

RESOLUTION NO. 2006-174

Adopted by the Sacramento City Council

March 7, 2006

APPROVING THE NEGATIVE DECLARATION AND APPROVING THE MITIGATION MONITORING PLAN FOR CAMERON 5, LOCATED NORTHEAST OF THE INTERSECTION OF SHELDON ROAD AND BRUCEVILLE ROAD, SACRAMENTO, CALIFORNIA. (P05-052) (APN: 117-0212-045)

BACKGROUND

- A. The Environmental Coordinator has prepared a Negative Declaration for the above identified project;
- B. The Negative Declaration was prepared and circulated for the above identified project pursuant to the requirements of CEQA;
- C. The proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project;
- D. Based upon the Negative Declaration and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment, provided that mitigation measures are added to the above identified project;
- E. The Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as proscribed in the Initial Study for the above identified project, a copy of which is attached as Exhibit A;
- F. In accordance with Section 21081.6 of the California Public Resources Code, the City of Sacramento requires that a Mitigation Monitoring Plan be developed for implementing mitigation measures as identified in the Initial Study for the project.

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

- Section 1. The City Council ratifies the Negative Declaration for Cameron 5 project (P05-052) and determines that the Background statements are true.
- Section 2. The City Council approves the Mitigation Monitoring Plan for Cameron 5 project (P05-052) based upon the following findings:
 - 1. One or more mitigation measures have been added to the above-identified project;

2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit A.

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Exhibit A: Mitigation Monitoring Plan – 9 Pages

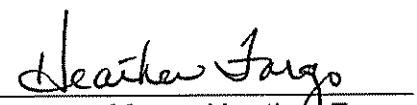
Adopted by the City of Sacramento City Council on March 7, 2006 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

Exhibit A1: Mitigation Monitoring Plan

MITIGATION MONITORING PLAN

FOR:
CAMERON 5 (P05-052)

PREPARED BY:
CITY OF SACRAMENTO
DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL PLANNING SERVICES
MIKE PARKER
808-7483

TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

DATE:
SEPTEMBER 8, 2005

ADOPTED BY:
CITY OF SACRAMENTO
CITY COUNCIL

DATE:

ATTEST:

CAMERON 5 (P05-052) 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: Cameron 5 (P05-052)

Owner/Developer:
Gregory Thatch
Law Offices of Gregory Thatch
1730 "I" Street, Suite 220
Sacramento, CA 95816
(916) 443-6956

City of Sacramento Contact:
Mike Parker, Assistant Planner
Environmental Planning Services
Development Services Dept
2101 Arena Blvd , Ste. 200
Sacramento, CA 95834
(916) 808-7483

Project Location

The project site (APN 117-0212-045) consists of 5± vacant acres located on the east side of Bruceville Road, approximately 1,000 feet north of the intersection of Bruceville Road and Sheldon Road. Jacinto Creek Parkway exists immediately north of the project site, and an approved church site exists adjacent to the south of the project site. The site is located within the South Sacramento Planning Area; the South Sacramento Community Plan (SSCP) designates the site Parks/Opens Space (OS). Additionally, the Sacramento General Plan Update (SGPU) designates the site Parks-Recreation-Open Space (OS). The project site is zoned Rural Estates (RE 1/4), which allows a maximum density of 0.25 dwelling units per acre (du/ac).

Project Components

The proposed Cameron 5 project includes a Tentative Map to subdivide the project site into 22 single-family residences and 4 half-plex lots and a Special Permit to construct the residences. The proposed project also includes requests for several land use changes including a General Plan Amendment, Community Plan Amendment, and Rezone. An Inclusionary Housing Plan is also included as part of the proposed project.

Permits/Approvals:

The proposed project consists of several requested entitlements, which are listed as follows:

- General Plan Amendment to redesignate 5± acres from Parks-Recreation-Open space to Low Density Residential (4-15 du/ac);

- **Community Plan Amendment** to redesignate 5± acres from Parks/Open Space to Residential (4-8 du/ac);
- **Rezone** of 5± acres currently zoned Rural Estates (RE ¼) to Single Family Residential (R-1A);
- **Tentative Map** to subdivide 5± acres into 22 single-family residences and 4 half-plex lots in the proposed Single Family Residential (R-1A) zone;
- **Special Permit** to construct 22 single-family residences and 4 half-plex residences within the proposed Single Family Residential (R-1A) zone; and
- **Inclusionary Housing Plan**

SECTION 2: GENERAL INFORMATION

The MMP includes mitigation for Biological Resources, Hazards, Noise, 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 within the MMP. The City of Sacramento, along with other applicable local, state or federal agencies, will be responsible for ensuring compliance.

MITIGATION AGREEMENT

PROJECT NAME / FILE NUMBER: Cameron 5 (P05-052)

OWNER/DEVELOPER: Gregory Thatch
Law Offices of Gregory Thatch
1730 "I" Street, Suite 220
Sacramento, CA 95816
(916) 443-6956

I, _____ (owner/developer/applicant), agree to amend the project application P05-052 to incorporate the attached mitigation measures as identified in the Initial Study for the project. I understand that by agreeing to these mitigation measures, all identified potentially significant environmental impacts should be reduced to below a level of significance, thereby enabling the Environmental Coordinator to prepare a Negative Declaration of environmental impact for the above referenced project.

I also understand that the City of Sacramento will adopt a Mitigation Monitoring Plan for this project. This Mitigation Monitoring Plan will be prepared by the Development Services Department, pursuant to the California Environmental Quality Act Guidelines Section #21081 and pursuant to Article III of the City's Local Administrative Procedures for the Preparation of Environmental Documents.

I acknowledge that this project, P05-052, would be subject to this plan at the time the plan is adopted. This plan will establish responsibilities for the monitoring of my project by various City Departments and by other public agencies under the terms of the agreed upon mitigation measures. I understand that the mitigation measures adopted for my project may require the expenditure of owner/developer funds where necessary to comply with the provisions of said mitigation measures.

Signature (Owner/Developer/Applicant)

Title

Date

MITIGATION MONITORING PLAN CAMERON 5 PROJECT (P05-052)

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
BIOLOGICAL RESOURCES					
BIO 1 If an American Badger is identified on the project site prior to or during construction activities, all construction shall stop, and the DFG shall be contacted. Construction may resume only after authorization from DFG.	Applicant	City of Sacramento – Development Services Department;	Measure shall be included with the Construction Specifications on all plans.	Measure shall be implemented prior to and during construction activities, as specified	
BIO 2 Prior to initiating construction, the project proponent shall prepare and implement a Swainson's hawk mitigation plan to the satisfaction of CDFG that includes the preservation of Swainson's hawk foraging habitat and management in perpetuity. The plan shall include the securing of a conservation easement or fee title on suitable Swainson's hawk foraging habitat in the region. Because the project is within a one to five-mile radius of an active nest site, the project proponent shall preserve 0.75 acre of similar habitat for each acre lost.	Applicant	City of Sacramento – Development Services Department; Department of Fish and Game US Fish and Wildlife Service	Purchase of mitigation land, or payment of mitigation fees to the satisfaction of DFG.	Measures shall be implemented prior to construction activities.	
OR					
The project proponent shall be required to purchase compensatory Swainson's hawk foraging habitat credits for each developed acre, at a ratio of 1:1, from an approved mitigation bank, or develop and					

**MITIGATION MONITORING PLAN
CAMERON 5 PROJECT (P05-052)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
Implement other arrangements acceptable to and approved by the CDFG, prior to issuance of grading and/or construction permits.	Applicant	City of Sacramento – Development Services Department; Department of Fish and Game	Copies of pre-construction surveys submitted to Development Services Dept	Measures shall be implemented prior to and during construction activities, as specified	
BIO 3 A burrowing owl survey shall be conducted by a qualified biologist no more than 30 days prior to the onset of construction activities. If active owl burrows are located during the pre-construction survey, a construction buffer shall be established, restricting construction activities during the owl's breeding season (typically February-August) within 250 feet of active burrows, or 160 feet from occupied burrows during the non-breeding season (November-January). If occupied burrows are observed without active nesting, or if active burrows are observed after the young have fledged, or if development commences after the breeding season, passive relocation of the birds shall be performed by a qualified biologist. Passive relocation shall include installation of a one-way door at the burrow entrance, which encourages the owls to move from the occupied burrow. If relocation of burrowing owls and loss of burrows and/or foraging habitat result from project construction, the CDFG shall be consulted for current guidelines and methods for passive relocation of any owls found on the site. At that		US Fish and Wildlife Service	Proof of DFG concurrence, where applicable		

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
Units have been properly installed in all residences located along Bruceville Road. In addition, the construction drawings for two-story units, adjacent to Bruceville Road shall indicate windows, with a minimum Sound Transmission Class (STC) rating of 30, will be installed in all window locations through which Bruceville Road can be viewed.	Services Department	construction drawings. And air conditioning units installed	Prior to issuance of occupancy permits, as specified.		
CULTURAL RESOURCES C-1 Unknown Prehistoric and Historic Resources	Applicant	City of Sacramento – Development Services Department Native American Heritage Commission	Measures shall be included on all construction plans.	Measures shall be implemented during construction activities, as specified.	If the find is determined to be of significance, resources found on the site shall be donated to

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>lime, the CDFG may require mitigation fees for loss of burrows and/or foraging habitat for burrowing owls (CDFG recommends 6.5 acres of foraging habitat for burrowing owl be preserved for each active burrow that would be impacted by project activities). These measures would only apply in the event that burrowing owls are encountered during the pre-construction survey; if owls are not observed, no further mitigation would be necessary.</p>					
<p>NOISE</p> <p>N-1 A 7-foot high solid noise barrier, located at the rear property line of the residential lots proposed nearest to Bruceville Road shall be included on improvement plans for review and approval by the Building Department. The solid noise barrier shall be constructed along the property lines of all lots located along Bruceville Road. In order to provide side-shielding, the ends of the noise barrier shall continue along the sides of the northernmost and southernmost lots until the noise barrier reaches the point where the rear building facades are located.</p> <p>N-2 Prior to issuance of occupancy permits, the Building Department shall verify that air conditioning</p>	<p>Applicant</p> <p>City of Sacramento Development Services Department</p> <p>Applicant</p> <p>City of Sacramento Development</p>	<p>Applicant</p> <p>City of Sacramento Development</p>	<p>Barrier included on improvement plans.</p> <p>Prior to approval of construction drawings, and</p>	<p>Prior to approval of improvement plans.</p> <p>Window upgrades included on</p>	

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CAMERON 5 PROJECT (P05-052)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>an appropriate museum or cultural center.</p> <p>(ii) When Native American archaeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archaeologists who are either certified by the Society of Professional Archaeologists (SPA) or who meet the federal standards as stated in the Code</p>					