

## **RESOLUTION NO. 2006-178**

Adopted by the Sacramento City Council

March 7, 2006

**APPROVING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING THE  
MITIGATION MONITORING PLAN FOR THE SHELDON 20 SUBDIVISION LOCATED  
ON THE NORTHEAST CORNER AT THE INTERSECTION OF SHELDON AND  
LEWIS STEIN ROADS, SACRAMENTO, CALIFORNIA.  
(P04-219) (APN: 117-0220-001)**

### **BACKGROUND**

- A. The Environmental Coordinator has prepared a Mitigated Negative Declaration for the above identified project;
- B. The Mitigated Negative Declaration was prepared and circulated for the above identified project pursuant to the requirements of CEQA;
- C. The proposed Mitigated Negative Declaration and comments received during the public review process were considered prior to action being taken on the project;
- D. Based upon the Mitigated 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 Mitigated Negative Declaration for the Sheldon 20 Subdivision (P04-219) and determines that the Background statements are true.
- Section 2. The City Council approves the Mitigation Monitoring Plan for the Sheldon 20 Subdivision (P04-219) 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;

**Table of Contents:**

Exhibit A: Mitigation Monitoring Plan – 12 Pages

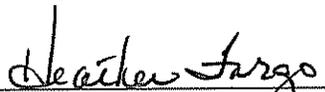
Adopted by the City of Sacramento City Council on March 7, 2006 by the following vote:

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

**MITIGATION MONITORING PLAN**

FOR  
SHELDON 20 (P04-219)

**TYPE OF ENVIRONMENTAL DOCUMENT:**  
INITIAL STUDY/ NEGATIVE DECLARATION

**PREPARED FOR:**  
CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT

**DATE:**  
November 3, 2005

**ADOPTED BY:**  
CITY OF SACRAMENTO  
CITY PLANNING COMMISSION

DATE:

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ATTEST:

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## **SHELDON 20 (P04-219) 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., Suite 200, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

### **SECTION 1: PROJECT IDENTIFICATION**

**Project Name / File Number:** Sheldon 20 (P04-219)  
**Owner/Developer- Name:** Centex Homes  
**Address:** 3700 Douglas Blvd., Suite 150  
Roseville, CA 95661

#### **Project Location / Legal Description of Property (if recorded):**

The project site is located northeast of the intersection of Sheldon Road and Lewis Stein Road, west of State Highway 99, east of Bruceville Road, and north of the City/County line, within the Jacinto Creek Planning Area and the South Sacramento Community Plan (APN: 117-0220-001).

#### **Project Description:**

The project consists of entitlements to develop a ±20.2 acre site in the Rural Estates-One Residential Unit per Four Acres (RE ¼) zone of the Jacinto Creek Planning Area (JCPA) within the South Sacramento Community Plan area. Specific entitlements include: **Inclusionary Housing Plan; Community Plan Amendment** to redesignate ±20.2 acres from Parks/Open Space, Residential 4-8 du/na, and Residential 7-15 du/na to ±18.4 acres of Residential 7-15 du/na and ±1.8 acres of Parks/Open Space; **Rezone** of ±20.2 acres from the Rural Estates-One Residential Unit per Four Acres (RE ¼) zone to the Single-family Alternative (R-1A) zone; **Tentative Map** to subdivide one ±20.2 acre parcel into 89 single-family lots in the Single-family Alternative (R-1A) zone of the Jacinto Creek Planning Area (JCPA); **Special Permit** to develop single-family homes in the Single-family Alternative (R-1A) zone of the Jacinto Creek Planning Area (JCPA) and **Subdivision Modification** to construct roadways that deviate from City Standards.

The proposed project would also require the construction of infrastructure to serve future single-family homes on the site. Lewis Stein Road would be constructed to its full width along the west side of the property to connect with a planned extension east to Stockton Boulevard, and local streets would be constructed within the development to provide access to all lots via Lewis Stein Road.

Water, sewer, phone, and other public utilities would also be extended from existing nearby facilities into the new subdivision. The existing golf driving range including the clubhouse, parking lot, and turf area would be demolished. Some trees and bushes would also be removed. An easement at 25 feet in width would be provided along the length of Sheldon Road.

## **SECTION 2: GENERAL INFORMATION**

The Plan includes mitigation for Air Quality, Biological Resources, 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 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 will be responsible for ensuring compliance.

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials / Date)
<b>5. Air Quality</b>					
AQ 1. Water exposed soils twice daily to control wind borne dust.	Applicant	City of Sacramento Development Services Department; and  Sacramento Metropolitan Air Quality Management District (SMAQMD)	Applicant shall include mitigation measures on project plans.  SMAQMD to review and approve compliance measures.  Site visits may be conducted by SMAQMD to confirm compliance, and response on a complaint basis.	Project plans shall be reviewed and approved by SMAQMD prior to issuance of grading or construction permits.  On-site monitoring conducted during construction.	
AQ 2. Enclose, cover, or water twice daily any exposed piles of dirt, sand, gravel, or other construction debris.					
AQ 3. At a minimum of three times per week, remove from all neighborhood streets, all dirt and mud which has been generated from or deposited by construction equipment going to and from the construction site.					
AQ 4. Construction activities shall comply with SMAQMD rule 403 on dust and condensed fumes, so that emissions do not exceed hourly levels as regulated per processing weight.					
AQ 5. Construction equipment shall be reduced-emission heavy-duty equipment for all diesel-powered off road construction activities. This equipment should be used for clearing, grading, and other earthmoving operations to minimize exhaust emissions and odors and increase fuel efficiency.					
AQ 6. Equipment idling shall be kept to a minimum when equipment is not in use. No piece of equipment shall be left to idle in one					

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<p>place for more than 30 minutes.</p> <p>AQ 7. On-site construction vehicle speed shall be limited to 15 miles per hour on unpaved surfaces.</p> <p>AQ 8. The loads on all haul/dump trucks shall be covered securely or at least two feet of freeboard shall be maintained on trucks hauling loads.</p> <p>AQ 9. Compliant asphalt materials shall be used (Rule 435).</p> <p>AQ 10. Reduced-emission heavy-duty equipment for all diesel powered off-road construction activities shall be utilized. This equipment should be used for clearing, grading, and other earthmoving operations.</p> <p>AQ 11. The following shall be included to ensure a construction mitigation of 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board fleet average.</p> <p>Category 1: Reducing NOx emissions from off-road diesel powered equipment</p> <p>The project shall provide a plan for approval by the City of Sacramento and SMAQMD demonstrating that the heavy-duty (&gt;50 horsepower) off-road vehicles to be used in the construction project, including owned, leased,</p>					

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<p>and subcontractor vehicles, will achieve a project wide fleet average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and</p> <p>The project representative shall submit to the City of Sacramento and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use of fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>And:</p> <p>Category 2: Controlling</p>					

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<p>visible emissions from off-road diesel powered equipment</p> <p>The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Sacramento and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p>					
<b>7. Biological Resources</b>					
<b>BR-1.</b> The applicant/developer /construction contractor	Applicant	City of Sacramento	Measures shall be included with	Measures shall be	

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<p>shall submit to the City of Sacramento, Department of Development Services verification from the California Department of Fish and Game (DFG) that the applicant has satisfied DFG requirements for mitigating loss of Swainson's hawk foraging habitat. The project applicant shall purchase compensatory Swainson's hawk foraging habitat at a ratio acceptable to DFG from an approved mitigation bank or develop other arrangements acceptable to the DFG prior to building/grading permits being issued.</p> <p><b>BR-2.</b> If any construction or grading activity is going to occur during the nesting season of February to August, a qualified biologist shall prepare a pre-construction survey within thirty (30) days prior to any grading or construction activity to determine if any special status species or species of special concern are present (that is, nesting raptor species [including Swainson's hawk] and western burrowing owls).</p> <p><b>BR-3.</b> If active raptor nests are found on the site, the applicant/developer/contractor shall work with the DFG to determine the appropriate mitigation actions needed prior to proceeding. A copy of the</p>		<p>Development Services Department.</p> <p>CA Department of Fish and Game (DFG).</p>	<p>the Construction Specifications on all plans.</p> <p>Copies of pre-construction surveys submitted to Development Services Dept.</p> <p>Proof of DFG concurrence, where applicable.</p>	<p>implemented prior to issuance of grading permits, and monitored concurrent with construction activities, where applicable.</p>	

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<p>pre-construction study and DFG concurrence with proposed actions shall be submitted to the Department of Development Services prior to issuance of grading or construction permits.</p> <p><b>BR-4.</b> If an adults-only active burrowing owl burrow(s) nest is discovered during the pre-construction survey the monitoring biologist shall install a one-way door on the burrow(s) and monitor and inspect per Department of Fish and Game Guidelines. If an active nest with chicks is encountered one-way doors shall not be used unless authorized by DFG in writing. No construction shall occur near the nest until the monitoring biologist has consulted with the DFG on allowing the construction to proceed. The monitoring biologist shall through consultations with DFG determine an appropriate buffer between the nest and any construction activity allowed to proceed on the project site prior to the fledging of the chicks. No construction or grading activities shall begin until the monitoring biologist has submitted a written clearance to the Department of Development Services that the burrowing owl(s) have vacated or been safely relocated by the monitoring biologist.</p>					

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BR-5. After active burrows are vacated, the burrow must be destroyed completely by the monitoring biologist prior to grading or construction activity.					
<p><b>10. Noise</b></p> <p>N-1. For lots adjacent to Sheldon Road (lots 47-53), a sound wall shall be constructed as follows:</p> <ul style="list-style-type: none"> <li>a. Along the south property line of Lots 47-53.</li> <li>b. On the east property line of Lot 47 (unless a wall is constructed first by future development west of the site).</li> <li>c. To a position even with the back corner of the home on the west property line of Lot 53.</li> </ul> <p>N-2. The sound walls must be constructed as follows:</p> <ul style="list-style-type: none"> <li>a. Continuous along their widths and heights with no gaps, including at the ground.</li> <li>b. A minimum height of seven (7) feet shall be required.</li> <li>c. Suitable materials for the sound wall include earthen berms, masonry block, pre-cast concrete panels, or combinations thereof, provided that it meets all of</li> </ul>	Applicant	City of Sacramento Development Services Department	<p>Measures shall be included with the Construction Specifications on all plans.</p> <p>On-site monitoring during inspections, where applicable.</p>	<p>Measures shall be implemented and monitored, where applicable, concurrent with construction activities.</p>	



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<p>be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>			<p>Services Staff</p> <p>Mitigation Measures shall be included on the Map and within the Standard Construction Specifications. If required, verification of compliance shall be provided to the Development Services Staff</p>	<p>Occupancy</p> <p>Prior to issuance of any Final Building Permits / Certificate of Occupancy</p>	