associates, has been distributed for public review. The purpose of the HCP is to acquire, create, restore, enhance, and manage habitat land for endangered species to mitigate for habitat loss that could result from construction in the Natomas Basin. As proposed in the draft HCP, the acquisition, restoration, enhancement, and operation of habitat will be fully funded by developer fees and revenue from hunting and rice growing. The fee applies to future construction in the Natomas Basin. Development in the Natomas Basin will be required to participate in the HCP or otherwise fulfill obligations to the CDFG and/or USFWS to mitigate for habitat loss from urban development.

The following mitigation measures will apply to development on the project area, once approved: 1) short term construction impacts mitigation; 2) compliance with burrowing owl mitigation; and 3) full

participation in the Natomas Basin Habitat Conservation Plan, once adopted. Compliance with these mitigation measures outlined below is expected to result in a less-than-significant impact on plants and animals.

NORTH NATOMAS IMPACT:

The impact of the proposed project on plants and animals is considered less than significant due to required compliance to mitigation measures from the 1994 NNCP SEIR related to erosion control, habitat conservation plan (providing giant garter snake habitat), and protection of other special status species, including the burrowing owl.

MITIGATION:

Mitigation Measure #5: The applicant shall participate in the Natomas Basin Habitat Conservation Plan (HCP), once adopted. At the time of grading permit, the applicant shall pay the interim HCP fee, based on Ordinance No. 95-060 and Resolution No. 95-622 adopted by the City Council on October 31, 1995. If the HCP program is never implemented, or if the interim fee exceeds the actual fee, then the applicant shall be refunded the difference, with interest. If the interim fee is less than the actual fee, the applicant shall pay the difference.

Mitigation Measure #6: The applicant shall comply with the following mitigation measure related to reducing the impact of the project on burrowing owls:

1. Immediately prior to initiation of grading or other earth disturbing activities, the project proponent shall hire a qualified biologist to perform a pre-construction survey of the site to determine if any burrowing owls are found using the site for nesting or foraging. If any nest sites are found, the Department of Fish and Game shall be contacted regarding possible suitable mitigation measures. These measures may include the provision of a buffer (typically 300 foot minimum) from the nest site during the breeding season (March 15-August 31), or a relocation effort for the burrowing owls. The survey shall be submitted to the City for review prior to the commencement of any grading or construction activities.

2. If future surveys reveal the presence of burrowing owls on the project site it will be the responsibility of the project applicant to prepare a plan for relocation of the burrowing owls to a suitable site. At a minimum, the plan must include the following:

    a. The location of the birds (and nests) proposed to be relocated;
    b. The location of the proposed relocation site;
    c. The number of birds involved and when during the year relocation is proposed to take place;
    d. The name and credentials of the biologist who would be retained by the applicant to move the birds (and nests);
    e. The method(s) proposed to catch and transport the birds (and nests) to the relocation site;
    f. A description of the preparation to be made at the relocation site where the birds (and nests) would be taken (e.g., enhancement of existing burrows, creation of

artificial burrows, one-time or long-term vegetation control, etc.); and

g. Efforts proposed to follow-up and/or monitor relocation.

Mitigation Measure #7: The applicant shall comply with the following short term construction mitigation:

1. All sites shall be graded such that the new topography makes a smooth transition to existing adjacent topography.

2. Dust and soil erosion control measures shall be implemented during the construction phases of all projects. These measures are intended to minimize soil erosion and fugitive dust emissions. Suggested measures include:

   a. watering exposed soils;
   b. covering exposed soils with straw or other materials;
   c. adopting measures to prevent construction vehicles from tracking mud onto adjacent roadways;
   d. covering trucks containing loose and dry soil; and
   e. providing interim drainage measures during the construction period.

3. In non-pavement areas, any vegetation covered or removed during grading or construction (including slope protection) should be replanted following the construction activities.

SOUTH NATOMAS IMPACT:

The impact of the proposed project on plants and animals is considered less than significant in the South Natomas Community.

6. NOISE

This noise section discusses: 1) off-site, external noise as it impacts the operations of the project and 2) any increases in noise caused by the project as either a temporary impact of construction or long term change of use.

External Noise Impacts on Project

External noise sources that may impact the site include: 1) airport noise from Sacramento International Airport; 2) noise from nearby Interstate 5, Interstate 80, Highway 99, and other major streets; 3) noise from the proposed light rail line along Del Paso Road and East Commerce Way; and 4) noise from adjacent land uses, including the proposed stadium southwest of the project site.

First, noise generated by the Sacramento International Airport does not significantly affect the project site. The project site is not within the 60 dB CNEL noise contours of the Sacramento International Airport Comprehensive Land Use Plan (CLUP) as shown in Exhibit 4.6-3 of the 1994 NNCP SEIR.

Second, noise generated by the interstate freeways, highway, and other major streets is identified in the

1994 NNCP SEIR as Exhibit 4.6-4. The exhibit indicates that no portion of the Northpointe site would be subjected to 60 dB CNEL or greater by I-5, I-80, or Highway 99 noise. Buildings along Elkhorn Boulevard, Del Paso Road, North Loop Road, and on the western side of the project site near Truxel Road would be subjected to 60 or greater dB from noise generated by those major streets. The area along Elkhorn that is subjected to 60 dB CNEL or greater is within the 250 foot wide agricultural buffer area. Uses on the western side of the project area near Truxel Road will be buffered by the East Drain. Residential uses and other sensitive noise receptors located along North Loop Road and Del Paso Road may be subjected to 60 dB CNEL or greater noise contours (Table 4.6-4 of the 1994 NNCP SEIR).

Third, based upon the distances to the predicted light rail Ldn contours shown in Table 4.6-6 of the 1994 NNCP SEIR, it is anticipated that roadway traffic on streets adjacent to the proposed light rail lines will dominate the overall noise environment. Therefore, noise generated from light rail is not anticipated to create a significant impact to the proposed project.

Fourth, the Noise Element of the City of Sacramento General Plan Update provides land use compatibility guidelines for community noise levels. These guidelines, shown in Table 4.6-3 of the 1994 NNCP SEIR, indicate a normally acceptable land use compatibility criterion of 45 dB Ldn for interior noise levels for single family and multi-family units from traffic or fixed sources and a criterion of 60 dB Ldn for exterior noise levels for single family (backyards) and multi-family (common outdoor areas).

Typical facade design and construction in accordance with prevailing industry practices are expected to result in an exterior to interior noise attenuation of 28 to 38 dB with windows and doors in the closed position. Standard construction practices are therefore expected to result in interior noise levels below 45 dB during peak hour traffic conditions throughout the project area, provided that windows and doors are closed to achieve the desired acoustical isolation. This noise level is well within an acceptable level for interior areas. Acceptable exterior and interior noise levels at the project site will not be exceeded, provided that mechanical ventilation is furnished to ensure adequate air exchange with windows and doors in the closed position. Mechanical ventilation is needed to ensure that windows and doors can be kept closed in order to prevent noise disturbances.

Noise from outdoor events at the stadium could potentially affect land use compatibility for sensitive noise receptors near the Sports Complex, particularly north and east of the sports complex. The predicted average noise level at sensitive receptors during events could exceed 55 dB, which is the nighttime standard set by the City's Noise Control Ordinance. In addition, use of the public address system could potentially affect land use compatibility. The predicted maximum noise levels at sensitive land uses from use of the PA system could exceed 65 dBA. This would exceed the nighttime standards of the City's Noise Control Ordinance. According to Exhibit 4.6-5 (1994 NNCP SEIR), the predicted stadium noise would not exceed 65 dBA for the PA system or 55 dBA for outdoor concerts in the residential areas of the project site except for the southwestern corner of the site.

The 1994 NNCP SEIR proposes that the stadium operator in the Sports Complex should be required to carefully orient the speaker arrays to minimize directing sound beyond the seating areas. This can be accomplished through speaker array design and by location of the seating areas. The primary mitigation measures for outdoor concerts and sporting events and the PA system are careful targeting of the speaker arrays, establishment of design sound levels within the stadium, and requirements for noise level monitoring during concerts and sporting events. The Special Permits for development of the arena and

stadium were approved by the City Council in October 1986 (P86-131). Noise impacts from the stadium will be evaluated during the Special Permit Modification required before construction of the stadium can be recommenced.

No construction of any buildings is allowed by this application. When planning entitlements for a building are requested, a detailed acoustical study will be required to evaluate noise impacts of the proposed building(s).

Noise Impacts of the Project on the Community

Because the project site is currently primarily vacant, there are no major on-site sources of noise. At present, there are no sensitive noise receptors (residential areas, hospitals, schools) located adjacent to the project site. The closest existing residential uses to the project site are located 2,200 feet east of the eastern property line of the site (Valley View Acres).

During project construction, the operation of heavy equipment will result in temporary noise increases. The impact of noise from construction is anticipated to be a temporary one. Noise associated with construction activities is regulated by the Sacramento City Code, Chapter 66.

The proposed uses of the site include residential, commercial, schools, civic uses, parks, and other open spaces. After construction, the uses are not anticipated to generate any noise other than traffic generated by them. The uses, both during construction and during operations, are anticipated to generate a less-than-significant noise impact.

NORTH NATOMAS IMPACT:

Development and operation of the various uses is anticipated to create a less-than-significant short term and long term noise impact to the North Natomas Community.

SOUTH NATOMAS IMPACT:

Development and use of the project site is anticipated to create a less-than-significant noise impact to the South Natomas community.

7. LIGHT AND GLARE

The area surrounding the site is relatively flat and is being converted from agricultural to urban uses. Lighting details are not known at this time. However, the City's Zoning Ordinance (Section 6-D-6) provides assurances that off-street parking lighting, if provided, shall reflect away from residential areas and public streets.

No buildings are proposed with this entitlement request. Before any building can be approved, a Special Permit must be obtained. During the review of any Special Permit request, the potential for glare from the proposed building and lighting features will be analyzed.

NORTH NATOMAS IMPACT:

The proposal is anticipated to create a less-than-significant light and glare impact. Future construction will be analyzed for light and glare impacts prior to Special Permit approval.

SOUTH NATOMAS IMPACT:

The proposed project is anticipated to create a less-than-significant light and glare impact on the South Natomas community.

8. LAND USE

The proposed project site is designated in the Sacramento General Plan Update as Low Density Residential, Medium Density Residential, Community/ Neighborhood Commercial and Offices, Parks-Recreation- Open Space, Water, and Public/Quasi-Public/ Misc. The 1994 North Natomas Community Plan (NNCP) designates the site as Low, Medium, and High Density Residential, Convenience Commercial, Village/ Neighborhood Commercial, Park, Open Space, Golf Course, Elementary School, Junior High School, and Public Civic Uses (Civic Utilities, Fire Station, and Community Center). The site is currently zoned 573.9± gross acres Standard Single Family (R-1-PUD), 167.8± gross acres Alternative Single Family (R-1A-PUD), 159.7± gross acres Multi-Family Residential (R-2B-PUD), and 44.3± gross acres Agriculture Open Space (AOS-PUD).

Proposed Uses

The applicant is proposing to rezone the site to 349.0± gross acres Standard Single Family-PUD (R-1-PUD), 282.0± gross acres Alternative Single Family-PUD (R-1A-PUD), 17.5± gross acres Two Family (R-1B-PUD), 81.5± gross acres Multi-Family (R-2A-PUD), 52.7± gross acres Multi-Family-PUD (R-3-PUD), 12.3± gross acres Limited Commercial-PUD (C-1-PUD), 9.3± gross acres Shopping Center-PUD (SC-PUD), and 141.5± gross acres Agriculture Open Space-PUD (AOS-PUD) to better reflect the General Plan and Community Plan designations.

A General Plan Amendment and Community Plan Amendment are requested because the applicant wishes to make modifications to the land use plan of the North Natomas Community Plan. The changes to the land use plan generally include: 1) deleting the 164.4 acre golf course; 2) deleting 39.6 acres of High Density Residential, 3) deleting 16.0 acre Medium Density Residential, 4) adding 71.8 acres of parks; and 5) adding 156 acres of Low Density Residential which results in 372 more residential units overall (from 5,181 to 5,553 units).

The applicant is also requesting a Tentative Master Parcel Map to subdivide 10 lots into 73 master parcels including the following types of parcels: 21 low density residential, 16 medium density single family residential, 8 medium density multi-family residential, 6 high density residential, 3 convenience commercial, 1 neighborhood commercial, 5 park, 2 agricultural buffer, 3 elementary school sites, 1 junior high school site, 3 public civic uses (1 civic utilities, 1 fire station, and 1 community center) and 2 institution lots (day care centers).

Also, the applicant is requesting a Tentative Map for the entire 945.7 acres. The Tentative Map further subdivides the proposed master parcels into: 3,532 single family lots (including both low and medium

density single family lots). Also, 4 lots devoted to the landscape corridor along Del Paso Road and 3 lots devoted to the bike trail adjacent to the East Drain are added in this map. A Subdivision Modification to allow a modification of the adopted street standards is also proposed. A Development Agreement and a PUD Designation, including the approval of the Schematic Plan and Development Guidelines, are being requested with this application.

An approved Special Permit will be required prior to construction of any building on the site. And PUD Guidelines and Schematic Plan must be approved prior to construction, if not included in this set of entitlements.

NORTH NATOMAS IMPACT:

The proposed project is expected to have a less-than-significant impact on land use.

SOUTH NATOMAS IMPACT:

The proposed project is not expected to create any land use changes in the South Natomas community. A less-than-significant land use impact is expected.

Flood Protection

The overflow of water onto land which is not generally covered by water is known as flooding. There are three main factors that could lead to flooding in Sacramento. These are river induced flooding, rainfall induced flooding and seismic induced flooding. Although these potential flood hazards are similar in nature, they differ in terms of what areas are directly affected and what measures can be taken to minimize the risk of flooding.

A General Plan goal for flood hazards is to "protect against flood related hazards wherever feasible." An established policy to implement this goal is to "prohibit development of areas subject to unreasonable risk of flooding unless measures can be implemented to eliminate or reduce the risk of flooding."

The proposed project is located within an area of the 100-year floodplain designated as Zone A-99 on the Sacramento Community's Official Flood Insurance Rate Map dated November 15, 1989. Under applicable provisions of the Sacramento City Code new development is permitted on the project site provided that building permit applicants, by agreement with the City, assume the risk of all flood-related damage to any permitted new construction, agree to notify subsequent purchasers of the flood risk, and ensure that any new construction complies with City-imposed design restrictions aimed at reducing the risk of flood-related property damage and personal injury.

Non-residential Building Restrictions: The construction of a non-residential building or a residential/commercial building (i.e., hotels and motels) in the Natomas area is subject to the current building restrictions in Article XXVII of chapter 9 of the City Code until one of the following events occurs:

1. Adequate progress is made on the Local Levee project to enable FEMA to extend the A-99 designation in accordance with existing FEMA regulations;

2. The Local Levee project is deemed by FEMA to be complete and therefore provides 100 year flood protection to the Natomas area: or

3. FEMA designates the Natomas area as a Restoration Zone (AR) and the proposed structure complies with the AR zone criteria.

Issuance of permits for non-residential structures in Natomas is allowed, provided these structures are appropriately floodproofed, and in the case of hotels and motels, the permittee has filed an evacuation plan with the City. Until the City Council determines by resolution, based on information provided by the US Corps of Engineers, that one of the above listed items has occurred, the following policy shall apply:

1. No building permits may be issued in connection with the Project for the construction of any new nonresidential structure or for the substantial improvement of an existing nonresidential structure accepted for plan check after April 15, 1990, unless such structures comply with the flood-related design restrictions set forth in Article XXVII of Chapter 9 of the Sacramento City Code.

All buildings in North Natomas must comply with the Residential and Non-Residential Development Guidelines in the adopted Comprehensive Flood Management Plan.

Residential Building Restrictions: No residential development is allowed within the A-99 flood zone until the SAFCA Local Project is completed and 100 year flood protection is obtained. Once the Local Project is completed, estimated for early 1997, residential development may proceed as long as the development complies with the Residential and Non-Residential Development Guidelines of the adopted Comprehensive Flood Management Plan (CFMP). See Section 3 - Water for additional flood protection discussion and mitigation measure.

No construction of any building is proposed with this project. Approval of PUD Guidelines and Special Permit is required prior to issuance of any building permit.

NORTH NATOMAS IMPACT:

The proposed project is anticipated to result in a less-than-significant impact on land use.

SOUTH NATOMAS IMPACT:

The proposed project will not create a significant land use impact on the South Natomas community.

9. NATURAL RESOURCES

Future development of the site will result in the loss of those natural resources associated with the construction of facilities associated with residential and non-residential development. The development is not expected to substantially increase the rate of use of natural resources, or the depletion of nonrenewable resources.

No buildings are proposed with this application. Future construction of any building on this site requires an approved Special Permit. Recycling programs for all future buildings will be analyzed during the Special Permit review process.

NORTH NATOMAS IMPACT:

The proposed project is expected to result in a less-than-significant impact on natural resources.

SOUTH NATOMAS IMPACT:

The proposed project will not create a significant impact on natural resources within the South Natomas community.

10. RISK OF UPSET

If hazardous materials are to be used on site, the user will be required to submit a Hazardous Material Survey to the City's Building Division and Fire Department per the requirements of Assembly Bill No. 3205. This survey is intended to serve as a full disclosure document regarding hazardous chemicals that will be used to determine other permitting requirements for the business (pers. comm. Elaine Clarke, City Building Department). Please see Human Health- section 17 for an overview of the Phase I Toxics Study for this project.

NORTH NATOMAS IMPACT:

The above regulatory provisions are expected to reduce the risk-of-upset to a less-than-significant level.

SOUTH NATOMAS IMPACT:

A less-than-significant risk-of-upset impact is expected in South Natomas.

11/12. POPULATION AND HOUSING

Between 1975 and 1989, the population in the North Natomas area increased by 88%. This, however, is not remarkable when the actual figures reveal that housing increased from 178 dwelling units floodplain, and compliance with the building restrictions related to flood proofing non-residential structures, the proposed project is expected to have a less-than-significant water impact.

SOUTH NATOMAS IMPACT:

The proposed project is expected to create a less-than-significant impact on the South Natomas Community.

4/5. PLANT AND ANIMAL LIFE

The following information on biological resources in the project area is based upon literature reviews, a review of the California Natural Diversity Database (CNDDB), consultations with the California

Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS), a Special Status Plant and Animal Survey conducted by **, and a comment letter from Dan Pskowski, City Tree Services.

The project site consists of primarily vacant land containing a stand of poplars next to a metal shed near the northeast corner of the site. The project site is of moderate value to wildlife and overall, supports a relatively low density and diversity of wildlife.

The present annual grassland reflects a history of agricultural conversion, as the dominant herbaceous plant species are not native to California. Common non-native herbaceous plants found on the site include ** yellow starthistle (Centaurea solstitialus), field bindweed (Convolvolvus arvensis), wild barley (Hordeum leporinum), cocklebur (Xanthium strumarium), and other ruderal and invasive plant species typical of disturbed, urban open space.

Woody vegetation found in the annual grassland consists mostly of non-native trees and shrubs, believed to be associated with the former residence on the project site**. Some of the tree species include boxelder (Acer negundo), common fig (Ficus carica), black walnut (Juglans nigra), and Fremont's cottonwood (Populus fremontii). There are approximately twenty-five trees located on the project site. Projects are evaluated by the City on a case-by-case basis to determine required mitigation for tree loss or damage, regardless of species or size. The City Arborist has surveyed all of the trees on the project site and has evaluated them according to health, size, type, and location. Primarily because of their condition, the City Arborist has recommended that the developer may save or remove all of the trees on this site at his/her discretion.

Wildlife species ** Overall, however, the site supports a relatively low density and diversity of wildlife.

**The riparian woodland associated with the canal is also important to predatory mammals such as gray foxes (Urocyon cinereoargenteus) which hunt and migrate along the riverine corridor, and omnivorous mammals such as opossums (Didelphis virginiana) and raccoons (Procyon lotor), who forage along the canal for small fish and mammals, crayfish, tadpoles, and carrion. Western pond turtles (Clemmys marmorata) bask on the banks of the canal and retreat to water when disturbed. Fish and amphibians in the canal provide potential prey for the endangered giant garter snake (Thamnophis couchi gigas).

Use of drought tolerant, native plants in landscaping areas per NN Dev Guidelines pg. **

Special Status Plants**

A botanical survey of the project site was conducted as part of the PAR Environmental Services, Inc. survey. The survey indicated that the plant diversity on the project site is low compared to the habitats which existed in North Natomas prior to the conversion of most of the land to agriculture. It was indicated that the majority of the plant species identified on the project site were introduced weeds and grasses.

Based on field surveys, data search, and literature searches, biologists from PAR Environmental Services determined that there was the potential for four special status species at the project site. These species were the Boggs Lake Hedge-Hysopp (Gratiola heterosepala), Palmate-bracted Bird's Beak (Cordylanthus

palmatus), California Hibiscus (Hibiscus californicus), and Downingia (Downingia humilis). All four of these species are associated with wetland or vernal pool habitat types. A survey for these species was conducted by Dr. Steven Towers of PAR Environmental Services, Inc. in September and October of 1990. The results of the field survey indicated that none of the four special-status plant species occurred on the project site and therefore development of the site would create a less-than-significant impact on special status plants.

Special Status Animals**

Giant Garter Snake (Thamnophis couchi gigas). The giant garter snake is designated a Threatened species by the California Department of Fish and Game (CDFG). Recently, the US Fish and Wildlife Service (USFWS) changed the designation of the snake to a federally Threatened species. During the active season (generally March through October), these snakes bask on stream banks or drape on emergent and streamside vegetation. The giant garter snake is very aquatic, and will quickly retreat to water when alarmed. They feed on carp, bullfrogs, and other fish and amphibians. The snakes spend the winter in dormancy, inhabiting cracks and burrows above the high water line.

Giant garter snakes would not commonly occur on the project site, but they have been recorded in the Natomas East Main Drainage Canal and in its tributary canals (CNDDB, 1990). Giant garter snakes probably live in the canal and some of its tributaries; other tributaries may be used only as dispersal corridors. The canal adjacent to the project site is excellent giant garter snake habitat, and it is possible that snakes use the levees of the canal as basking habitat and use abandoned ground squirrel burrows as a place to hibernate during the winter months. Impacts to the Giant Garter Snake would be less-than-significant because the proposed project does not directly impact the canal or its western levee.

Swainson's Hawk (Buteo swainsonii). The Swainson's hawk is listed as Threatened by the CDFG, and as a Category 3C Species by the USFWS. This hawk typically nests in oaks or cottonwoods in or near riparian areas (Schlorff and Bloom, 1984). Swainson's hawks prefer nesting habitats that provide nearby foraging grounds of grasslands, irrigated pasture, alfalfa, hay, and wheat crops. The nesting season of the Swainson's hawk extends from late March through mid-July. Swainson's hawks have become almost entirely dependent on annual grassland and crops such as alfalfa for foraging habitat in California. Most of the native grasslands which formerly provided foraging habitat have been eliminated by agriculture and urbanization.

Several Swainson's hawk nests have been reported west of the project site on the Sacramento River (CNDDB, 1990). No Swainson's hawks were observed on or near the project site. Swainson's hawks usually leave their nesting territories and foraging grounds in the Central Valley and begin migrating toward South America in September (Estep, pers. comm.), so the survey dates were not ideal for detecting this species. However, the project site lacks suitable nesting and foraging habitat. The site does not contain good nesting trees for the hawks, nor does it support good foraging habitat, partially due to the fact that the site is surrounded by existing commercial development.

Black-shouldered Kite (Elanus cearuleus). The black-shouldered kite is listed as a Fully Protected Species by the CDFG. This raptor usually nests in oaks and willows, and forages for small rodents on agricultural lands and grasslands. In the winter, black-shouldered kites often roost communally in stands of trees or orchards. The black-shouldered kite is a non-migratory resident of the North Natomas

Community Plan area. Communal roosts are given special consideration by the California Department of Fish and Game when reviewing project impacts. The closest communal roosting site was observed in the willow-cottonwood woodland at the southern end of Fisherman's Lake. Groups of up to 34 individuals were observed roosting in large willows and cottonwoods along Fisherman's Lake on four dates during the 1984 survey for the NNCP EIR and by the Department of Fish and Game. This project does not impact that roosting site.

A black-shouldered kite was observed roosting in a walnut tree on the study site on September 28, 1990. It repeatedly left the tree to hunt by hovering and kiting over the canal levee, returning to the tree between forays. The kite retreated to the riparian woodland along the canal when disturbed by the observer. The loss of the foraging area provided by the project site is not considered significant given the availability of large stands of woodland foraging area elsewhere in the Natomas area. Furthermore, the landscape plan for the proposed project calls for a landscape buffer along the eastern boundary of the site adjacent to the canal. These trees, when grown, will provide additional roosting areas for the kite.

Burrowing Owl (Athene cunicularia). The CDFG lists the burrowing owl as a Species of Special Concern. Burrowing owls are semi-fossorial, nesting in abandoned ground squirrel burrows and hunting on agricultural lands and grasslands. The burrowing owl is a non-migratory resident of the project area.

Several colonies of burrowing owls in the vicinity of the project site have been reported to CNDDB (1990), but no burrowing owls were observed on the property during the wildlife surveys. The site is suitable for burrowing occupancy because of the numerous ground squirrel burrows on the property and bordering levee, and because of the foraging opportunities provided by the vacant lot.

Valley Elderberry Longhorn Beetle (Desmocerus californicus dimorphis). The valley elderberry longhorn beetle is listed as Threatened by the USFWS. This insect is entirely dependent on elderberry shrubs (Sambucus species) for reproduction and feeding (USFWS, 1984). No elderberry shrubs were found on the surveyed property, indicating that the valley elderberry longhorn beetle does not occur on the project site.

Northwestern Pond Turtle (Clemmys marmorata). The CDFG lists this species as a Species of Special Concern and the USFWS lists it as a Candidate Category 2 Species. Permanent, or nearly permanent bodies of water, including irrigation ditches, lakes, and streams are inhabited by the pond turtle. Mats of floating vegetation, rocks, open mud banks, or partially submerged logs are required as basking sites by this species. The pond turtle normally hibernates between November and February. Eggs are laid by females between March and August in a band near the water's edge or occasionally in fields up to 300 feet from the nearest water (Behler and King, 1979). No evidence of northwestern pond turtle nesting was evident on the project site during the 1990 or 1992 site visits (see Other Project Studies # 3, 4, and 5).

A less-than-significant impact on special status animals is anticipated given the large areas of habitat area located elsewhere in the Natomas area and the fact that no nesting or communal roosting sites will be removed by the proposed project.

Jurisdictional Wetlands

PAR Environmental Services, Inc. was hired to perform a wetlands delineation on the proposed project

site. The investigation conducted by PAR Environmental Services indicated that there is a total of 0.10 acres of jurisdictional wetlands located on the project site, just north and adjacent to the Cargo Court turnoff from Northgate Boulevard. Due to the jurisdictional wetlands on the project site totaling less than one acre in size, the applicant is not required to obtain a permit from the Army Corps of Engineers to fill this wetland. A letter from the Army Corps of Engineers explains that the work is authorized under the Nationwide Permit Number 26 which approves the placement of fill material in wetlands for an area under one acre. The letter goes on to state that an individual Department of the Army permit is not required (Please refer to Other Study # 14).

When an area has been identified as containing seasonal wetlands, there is typically a concern for special-status species that may reside in the seasonal wetlands. These species include Vernal Pool Fairy Shrimp, California Linderiella, Longhorn Fairy Shrimp, Vernal Pool Tadpole Shrimp, and California Tiger Salamander. Due to the high degree of habitat disturbance and poor quality of the seasonal wetlands, it is very unlikely that these species occur on the project site (PAR Environmental Services, Inc.). Therefore, a less-than-significant impact on wetlands is expected by the project.

The project will be subject to the following applicable mitigation measures from the 1994 NNCP SEIR related to biological resources: 1) Erosion Control (4.5-1), 2) Habitat Conservation Plan (4.5-11(1)), 3) Giant Garter Snake (4.5-7), 4) Burrowing Owl (4.5-10), 5) Other Special Status Species (4.5-11). Compliance with these mitigation measures is expected to result in a less-than-significant impact on plants and animals.

NORTH NATOMAS IMPACT:

> The impact of the proposed project on plants and animals is considered less than significant due to required compliance to mitigation measures from the 1994 NNCP SEIR related to erosion control, habitat conservation plan, provision of giant garter snake habitat, burrowing owl conservation, and protection of other special status species.

SOUTH NATOMAS IMPACT:

> The impact of the proposed project on plants and animals is considered less than significant in the South Natomas Community.

6. NOISE

This noise section discusses: 1) off-site, external noise as it impacts the operations of the project and 2) any increases in noise caused by the project as either a temporary impact of construction or long term change of use.

External Noise Impacts on Project

External noise sources that may impact the site include: 1) airport noise from Sacramento Metropolitan Airport; 2) noise from nearby Interstate 5 and other major streets; 3) noise from the proposed light rail line along Truxel Road; and 4) noise from adjacent land uses.

Noise generated by the airport does not affect the project site. The project site is not within the 65 CNEL noise contours of the Sacramento Metropolitan Airport Comprehensive Land Use Plan (CLUP). Noise generated by Interstate 5, Del Paso Road, and Truxel Road is identified in 1994 NNCP SEIR Exhibit 4.6-4. The exhibit indicates that Parcels #2 and 3 at the southwest corner of the site would be subjected to 60 dB CNEL or greater by I-5 noise. Buildings fronting along Del Paso Road and Truxel Road would be subjected to 60 or greater dB from noise generated by Del Paso Road and Truxel Road. A detailed acoustical study is required prior approval of any development to ensure that excessive noise can be attenuated. An acoustical study is also required for any development that may be impacted by noise from the proposed light rail service along Truxel Road. Office uses that are proposed for development surrounding the Sports Complex may be impacted by noise from the existing arena and proposed stadium uses to the south. An acoustical study will be required prior to any development to evaluate potential noise impacts from the Sports Complex and reduce them to a less-than-significant level.

No construction of any buildings is allowed by this application. When planning entitlements for a building is requested, a detailed acoustical study will be required to evaluate noise impacts on the proposed building.

The Noise Element of the City of Sacramento General Plan Update provides land use compatibility guidelines for community noise levels. These guidelines indicate that a normally acceptable land use compatibility criterion of 65 dB Ldn for exterior noise levels at the building facades of office buildings, business commercial and professional land uses.

Typical facade design and construction in accordance with prevailing industry practices are expected to result in an exterior to interior noise attenuation of 28 to 38 dB with windows and doors in the closed position. Standard construction practices are therefore expected to result in interior noise levels below 40 dB during peak hour traffic conditions, provided that windows and doors are closed to achieve the desired acoustical isolation. This noise level is well within an acceptable level. Acceptable exterior and interior noise levels at the project site will not be exceeded, provided that mechanical ventilation is furnished to ensure adequate air exchange with windows and doors in the closed position. Mechanical ventilation is needed to ensure that windows and doors can be k\in 1975 to 334 dwelling units in 1989. The adopted 1994 North Natomas Community Plan states that a 70 percent jobs/housing ratio is projected in the City portion of the North Natomas Community Plan area which meets and exceeds the 66 percent minimum jobs/housing balance in the 1986 NNCP. The number of employees and dwelling units must be calculated and monitored over the build out of the Community Plan area, such that the built out plan area meets the goal of 66 percent.

Jobs/Housing Ratio: The 1994 NNCP designates the site as Low, Medium, and High Density Residential, Convenience Commercial, Village/ Neighborhood Commercial, and other open space and civic uses. If the Community Plan amendment is approved, the proposal results in about 372 more residential units project-wide, from 5,181 designated in the NNCP to 5,553 proposed in the project, and about 60 more employees.

Table 1 below indicates the begining number of units and employees for the city portion of the adopted NNCP and the various changes to units and employees by proposed projects. Using 1.35 housed workers per employee, 30,168 units and 58,784 employees, the plan amendment translates into a change in the jobs/ housing ratio (housed workers to employees) from 70.0 to 69.5 percent for the city portion of the community. Therefore, the amended jobs/housing ratio still complies with the 1986 NNCP goal of 66 percent for the city portion of the community.

Table 1

Units and Employees to be Used to Calculate the Jobs/Housing Ratio

Project	Units	Employees
Beginning (Adopted 1994 NNCP - City portion only)	**30,168**	**58,184**
Del Paso Road PUD	-0-	+1,200
Arena Corporate Center PUD	-0-	+70
Natomas Marketplace PUD	-270	-730
Northborough PUD	+5	-0-
Proposed Northpointe PUD	+372	+60
Ending (after changes)	**30,275**	**58,784**

Housing Trust Fund: The North Natomas Housing Trust Fund, outlined in the City Zoning Ordinance, Section 33, was established for the purpose of increasing the supply of housing units located within the North Sacramento Community Plan area. The Housing Trust Fund fee requirement applies to all non-residential development in the North Natomas Community Plan area. The fees are calculated based on the square footage of the building multiplied by a land use factor and are paid prior to issuance of a building permit. These fees will be used to increase the housing supply in the North Sacramento Community Plan thereby reducing expected housing impacts of this project to a less-than-significant level.

On May 3, 1994, when the City Council adopted the NNCP, they modified the calculation of Housing Trust Fund fees for North Natomas non-residential projects. In the 1986 NNCP, non-residential developers were required to pay a specific Natomas Housing Trust Fund fee that would increase housing units in North Sacramento to decrease potential impacts of North Natomas development on North Sacramento housing stock. Because of the building restrictions on North Natomas residential buildings and the increase in North Sacramento housing over the last few years, the 1994 NNCP justified that non-residential developers should pay the Citywide Housing Trust Fund fee to assist in the provision of affordable housing throughout the City, but specifically within the area from which the fees were generated. The issue of paying Natomas or Citywide fees is still being revisited and will be determined at the time of building permit issuance. Either way, the developer will pay Housing Trust Fund fees which will reduce housing impacts to a less-than-significant level.

NORTH NATOMAS IMPACT:

The residential development restrictions on housing in the North and South Natomas Community Plan areas due to the flood issue are expected to be short term impacts. A less-than-significant population/housing impact will be expected due to the short term nature of the housing restrictions, a less-than-significant impact on the jobs/housing ratio, and the fact that commercial developers will be required to pay into the Housing Trust Fund to alleviate expected housing impacts.

SOUTH NATOMAS IMPACT:

See discussion under North Natomas Impact.

13. TRANSPORTATION AND CIRCULATION

The Northpointe Park subdivision is proposed to be located between Elkhorn Boulevard, Del Paso Road, East Drain and the City limits and occupies 945.7 gross acres in the North Natomas Community Plan area. The subdivision will be a master planned community developed in phases. For the purpose of the traffic analysis, the project consists of 3,549 single family units, 1,821 multi-family units, 200 senior multi-family units, 120,000 square feet of specialty retail, 94,800 square feet of supermarket, 24,000 square feet of day care centers, a 42,000 square foot community center, 2.5 elementary school sites, and one half of a junior high school site.

A Traffic Impact Analysis was conducted by the City Public Works, Transportation and Engineering Planning Division, dated November 1996 (see Attachment 10). The major findings of this analysis are reported below.

Existing Setting

The Northpointe Park subdivision is proposed to be located between Elkhorn Boulevard, Del Paso Road, East Drain and the City limits and occupies 945.7 gross acres in the North Natomas Community Plan area. The subdivision will be a master planned community developed in phases. For the purpose of the traffic analysis, the project consists of 3,549 single family units, 1,821 multi-family units, 200 senior multi-family units, 120,000 square feet of specialty retail, 94,800 square feet of supermarket, 24,000 square feet of day care centers, a 42,000 square foot community center, 2.5 elementary school sites, and one half of a junior high school site. A Traffic Impact Analysis was conducted by the City Public Works, Transportation and Engineering Planning Division, dated November 1996 (see Attachment 10). The major findings of this analysis are reported below.Existing SettingThe Northpointe Park subdivision is proposed to be located between Elkhorn Boulevard, Del Paso Road, East Drain and the City limits and occupies 945.7 gross acres in the North Natomas Community Plan area. The subdivision will be a master planned community developed in phases. For the purpose of the traffic analysis, the project consists of 3,549 single family units, 1,821 multi-family units, 200 senior multi-family units, 120,000 square feet of specialty retail, 94,800 square feet of supermarket, 24,000 square feet of day care centers, a 42,000 square foot community center, 2.5 elementary school sites, and one half of a junior high school site. A Traffic Impact Analysis was conducted by the City Public Works, Transportation and Engineering Planning Division, dated November 1996 (see Attachment 10). The major findings of this analysis are reported below.Existing Setting

The North Natomas area is largely undeveloped. The existing roads south of the site were planned, designed and constructed in anticipation of eventual development of the area. Some facilities were also designed to accommodate traffic associated with large events at the Arco Arena, which is located about 0.4 miles southwest of the site.

Study area intersections were chosen for analysis based on their likelihood of being impacted by the project's traffic, given known travel patterns and professional judgement. These include:

- Del Paso Road at East Commerce Way;
- Del Paso Road at Truxel Road;
- Del Paso Road at Gateway Park Boulevard;
- Del Paso Road at National Drive;
- Del Paso Road at Northgate Boulevard;
- Northgate Boulevard at North Market Boulevard/ Tandy Drive;
- Northgate Boulevard at WB I-80 on/off-ramp;
- Northgate Boulevard at EB I-80 on/off-ramp;
- Truxel Road at North Market Boulevard;
- Truxel Road at WB I-80 on/off-ramp;
- Truxel Road at EB I-80 on-off-ramp;
- I-5/SR99 SB on/off-ramp at Del Paso Road;
- I-5/SR99 NB on/off-ramp at Del Paso Road;
- SR99 SB off-ramp at Elkhorn Boulevard; and
- SR99 NB on/off-ramp at Elkhorn Boulevard.

Impacts and Mitigation

Based on information provided by the Traffic Impact Analysis (November 1996) prepared by the City of Sacramento, Transportation and Engineering Planning Division, the following information is relevant to the project.

In the City of Sacramento, a significant traffic impact (intersection or segment) occurs when: 1) the traffic generated by a project degrades peak period Level of Service (LOS) from A, B, or C (without project) to D, E, or F (with project); or 2) the LOS (without project) is D, E, or F, and the project generated traffic increases the average vehicle delay by 5 seconds or more.

The Traffic Impact Analysis classifies impacts in the following manner:

- No impact

- Less than significant (mitigation unnecessary)
- Significant avoidable (impact can be mitigated to less-than-significant levels)
- Significant unavoidable (impact cannot be mitigated to less than significant levels)

The major findings of the Traffic Impact Analysis are listed below:

- Three study intersections under base conditions operate at LOS F. Base conditions are defined as existing traffic counts plus traffic generated by the Oates office project. All three intersections meet signal warrants and the installation of a traffic signal at each intersection would cause each intersection to operate acceptably. The three intersections are:
  - Del Paso Road @ East Commerce Way - PM peak period
  - Del Paso Road @ Truxel Road - AM and PM peak period
  - Del Paso @ Northgate Boulevard - AM and PM peak period
- Three study intersections will be significantly impacted by the development of Northpointe Park:
  - Del Paso Road @ East Commerce Way - AM peak period
  - Del Paso Road @ Gateway Park Boulevard (G Street) - AM and PM peak period
  - Del Paso Road @ National Drive - AM and PM peak period
- The following improvements are needed to mitigate the project impacts:
  - Del Paso Road @ East Commerce Way - The LOS F is experienced by the minor left turns onto the major street. The installation of a signal would improve the AM peak hour LOS to A. This mitigation measure would reduce the impact to no impact.
  - Del Paso Road @ Gateway Park Boulevard/ G Street - To mitigate this impact a traffic signal will need to be installed. Additionally, the intersection will need to be restriped to account for the roadway into the project at G Street. Gateway Park Boulevard northbound will be restriped to one left turn lane and one through-right lane. Del Paso Road westbound will be restriped to one right-through lane, one through lane and one left turn lane. Del Paso Road eastbound will be restriped to one right-through lane and one through-left lane. G Street southbound will be one right-through-left lane.
  - Del Paso Road @ National Drive - To mitigate this impact a traffic signal will need to be installed. Additionally, the intersection will need to be restriped to account for the extension of National Drive. National Drive northbound should be restriped to one through-right lane and one left turn lane. Del Paso Road westbound shall be restriped to one right-through lane, one through lane, and one left turn lane. Del Paso Road eastbound should have a left turn bay added to the existing lane geometry to result in one right turn lane, two through lanes and one left turn lane.
- Although not all of these intersections meet delay criteria with project, the following eight unsignalized intersections meet signal warrants under base plus project conditions:
  - Del Paso Road @ Truxel Road
  - Del Paso Road @ I Street
  - Del Paso Road @ National Drive
  - Del Paso Road @ Northgate Boulevard
  - Del Paso Road @ East Commerce Way
  - Del Paso Road @ Gateway Park Boulevard/ G Street
  - Elkhorn Boulevard @ National Drive
  - Elkhorn Boulevard @ Truxel Road

- The traffic controls for the five externally created intersections should be:
  - Elkhorn Boulevard @ National Drive - meets traffic signal warrants in the AM and PM peak hours
  - Elkhorn Boulevard @ Truxel Road - meets traffic signal warrants in the AM and Pm peak hours
  - Del Paso Road @ I Street - meets traffic signal warrants in the AM and PM peak hours
  - Del Paso Road @ G Street - meets traffic signal warrants in only the PM peak hour
  - Elkhorn Boulevard @ F Street - requires a stop sign control on F Street

- The traffic controls for the nine internally created intersections should be:
  - A Street @ C Street - a T intersection to be controlled by a 3-way stop sign
  - B Street @ C Street - a T intersection to be controlled by a 3-way stop sign
  - C Street @ D Street - a T intersection to be controlled by a 3-way stop sign
  - C Street @ J Street - a 4-way intersection to be controlled by a 4-way stop sign
  - A Street @ F Street - a T intersection with the minor approach stop sign controlled
  - A Street @ H Street - a T intersection with the minor approach stop sign controlled
  - B Street @ G Street - a T intersection with the minor approach stop sign controlled
  - B Street @ I Street - a T intersection with the minor approach stop sign controlled
  - C Street @ E Street - a T intersection with the minor approach stop sign controlled

- The Northpointe Park master plan was previously analyzed as part of the North Natomas Community Plan (NNCP). Any deviations from the community plan are internal to the subdivision and would have a nominal effect on the existing/ planned street network. Therefore, the cumulative impacts of the proposed project are described in the 1994 NNCP SEIR. That SEIR established roadway sizes and other major infrastructure required to support development of the whole North Natomas area (see Figure 7 of Attachment 10). The project will be conditioned to provide additional right-of-way at intersections to accommodate future turn lanes where needed.

The conclusions of the Traffic Impact Analysis indicate that three of the fifteen intersections will require mitigation measures to eliminate traffic impacts. Eight of the thirteen intersections will meet signal warrants with the development of the project. Implementing the mitigation measures at the three impacted intersections and installing the eight required traffic signals will eliminate the impacts created by the Northpointe Park project.

Transportation Systems Management (TSM)

In an effort to mitigate the impacts of increased traffic, the City of Sacramento has enacted two Transportation Systems Management (TSM) Ordinances. The purpose of TSM is to provide more efficient utilization of existing transportation facilities. (See the Air section, Section 2).

The City of Sacramento Ordinance No. 88-083 was adopted on December 13, 1988. This ordinance amended Sections 6 and 22 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, relating to Transportation Systems Management Regulations for New Non-Residential Development. The primary purpose of this ordinance is to ensure, prior to occupancy of the project, the inclusion of basic facilities and services that will encourage the use of alternative commute modes by 35% for future tenants of the proposed projects.

Prior to building permit issuance, the applicant shall file a Transportation Management Plan (TMP) whose implementation will result in a 35 percent reduction in peak hour trips for the site to the satisfaction of the Public Works Director. Also, the North Natomas Community Plan requires a TSM/ Air Quality Plan that results in the community-wide reduction of Reactive Organic Gases (ROG) by 35 percent (see the Air section, Section 2).

NORTH NATOMAS IMPACT:

The regional traffic impacts are significant unavoidable impacts overridden by the North Natomas Community Plan EIR and the local impacts of this project are less than

significant with mitigation. Therefore, the Northpointe Park project creates a less-than-significant impact on traffic in the area and the following traffic-related mitigation measures are required for the project. The applicant must comply with the City Zoning Ordinance related to Transportation Systems Management.

MITIGATION:

Mitigation Measure #8: The following improvements are needed to mitigate the traffic-related impacts of the project:

a. A signal shall be installed at the intersection of Del Paso Road and East Commerce Way.

b. A signal shall be installed at the intersection of Del Paso Road and Gateway Park Boulevard/ G Street. Also, the intersection shall be restriped as follows: Gateway Park Boulevard northbound will be restriped to one left turn lane and one through-right lane; Del Paso Road westbound will be restriped to one right-through lane, one through lane and one left turn lane; Del Paso Road eastbound will be restriped to one right-through lane and one through-left lane; and G Street southbound will be one right-through-left lane.

C. A signal shall be installed at the intersection of Del Paso Road and National Drive. Also, the intersection shall be restriped as follows: National Drive northbound will be restriped to one through-right lane and one left turn lane; Del Paso Road westbound will be restriped to one right-through lane, one through lane, and one left turn lane; Del Paso Road eastbound will have a left turn bay added to the existing lane geometry to result in one right turn lane, two through lanes and one left turn lane.

Mitigation Measure #9: The applicant for any non-residential development shall comply with the City's Transportation Systems Management Ordinance and prepare a Transportation Management Plan.

SOUTH NATOMAS IMPACT:

The regional traffic impacts are significant unavoidable impacts overridden by the North Natomas Community Plan EIR and the local impacts of this project are less than significant. Therefore, the proposed Northpointe Park project creates a less-than-significant traffic impact on South Natomas.

14. PUBLIC SERVICES

The proposed project is not expected to significantly impact fire services, police services, schools, parks or other recreational facilities, or other governmental services. The following public service uses will be located on the site: 1) one acre fire station site, 2) four acre community center site, and 3) five acre civic-utilities site to be used for City utilities and SMUD substation. The public services needed for the North Natomas Community Plan area have been planned for within the NNCP and the costs of these services will be funded through the North Natomas Financing Plan. Changes proposed for the site are not expected to create additional public services impacts for this area. Participation in the North Natomas Financing Plan will be a condition of development approval. A less-than-significant impact of public services is anticipated by the project.

The proposed project is located within the boundaries of three school districts; Natomas Unified School District in the southwestern portion of the project site and Grant Joint Union High School District and Rio Linda Elementary School District in the northern and eastern portions of the site. The school district boundaries are currently aligned with the existing agricultural parcels and not with the adopted community plan land use designations. Consequently, proposed land use cells may be bisected by school district boundaries. Pursuant to Resolution No. 95-090, adopted by the City Council on March 7, 1995, a Joint Panel, consisting of land owners, school districts, and City staff, has been formed to prepare a "Preferred Plan" proposing the reorganization of the school district boundaries to be aligned with geographic barriers and proposed neighborhood boundaries. Whatever the result of the Joint Panel's Preferred Plan, adequate school facility capacity will be provided for the projected students generated by the proposed project. The applicant shall be subject to the School Facilities Fee, adopted by the City Council on October 31, 1995 (Ordinance No. 95-061 and Resolution No. 95-624). Therefore, a less-than-significant impact is anticipated on school facilities by this project.

NORTH NATOMAS IMPACT:

The public services demand for this proposal will be less-than-significant.

SOUTH NATOMAS IMPACT:

The public services demand within the South Natomas Community Plan area will be less-than-significant.

15/16. ENERGY AND UTILITIES

Drainage: The proposed project is within the Detention Basins #3 and 4 watershed areas of the North Natomas drainage system. The project proponent shall coordinate with other future property owners in the detention basin areas to ensure that adequate drainage is provided and the area within the 100 year internal floodplain is removed from the floodplain prior to occupying any buildings on the site.

As stated in the Water section discussion (section 3), the proposed project would increase the runoff volumes generated by the property. The impervious surfaces of buildings, parking lots, and other surface improvements would require an on-site storm drain system which would deliver runoff from the site to the detention basins and canal. City Utilities staff has indicated that prior to approval of the final master parcel map, an assessment district, or other financing mechanism acceptable to the City, must be formed for the purpose of constructing all common drainage facilities within Detention Basins #3 and 4 and any additional drainage capacity or facilities required to accommodate development in the project area and all facilities shall be bonded for (or otherwise financed) or constructed. A Drainage Agreement between all property owners within the detention basin areas must be executed, if applicable, to coordinate design and construction of the basin and trunk lines. The project proponent shall provide adequate stormwater drainage to the satisfaction of the City Utilities Director.

NORTH NATOMAS IMPACT:

Due to the drainage mitigation measure included in Section 3 related to Water, the proposed project is expected to have a less-than-significant drainage impact.

SOUTH NATOMAS IMPACT:

The proposed project is expected to create a less-than-significant drainage impact on the South Natomas Community.

Sewer Service: Development in North Natomas is currently served by the County of Sacramento's Regional Sanitation District. The County of Sacramento has indicated that sanitary sewer service, after payment of applicable connection fees, is available to the subject property. The cost of sewer lateral extension and sewer service installation to the property line is the responsibility of the developer. Oversizing of the sewer system may be necessary to provide facilities that are adequate to serve the area at buildout. The developer will front these costs and enter into an agreement to be reimbursed by subsequent developers benefitting by the oversized facilities. Upon acceptance of such improvements by the City or County as appropriate, collection system service will be provided by County Sanitation District No. 1 (CSD-1) and wastewater treatment and disposal by the Sacramento Regional County Sanitation District.

NORTH NATOMAS IMPACT:

The proposed project is not expected to create a significant sewer service impact.

SOUTH NATOMAS IMPACT:

The proposed project is expected to create a less-than-significant sewer service impact on the South Natomas Community.

Recycling and Solid Waste: The California Integrated Waste Management Act of 1989 (AB 939) mandates that cities develop source reduction and recycling plans. The goal of AB 939 is to require cities to divert 25 percent of the waste stream from going to landfills by 1996, and to divert 50 percent of the waste stream from going to landfills by the year 2000.

To comply with AB 939, the City of Sacramento's Comprehensive Zoning Ordinance has provisions pertaining to solid waste recycling. In 1991, an amendment was added to the

Zoning Ordinance (Section 34) to address recycling and solid waste disposal requirements for new and existing developments. This plan requires that all non-residential development (commercial, office, industrial, public/quasi-public) and residential development (multifamily of 5 or more units) prepare and submit a recycling program with the planning application and before issuance of a building permit. The recycling program must include: 1) a flow chart depicting the routing of recycled materials; 2) a site plan specifying the location and design components and storage locations associated with recycling efforts; 3) a construction plan to specify the recyclable materials being used in the construction of the proposed structures; 4) a demolition plan specifying the proposed recycling of reusable or recyclable building materials in the demolition of any existing structures; and 5) an educational program pertaining to recycling. Single family residential units and multiple family residential uses (four units or less) will be provided with curbside recycling service by the City. Design features in residential units should enhance the likelihood of recycling by the residents.

No building is proposed with this application. Prior to construction of any building on the site, an approved Special Permit is required. During the review of the Special Permit, the recycling program for the building(s) will be evaluated. Because the project is subject to Section 34 of the Zoning Ordinance, the proposed project is not anticipated to result in a significant impact to solid waste disposal.

NORTH NATOMAS IMPACT:

The proposal is not expected to create a significant impact on recycling/ solid waste services.

SOUTH NATOMAS IMPACT:

The proposed project is expected to create a less-than-significant impact on recycling and solid waste services for the South Natomas Community.

Energy: Electrical service is provided to the site by Sacramento Municipal Utilities District (SMUD) and gas service is provided by Pacific Gas and Electric (PG&E). The 230 kv electric system approved in the NNCP does not indicate a substation or 230 kv lines on the site. However, SMUD has indicated that the 230 kv system is not electrically reliable and is costly to build upfront. SMUD has proposed to amend the 230 kv system to a 69 kv system and will soon be seeking a Community Plan Amendment to make the change. If the plan amendment is approved by the City Council, 69 kv transmission lines would be located along the north side of Elkhorn Boulevard and on the south side of Del Paso Road. A substation would be located at the northwest corner of the project site within the agricultural buffer along Elkhorn. Twelve kv distribution lines would be located underground throughout the site to provide electrical service to all uses in the project area.

The State Building Energy Efficient Standards (Title 24) regulate energy consumption of new buildings in California. Title 24 regulates energy consumed for heating, cooling, ventilation, water heating, and lighting in all new residential and non-residential buildings. In addition, the City has adopted an energy conservation review checklist and development guidelines for project and site plan review. The intent of the guidelines is to encourage consideration of energy conservation measures in the preliminary development stages so that project related energy consumption is minimized.

Policies in the NNCP encourage the use of electric and other low-emission vehicles and promote energy efficient building design. Specifically, on page 49, an Implementing Policy related to Air Quality states: "Encourage the use of electric, other zero-emission, and low-emission vehicles by providing sufficient, convenient, electric vehicle charging and parking facilities in the planning of residential and employment developments." Also, on page 74, an Implementing Policy related to Utilities states: "Prior to any development occurring, the project proponent must consult with SMUD's New Construction Service staff to incorporate SMUD energy efficiency programs where feasible. The objective of the program is to maximize the energy efficiency potential of new construction projects consistent with SMUD's system design capacity and energy conservation goals through cost-effective investments and technical assistance for designers and builders." This requirement will be included as a condition of development approval. SMUD has begun to coordinate with developers to implement programs that encourage the use of electric vehicles and alternative energy sources, such as photovoltaic cells and fuel cells. Charging stations for electric vehicles could be incorporated in residential garages and parking lots within the project area. The applicant shall contact SMUD to review methods to incorporate these programs in the project. For a discussion of potential electrical health hazards, see Section 17.

NORTH NATOMAS IMPACT:

The energy demand for this proposal is expected to create a less-than-significant impact.

SOUTH NATOMAS IMPACT:

Since the energy supply for both South and North Natomas has been planned for, the energy demand for this project in North Natomas is expected to create a less-than-significant energy demand on the South Natomas Community.

17. HUMAN HEALTH

Electrical Service: Potential human health hazards may arise from electrical service features on the site. The main health hazard relates to the construction phase of the project. If construction equipment comes within 10 feet of the power lines, severe electric shock could occur. This hazard can be avoided by requiring that all operators of heavy equipment must obey Article 86, Title 8, the High Voltage Electrical Safety Order. Information pertaining to this law is available from Pacific Gas & Electric (PG&E). In short, the law requires a minimum of 10 feet of clearance from energized high voltage conductors.

Electromagnetic Fields: Another health hazard may be the effect that long-term exposure to electromagnetic fields (EMF) could have upon human health. Any electrically charged conductor generates two kinds of invisible fields, electric and magnetic. Taken together, they are called electromagnetic fields. EMF generated by electric appliances, wiring and electric tools are commonplace in everyday life. Some scientific findings have suggested these electromagnetic fields can interfere with the activity in biochemicals linked to the growth of cancer (Sacramento Bee, 11/30/89, Are Electromagnetic Fields a Cancer Risk?). Two studies (The Savitz Study and The New York Power Lines Project) have shown conflicting results regarding the effect of long-term exposure to electromagnetic fields. Most carefully controlled studies of EMF effects have failed to produce proven evidence of a health hazard or noticeable changes in health and bodily functions. Although some research has shown statistical correlations exist between magnetic fields and certain types of cancer, no study has yet been produced that demonstrates a "cause and effect" relationship between the two. Evidence gathered so far does not demonstrate that power lines adversely affect public health. Therefore, a less-than-significant human health impact is anticipated.

Phase I Toxics Study: A Phase I Environmental Site Assessment was conducted for the site by Wallace-Kuhl and Associates, Inc., dated February 1995. The purpose of the assessment was to provide information on the site and surrounding area with respect to the potential presence of hazardous/ toxic materials on or beneath the property. The scope of the work for the site assessment included: 1) a reconnaissance of the property to look for evidence of surface and potential subsurface sources of contamination; 2) a "windshield survey" of the site to identify businesses that may use or produce hazardous materials; 3) examination of aerial photographs of the site and surrounding properties for historical evidence of contamination; 4) conversations with representatives of various regulatory agencies and previous owners of the property about previous land use; 5) a thorough search of all federal, state, county, and city records for evidence of hazardous material use or misuse at or near the site; and 6) consultation of technical literature as needed.

In summary, the assessment indicates "no evidence of significant hazardous materials contamination on or adjacent to the subject property." Furthermore, the study states, "We observed no obvious evidence of improper storage of hazardous materials during our windshield survey of nearby sites. No state or Federal "Superfund" sites were identified within a one mile radius of the subject property." The major concern with agricultural property is the potential for a residual build up of pesticides and herbicides. Relative to agricultural materials, the study states, based on their findings, "... we anticipate that the potential for significant agricultural chemical residuals to exist in surficial soils of the subject property is low." However, a garage building and other areas of the subject property contain small quantities of abandoned and/or discarded items. The assessment recommends that these items be removed from the site and appropriately disposed of or recycled off site. The consultant also recommends, if ground water directly beneath the property is intended as a potable source, sampling and analyzing water from the existing agricultural supply well and/or from one or more of the ground water monitoring wells installed on the property, in order to evaluate ground water for potential contaminants not evident from the visual reconnaissance or data review. Also, if the wells are not intended for use in the future, they should be properly destroyed and abandoned. These recommendations are included below as mitigation measures.

Mosquito Abatement: In 1986, the City Council certified the 1986 NNCP EIR as adequate. One of the environmental impacts identified in the NNCP EIR was mosquitoes. As undeveloped areas, particularly rice fields, are converted to urban uses, mosquitoes thrive in profusion. To reduce the negative impact of mosquitoes and protect urban residents from profuse mosquitoes generated by rice growing, the following mitigation measure was adopted: The Sacramento Yolo Mosquito Abatement District should implement a specific mosquito abatement program in order to provide urban standards of mosquito control in the project area. Additional revenues for the District would be necessary to pay for the increased control costs. (NNCP EIR, page B-37). To provide an urban level of mosquito control, an assessment district may be formed. This project would be required to participate in that district, once formed.

The regulatory provisions identified above related to construction near electrical facilities, participation in a mosquito control assessment district, once formed, mitigation measures

related to discarded items and abandoned wells, as well as those regulatory provisions related to hazardous materials identified in the Risk-of-Upset section (Section 10) are expected to reduce the threat to human health below a level of significance.

NORTH NATOMAS IMPACT:

Existing regulatory provisions and the following mitigation measures related to mosquito abatement, disposal of discarded items, and abandonment of unused wells are expected to reduce the human health impact below a level-of-significance.

MITIGATION:

Mitigation Measure #10: The applicant shall participate in the Mosquito Abatement Control Program Assessment District to be established by the Sacramento Yolo Mosquito Abatement District in order to provide urban standards of mosquito control in the project area.

Mitigation Measure #11: The garage building and other discarded items on-site shall be disposed of properly.

Mitigation Measure #12: Properly destroy and abandon any well not intended for use in the future.

SOUTH NATOMAS IMPACT:

A less-than-significant human health impact is expected within the South Natomas Community.

18. AESTHETICS

Establishment of the PUD Guidelines and Schematic Plan is requested with this application. Development guidelines are proposed for all the various proposed land uses. Any building will comply with all height, area, and setback requirements of the PUD Guidelines, once adopted, and the City Zoning Ordinance, where applicable. To create an aesthetic impact, the proposed project must obstruct a public scenic view or create an aesthetically offensive site. The project does neither so it is not anticipated that any significant aesthetic impacts will result from the project.

NORTH NATOMAS IMPACT:

Obstruction of a scenic view or creation of an aesthetically offensive site is not anticipated to occur. A less-than-significant impact is expected.

SOUTH NATOMAS IMPACT:

Obstruction of a scenic view or creation of an aesthetically offensive site is not anticipated to occur. The proposed project is not expected to aesthetically impact the South Natomas Community. A less-than-significant impact is expected.

19. RECREATION

The project is proposed for a site that has been identified for urbanized land uses. The adopted NNCP designates 27.0± acres of Park, 164.4 acres of Golf Course, 19.6 acres of Detention Basin, and 25.0 acres of other open space, including a portion of the agricultural buffer along Elkhorn Boulevard but excluding the 5 acre civic utility area in the ag buffer. The proposed project calls for 100.0 gross acres of Park, 16.7 gross acres Detention Basin and 32.5 gross acres of open space along Elkhorn, excluding the 5 acre civic utilities site. The golf course is proposed to be deleted.

Originally, the golf course was a feature proposed by the then-current property owner and included in the 1994 NNCP. The golf course was to be used as a feature similar to Swallows Nest in the South Natomas area with upscale homes surrounding it. Now, the new property owner is proposing to delete the golf course feature and locate the larger

residential lots near the linear parks. The original golf course included two detention basins; the detention basins have been retained in the proposed project.

The applicant is proposing to organize the proposed neighborhoods around two linear parkways. Each linear parkway has an elementary school at the outside end and converges at the village center. The linear parkways provide active and passive recreation facilities and they serve as linear pedestrian/ bicyclist corridors through the neighborhoods.

The project includes 2,758 low density units (lots at least 50 feet by 105 feet), 1,654 medium density units (lots less than 50 feet by 105 feet), and 1,158 high density units. Using 1.54 residents per high density unit, 1.91 residents per medium density unit and 2.55 residents per low density unit, the number of anticipated residents in the proposed project is 11,975. Using the five acres per 1,000 residents standard in the Parks Master Plan, the number of acres of park, not including joint use school/ park acres, needed to serve the projected residents is 59.9 acres. The park acres proposed by the applicant is 100.0 gross acres, not including any joint use school/ park acreage. Therefore, the proposed project does not have a significant impact on recreation in that adequate park land is provided to the projected population on the site.

According to the 1994 North Natomas Community Plan, 80 percent of all residential units in the community plan area must be within 880 feet of some form of open space, including parks, schools, drainage canals, detention basins, and buffers. The proposed project indicates that 90 percent of the homes within the project area are within 880 feet of open space uses. Therefore, the project complies with the open space proximity standard.

Financing of park development is included in the North Natomas Financing Plan. Land acquisition of community/ neighborhood parks is paid for through Quimby Act fees and development costs of the community/ neighborhood parks are included in the Public Facilities Fee portion of the North Natomas Development Impact Fees. Land acquisition of the regional park (located off-site) is included in the Financing Plan, however, development costs of the regional park are not included in the plan. Surpluses of the Financing Plan or the City General Fund are anticipated to be used to pay for the cost of developing the regional park. The applicant shall participate in the North Natomas Financing Plan and the Landscaping and Lighting District.

NORTH NATOMAS IMPACT:

The proposed project is not anticipated to significantly affect the quantity or quality of recreational facilities in the area. Therefore, the proposed project is not expected to result in a significant recreational impact.

SOUTH NATOMAS IMPACT:

The proposed project is not expected to result in a significant recreational impact on the South Natomas Community.

20. CULTURAL RESOURCES

The project site is identified as a Primary Impact Area in the Sacramento General Plan Update Draft Environmental Impact Report (SGPU DEIR, page V-5). Also, the project site is indicated to be within a medium and high sensitivity area on the Archaeological Sensitivity Map prepared by David Chavez and Associates (1986 NNCP EIR Exhibit O-3). According to the Archaeological Inventory and Extended Phase I Test Excavations at CA-SAC-422 study conducted by PAR Environmental Services, Inc. dated April 1992, and the Cultural Resources Inventory and Evaluation for the Proposed Northpointe Development prepared by PAR Environmental Services, Inc., dated October 16, 1990, one prehistoric site (identified as "NP-1" in the October 1990 study and "CA-Sac-422" in the April 1992 study) was identified and recorded on the Northpointe site. "On October 18 and 19, 1990, a series of manual auger units and one controlled excavation unit were excavated at CA-Sac-422 to determine the boundaries of the site and to ascertain whether or not stratigraphy was present. This extended phase of the inventory revealed that an intact subsurface midden was present, possibly containing human remains. The horizontal extent of the midden was not determined during the October 1990 excavations.

Additional geotechnical truck-mounted core samples (GTCS) were excavated at CA-Sac-422 in October 1991. This additional work was undertaken in an attempt to delineate better the extent of subsurface midden and determine the presence or absence of a prehistoric cemetery. As a result, the site boundary was reduced in size as compared to the original estimate based only on surface observations. No human remains were encountered during these excavations.

CA-Sac-422 appears to represent an Early Horizon period site (dating to 2500-100 BC) with an intact midden deposit. Although it was not confirmed during the testing, the presence of charmstones and one probable human bone indicate that human remains may be present. Based on its age and the scarcity of Early Horizon sites, CA-Sac-422 has the potential of making significant contributions to our understanding of early California prehistory."

The PAR study suggests the following possible mitigation measure related to the appropriate preservation of this archaeological site: "Prior to any further disturbance or development of the site, a test excavation program should be undertaken. The focus of the testing would be to determine if intact human remains are present within the resource and to assess the significance of the midden deposit. A research design will need to be created which would be used as a guide for addressing research questions during the testing program. Native American monitors should be involved in the testing program, and the importance of the site should be evaluated in terms of CEQA guidelines. If burials are encountered or the midden yields features or important data, mitigation of the adverse effects proposed by the development will need to be implemented." City staff suggests that development be limited on the proposed lot in which the midden site is located shall be prohibited from development until the site can be defined and a mitigation program proposed.

The studies note that cultural resources could be located below the surface on other portions of the project site and would be encountered during construction on the site. The following mitigation measure will reduce the potential impact of the project on other cultural resources, if discovered during construction.

NORTH NATOMAS IMPACT:

The following mitigation measures will help reduce the cultural resources impact of the project to a less-than-significant level.

MITIGATION:

Mitigation Measure #13: If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Mitigation Measure #14: Prior to development of Lot B of the proposed Northpointe Park subdivision, a test excavation program shall be completed to identify and define the boundaries of the archaeological site known as CA-Sac-422. Appropriate mitigation measure(s) shall be determined in coordination with the State Office of Historic Preservation and the Native American Heritage Commission prior to any development of the lot.

SOUTH NATOMAS IMPACT:

The project is expected to have a less-than-significant impact on cultural resources within the South Natomas Community.

FINDINGS REGARDING FLOOD-RELATED IMPACTS

1. The project, Northpointe Park - P96-058 (the "Project"), is located in an area of the City determined to have less than 100-year flood protection. Implementation of the Project will therefore expose people and property to the risk of injury and damage in the event of a 100-year or lesser flood. These risks are considered significant adverse impacts under CEQA.

2. The City Council has evaluated these impacts in the Environmental Impact Report (EIR) prepared in connection with the Land Use Planning Policy Within the 100-Year Floodplain (M89-054) adopted by the Council on February 6, 1990. The EIR is available through the Department of Planning and Development, 1231 I Street, Room 300, Sacramento, California. This document serves as a program EIR addressing the flood-related risks to people and property created by new development in the 100-year floodplain in the City.

3. The flood-related risks created by the Project fall within the scope of the program EIR. Accordingly, the findings adopted by the Council in connection with its certification of the program EIR and its adoption of the Policy are applicable to and are hereby adopted in connection with the Project. These findings are set forth in the Findings of Fact/ Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City of Sacramento ("Findings"). This document is appended to the program EIR available through the Department of Planning and Development.

4. Building permits may be issued in connection with the Project only if the applicant ensures that any permitted new construction complies with specific flood-related design restriction set forth in Article XXVII of Chapter 9 of the Sacramento City Code. As set forth in the Findings, no additional flood-related mitigation measures applicable to the Project have been required.

Vicinity Map **Attachment 2**

Attachment 3

Attachment 4

Attachment 4

Attachment 5

Attachment 6

Attachment 7

Attachment 8

Attachment 9

Attachment 10

Attachment 11

Attachment 12

Attachment 13

Attachment 14

Attachment 15

Attachment 16

Recording
Not
Required

-
-
-
-
-

MITIGATION MONITORING PLAN

FOR

Northpointe Park - P96-058

Type of Environmental Document:
Negative Declaration

Prepared By:
City of Sacramento Development Services Division
Carol Shearly, Associate Planner, 264-5893

Date:
November 20, 1996

Adopted By:
City of Sacramento City Council

Date:

Attest:

CITY OF SACRAMENTO

MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 301, Sacramento, CA 95814, (916) 264-7600, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Northpointe Park - P96-058
Applicant - Name: AKT Development Co. (Jack Mixon)
Address: 7700 College Town Drive, Suite 101
Rancho Cordova, CA 95826

Project Location / Legal description of Property (if recorded):

Assessor's Parcel Numbers: 201-0310-017, 018, 022, and 023; 225-0050-017 to 019; and 225-0060-018 to 020

SECTION 2: GENERAL INFORMATION

The project as approved includes fourteen mitigation measures. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within Attachment A of the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the above-mentioned applicant.

SECTION 3: PLAN CONTENTS

1. AIR

Mitigation Measure #1

Comply with the NNCP's requirement to prepare an Air Quality Mitigation Strategy that reduces ROG emissions by 20 percent for residential uses and 50 percent for non-residential uses.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Public Works Department, Transportation and Planning Division

2. WATER

Mitigation Measure #2

A Drainage Agreement ensuring the provision of stormwater drainage must be executed. An adequate stormwater drainage plan shall be designed to the satisfaction of the City Utilities Director prior to recordation of the Master Parcel Map. Construction of the drainage facilities shall be commenced prior to issuance of a building permit. Construction of the drainage facilities shall be completed prior to issuance of a certificate of occupancy for any building on the site.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Utilities Department

Mitigation Measure #3

The project shall comply with the applicable Residential and Non-Residential Development Guidelines in the adopted Comprehensive Flood Management Plan to the satisfaction of the Director of Planning and Development, including:

- Provide multiple access points in subdivisions that are 10 acres or larger in size to facilitate evacuation and other emergency services;
- New residential subdivisions shall either identify refuge areas to the satisfaction of the City Planning and Development Department or ensure that at least 50 percent of all residential units shall have a top plate above the base flood elevation;
- Major projects (40,000 square feet or larger) shall have second story construction or roof access and a top plate above the base flood elevation in order to provide adequate refuge areas. Refuge areas at private structures should be required to accommodate employees only;
- All residential and non-residential structures must be anchored to their foundations per regulations in the City Building Code;
- Gas valve shut-off keys must be attached in a visible location for all residential and commercial gas water heaters; and
- Special facilites, such as hospitals and elder care facilities, shall be required to implement flood safety measures in their designs to the satisfaction of the City Planning and Development Department.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department

Mitigation Measure #4

No encroachment into the FEMA designated floodway (shown as AE Flood zone on the most current flood maps or the most current RD1000 100 year floodplain designation) shall be allowed until construction or bonding of the East Drainage Canal project or other mitigation approved by the Department of Utilities and RD 1000.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Utilities Department

3. PLANT/ ANIMAL LIFE

Mitigation Measure #5

The applicant shall participate in the Natomas Basin Habitat Conservation Plan (HCP), once adopted. At the time of grading permit, the applicant shall pay the interim HCP fee, based on Ordinance No. 95-060 and REsolution No. 95-622 adopted by the City Council on October 31, 1995. If the HCP program is never implemented, or if the interim fee exceeds the actual fee, then the applicant shall be refunded the difference, with interest. If the interim fee is less than the actual fee, the applicant shall pay the difference.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department

Mitigation Measure #6

The applicant shall comply with the following mitigation measure related to reducing the impact of the project on burrowing owls:

1. Immediately prior to initiation of grading or other earth disturbing activities, the applicant/ developer shall hire a qualified biologist to perform a pre-construction survey of the site to determine if any burrowing owls are using the site for foraging or nesting. If any nests are found, the Department of Fish and Game shall be contacted regarding possible suitable mitigation measures. These measures may include the provision of a buffer (typically 300 foot minimum) from the nest site during the breeding season (March 15 - August 31) or a relocation effort for the burrowing owls. The survey shall be submitted to the City for review prior to the commencement of any grading or construction activities.

2. If future surveys reveal the presence of burrowing owls on the project site, the applicant/ developer shall prepare a plan for relocation of the burrowing owls to a suitable site. At a minimum, the plan must include the following:

    a. the location of the birds (and nests) proposed to be relocated;
    b. the location of the proposed relocation site;
    c. the number of owls involved and the time of year when the relocation is proposed to take place;

d. the name and credentials of the biologist who will be retained by the applicant to move the birds (and nests);
e. the proposed method of capture and transport for the owls to the new site;
f. a description of the site preparations at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control, etc.); and
g. a description of efforts proposed to follow-up and/or monitor the relocation.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department

Mitigation Measure #7

The applicant shall comply with the following short term construction mitigation:

1. All sites shall be graded such that the new topography makes a smooth transition to existing adjacent topography.

2. Dust and soil erosion control measures shall be implemented during the construction phases of all projects. These measures are intended to minimize soil erosion and fugitive dust emissions. Suggested measures include:

   a. watering exposed soils;
   b. covering exposed soils with straw or other materials;
   c. adopting measures to prevent construction vehicles from tracking mud onto adjacent roadways;
   d. covering trucks containing loose and dry soil; and
   e. providing interim drainage measures during the construction period.

3. In non-pavement areas, any vegetation covered or removed during grading or construction (including slope protection) should be replanted following the construction activities.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department

4. TRANSPORTATION AND CIRCULATION

Mitigation Measure #8

The following improvements are needed to mitigate the traffic-related impacts of the project:

a. A signal shall be installed at the intersection of Del Paso Road and East Commerce Way.

b. A signal shall be installed at the intersection of Del Paso Road and Gateway

Park Boulevard/ G Street. Also, the intersection shall be restriped as follows: Gateway Park Boulevard northbound will be restriped to one left turn lane and one through-right lane; Del Paso Road westbound will be restriped to one right-through lane, one through lane and one left turn lane; Del Paso Road eastbound will be restriped to one right-through lane and one through-left lane; and G Street southbound will be one right-through-left lane.

C. A signal shall be installed at the intersection of Del Paso Road and National Drive. Also, the intersection shall be restriped as follows: National Drive northbound will be restriped to one through-right lane and one left turn lane; Del Paso Road westbound will be restriped to one right-through lane, one through lane, and one left turn lane; Del Paso Road eastbound will have a left turn bay added to the existing lane geometry to result in one right turn lane, two through lanes and one left turn lane.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Public Works Department, Transportation and Planning Division

Mitigation Measure #9

Prior to issuance of any building permit, the applicant of any non-residential development shall comply with the City's Transportation Systems Management Ordinance and prepare a Transportation Management Plan.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Public Works Department, Transportation and Development Division

5. HUMAN HEALTH

Mitigation Measure #10

The applicant shall participate in the Mosquito Abatement Control Program Assessment District to be established by the Sacramento Yolo Mosquito Abatement District in order to provide urban standards of mosquito control in the project area.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department

Mitigation Measure #11

The garage building and other discarded items on-site shall be disposed of properly.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department

Mitigation Measure #12

Properly destroy and abandon any well not intended for use in the future.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Department of Utilities

6. CULTURAL RESOURCES

Mitigation Measure #13

If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.
Site inspections by the Building Division and the Department of Public Works shall watch for any potential archeological resources during site visits. A City contact person shall be notified (in Permit Services) in case of an archeological discovery. The Building Division and the Department of Public Works shall attach this requirement to the approved permit plans and include this measure as a random inspection item on the Special Conditions Attachment.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department
City of Sacramento, Public Works Department

Mitigation Measure #14

Prior to development of Lot B of the proposed Northpointe Park subdivision, a test excavation program shall be completed to identify and define the boundaries of the archaeological site known as CA-Sac-422. Appropriate mitigation measure(s) shall be determined in coordination with the State Office of Historic Preservation and the Native American Heritage Commission prior to any development of the lot.

Entities Responsible for Ensuring Compliance:

City of Sacramento, Planning and Development Department