

CITY OF SACRAMENTO

2021 PLANNING AND DEVELOPMENT CODE OMNIBUS ORDINANCE (TITLE 17 BUNDLE)

INITIAL STUDY FOR SUBSEQUENT PROJECTS UNDER THE 2035 GENERAL PLAN MASTER EIR

This Initial Study has been prepared by the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*), CEQA Guidelines (Title 14, Section 15000 *et seq.* of the California Code of Regulations) and the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

SECTION I - BACKGROUND: Provides summary background information about the project name, location, sponsor, the date this Initial Study was completed, and a brief statement of the procedure followed by the findings.

SECTION II - PROJECT DESCRIPTION: Includes a detailed description of the proposed project.

SECTION III - ENVIRONMENTAL CHECKLIST AND DISCUSSION: Reviews proposed project and states whether the proposed project was described within the scope of the Master EIR and whether the project would have additional significant environmental effects (project-specific effects) that were not evaluated in the Master EIR for the 2035 General Plan.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Identifies which environmental factors were determined to have additional significant environmental effects.

SECTION V - DETERMINATION: States whether environmental effects associated with development of the proposed project are significant, and what, if any, added environmental documentation may be required.

REFERENCES CITED: An ordinance amending and deleting various sections of the Planning and Development Code (Title 17 of the Sacramento City Code). The proposed ordinance makes various amendments to Title 17 to cleanup incorrect (and delete obsolete) code references, streamline the development permit process, and clarify the meaning of certain provisions.

DOCUMENT REVIEW: The discussion below includes extensive references to the 2035 General Plan (including its background report) and the 2035 General Plan Master EIR. The reader may benefit from reviewing the 2035 General Plan Technical Background Report (2015). These documents are available for review online.

The 2035 General Plan Technical Background Report is available for online review at:
<http://www.cityofsacramento.org/-/media/Corporate/Files/CDD/Planning/General-Plan/2035-GP/Chapter-1---Cover-and-Introduction.pdf>

The Master EIR is also available for online review at:

<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

SECTION I - BACKGROUND

Project Name and File Number: 2021 Planning and Development Code Omnibus Ordinance
(Title 17 Bundle)

Project Location: City of Sacramento, Citywide

Project Applicant: City of Sacramento, Community Development Department,
Planning Division

Project Planner: Garrett Norman, Associate Planner

Environmental Planner: Scott Johnson, Senior Planner

Date Initial Study Completed: March 19, 2021

This Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 1500 *et seq.*). The Lead Agency is the City of Sacramento.

The City of Sacramento, Community Development Department, has reviewed the proposed Project and on the basis of the whole record before it, has determined that the proposed Project is a subsequent project within the scope of the 2035 General Plan Master EIR.

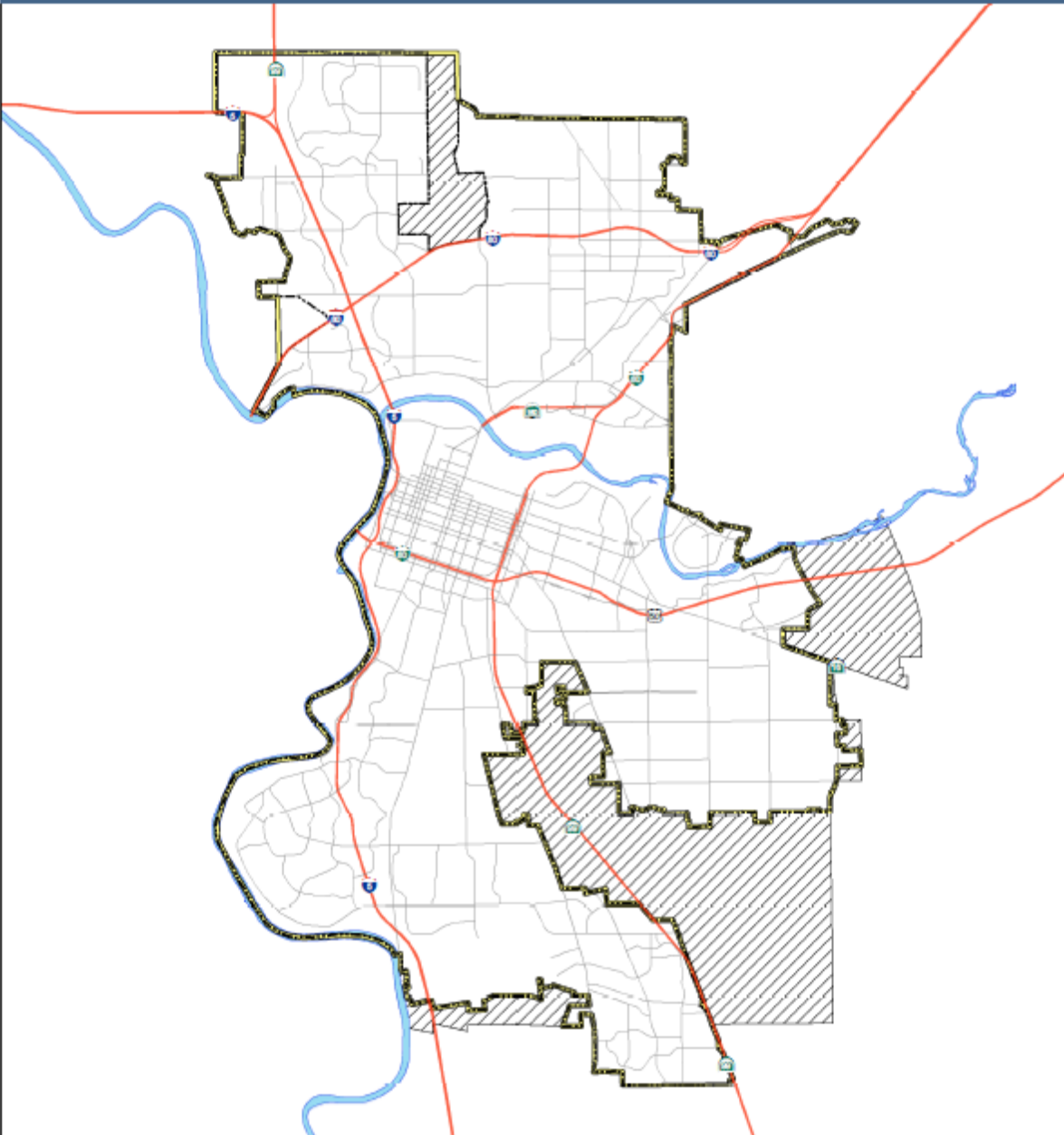
The City has prepared the attached Initial Study, pursuant to CEQA Guidelines Section 15177, to (a) review the discussions of cumulative impacts, growth inducing impacts, and irreversible significant effects in the 2035 General Plan Master EIR to determine their adequacy for the project and (b) identify any potential new or additional project-specific significant environmental effects that were not analyzed in the Master EIR and any mitigation measures or alternatives that may avoid or mitigate the identified effects to a level of insignificance, if any.

As part of the Master EIR process, the City is required to incorporate all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR (CEQA Guidelines Section 15177(d)). The Master EIR mitigation measures that are identified as appropriate are set forth in the applicable technical sections below.

The Master Environmental Impact Report for the 2035 General Plan was certified on March 3, 2015, and the 2035 General Plan was adopted on that date. The City has reviewed the MEIR for its adequacy and confirmed it has not been affected by approval of any subsequent project. The City further finds no substantial changes have occurred with respect to the circumstances under which the Master EIR was certified; and that there is no new available information which was not known and could not have been known at the time the Master EIR was certified that would affect the analysis and conclusions of the Master EIR (Pub. Res. Code, § 21157.6; Guidelines §15179 (b)(1).) The City has not updated or amended its projected population, density standards, or land use regulations that would alter the review of the MEIR utilized in the review of this initial study. Accordingly, the City finds it is proper to use the MEIR to analyze the Project.

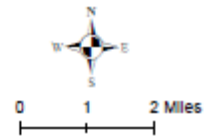
This analysis incorporates by reference the general discussion portions of the 2035 General Plan Master EIR. (CEQA Guidelines Section 15150(a)). The Master EIR is available for public review on the City's web site at:

<http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>.



Legend

- Major Roads
- Highways
- Waterways
- 2030 General Plan Policy Area
- City Limits
- Sphere of Influence (outside City Limits)



Data Source: City of Sacramento, 2012

SECTION II - PROJECT DESCRIPTION

Introduction

City staff creates an omnibus ordinance (often referred to as the Bundle) annually that targets amendments to the Planning and Development Code (Title 17) of the Sacramento City Code. Each ordinance makes various amendments to Title 17 that cleanup incorrect (and delete obsolete) code references, streamline the development permit process, and clarify the meaning of certain provisions.

Project Description

The 2021 Omnibus Ordinance amends various portions of Title 17 in an effort to clarify and streamline the planning and development process. Among other things, the proposed ordinance corrects incorrect and obsolete code references, clarifies the meaning of certain code provisions, revises planning application requirements, and makes some substantive amendments to the code. Following is a complete list of each section of the ordinance that has been included in the Omnibus Ordinance with descriptive summaries of each amendment. The sections are organized into three categories: Council direct changes, streamlining amendments, and administrative cleanup items. Each section number corresponds to the section numbers listed in the ordinance. The draft ordinance is also attached as Exhibit A.

Administrative Cleanup Amendments:

Section 2:

Definition of "Auto sales, storage, rental" [17.108.020](#)

- Amend the definition to include motorcycles. This amendment is consistent with the *Auto Services* definition.

Section 3:

Definition of "Correctional facility" [17.108.040](#)

- Reword the definition to make it clearer that these facilities are inclusive of any activity that is a requirement of a condition of parole or probation, such as, but not limited to day reporting centers, community correctional center, restitution centers and substance abuse community centers.

Section 4:

Definition of "Lot coverage" [17.108.130](#)

- Amend the definition to clarify uncovered porches or patios less than 30 inches in height are not included towards overall lot coverage. This change makes the definition more consistent with how lot coverage is currently implemented.

Section 5:

Delete definition of "Urban Development Permit" [17.108.220](#)

- Planning staff no longer processes Urban Development Permits. See Section 40 for additional deletions of references to the Urban Development Permit.

Sections 6 - 8

Residential Care Facilities in the R-4, R-4A, and R-5 zones

- This is a cleanup item from the Ad Hoc Ordinance. Currently the City Code shows these facilities are permitted by right and requiring a Planning and Design Commission CUP in

the R-4, R-4A, and R-5 zones. The intent of the Ad Hoc Ordinance was to allow these facilities by right in these zones, but the deletion of the CUP row was inadvertently omitted in the ordinance.

Section 9:

EC Zone Land Uses [17.216.420](#)

- **Part 1:** Delete the word “Assembly” under the Light Industrial Uses because it conflicts with the definition Assembly – cultural, religious, social, which is listed as a Support Retail use in the EC zone.
 - Staff is adding the wording “service and repair” after manufacturing, which is consistent with how manufacturing is defined in City Code and is inclusive of assembly manufacturing operations.
- **Part 2:** Delete the requirement for a CUP for warehouse uses if outside ½ mile of a LRT station.

Section 10:

EC Zone Employees Per Net Acre [17.216.430](#)

- Fix the typo on the minimum number of employees per net acre in the EC-50 zone. The minimum employees per net acres is currently listed as 90 and should be 20.

Section 13:

Typo in Section [17.220.220](#) for Office Development in M-1(S) zone

- Fix typo that references an incorrect code section. The first paragraph references 17.230.210 and it should be [17.220.210](#).

Section 16:

Temporary Residential Shelters in the M-T zone [17.220.710](#)

- Amend the Temporary Residential Shelters land use table in the M-T zone to allow by right temporary residential shelters that have 24 or fewer beds and to require a Planning and Design Commission CUP for shelters with greater than 24 beds.
 - These changes are consistent with how shelters are permitted by right in the other industrial zones and were inadvertently missed when the M-T zone was created.

Section 18:

Accessory Drive-Through facilities [17.228.110](#)

- Current code limits hours of operations for accessory drive throughs between 7am-10pm if the site is adjacent to residential. The amendment clarifies that a Zoning Administrator CUP process is required if operators would like to modify the 7 am to 10 pm operating restrictions. Accessory drive through facilities apply to bank ATMs or Pharmacies. They do not apply to fast food restaurants.
 - This change clarifies how a deviation on the hours of operation would be considered through a discretionary approval process.

Section 19:

Special Use Regulations for Childcare Centers [17.228.113](#)

- Remove the noise restriction for childcare centers. City code already regulates noise thresholds in Title 8 and within the General Plan that staff relies on for enforcement.

Section 25 and 26:

Callup Provision for Cannabis [17.228.900/920](#)

- Remove the last sentence of the section that defines a de novo hearing. De novo hearings are already described in the Council Rules and Procedures.

Section 27:

Concise language related to extension of planning applications related to nonconforming uses.

[17.232.100](#)

- Rewording subsection C to make it easier to comprehend. This section is related to temporary suspension of expiring planning applications that are pending for a change in land use. There is no change to how this section is implemented.

Section 29:

Allow Planning Director to initiate and amend Special Planning Districts [17.400.030](#)

- Only the City Council or Planning and Design Commission can initiate or amend special planning districts (SPD). This amendment will allow the planning director to initiate these proceedings.
 - This change will be consistent with the discretion given to the planning director to initiate rezones and general plan amendments.

Section 30:

Open Space requirements for multi-unit dwellings in the Central City Special Planning District (SPD) [17.444.050](#)

- Clarify that private open space (i.e. private balconies) must have a minimum depth (not width) of three feet and common open space must have a minimum width or depth of 20-feet.
 - This change will be consistent with the proposed changes to the citywide open space requirements for multi-unit dwellings noted in Section 32 below.

Section 31:

Public Alleys [17.500.010 Subsection C](#)

- Clarify that all parcels with alley access, cannot have less than 20-feet of street frontage. Currently the code cites only alleys within the central city; however, there are alleys throughout the city that could benefit from this streamlining provision. Alleys created as part of a PUD are not subject to this requirement.

Section 32:

Open Space requirements for multi-unit dwellings [17.600.135](#)

- Part 1: Clarify that private open space (i.e. private balconies) must have a minimum depth of three feet.
 - Currently the code requires a minimum width of five feet. Changing the wording from width to depth will make the requirement clearer and more understandable to the public that the intention is for balconies to pop out a minimum of three feet.
 - Staff proposes lessening the depth requirement to three feet versus five feet because this is the longest distance that can be cantilevered off the face of a building without requiring structural engineering modifications that become costly. Therefore, this amendment will allow for greater flexibility in overall building design.
- Part 2: The amendment will also clarify that common open space shall have a minimum width or depth of 20-feet. Currently the code only states a width of 20-feet.
- Part 3: Remove the maximum 10% shade structure threshold for common open space. This will allow for greater flexibility in design for common patio spaces and rooftop balconies that typically remain open on its sides but can still incorporate architectural shade structures.

Section 33:

Typo for vehicle parking requirements [17.608.060](#)

- Subsection 4 references the incorrect code section. The amendment corrects the change from 17.608.040.E to “.F” for alternative vehicle parking space dimensions.

Section 34:

Clear zones for driveways [17.620.100](#)

- Update language to reflect safety standards imposed by the Department of Public Works. These amendments are provided by the Department of Public Works to revise the language to match the clear zone exhibit. [Click here](#) to see the clear vision exhibit.
 - Limit fence height to 3.5 feet within clear zone, including tubular steel or wrought iron fences.

Section 35:

Typo to footnote citation for detached accessory structures [17.624.050](#)

- The amendment corrects a citation for setback requirements for detached garages. The amendment will reference footnote **5** instead of **1**.

Section 36:

Typo to citation for Mixed Income Housing [17.712.050](#)

- The amendment corrects a typo within the Mixed Income Housing chapter of the City Code. Specifically, the amendment corrects the reference from city code chapter 17.708 to chapter 18.56.

Section 37:

Cleanup tree language for code consistency [17.808.110](#)

- Cleanup subsection 5 by referring to trees as city trees and private-protected trees to be consistent with the naming convention of our tree permit entitlement.

Section 38:

Projects Exempt from Site Plan and Design Review [17.808.160](#)

- *Part 1:* Add to list of structures exempt from Site Plan and Design Review (SPDR):
 - Secondary Dwelling Unit/Junior Accessory Dwelling (JADU) Unit if they meet all development standards.
 - Demolition of:
 - Any residential accessory structure or secondary dwelling unit or JADU. This would clarify that since new construction of these structures are typically handled administratively, the demolition does not trigger a staff level application process.
- *Part 2:* Amend Subsection C to exempt SPDR of Tentative Maps if they are subdividing vacant land and it complies with all the development standards for creating new lots (e.g., lot width, depth, and area).
- *Part 3:* Amend Subsection D related to *Antennas* to correct the citation from city code section 3.76.050 to 12.14, because the section has moved.

Section 39:

Referencing the Mixed Income Housing Strategy (MIHS) chapter to Section [17.808.440](#)

- The amendment provides a direct citation to Chapter 17.712, which talks about the requirements of the Mixed Income Housing Strategy.

Section 40:

Remove entitlement reference to Urban Development Permit [17.808.440](#)

- Subsections A, B, C, E, F, and H are amended to remove all references to an urban development permit because we no longer process these permits.

Section 41:

Remove appeal reference for Railyards Special Planning District in Section [17.812.060](#)

- Remove the appeal reference to the Sacramento Railyards Special Planning District. Appeals will be handled the same citywide.

Section 43:

Typo in Reference to California Government Code Section for Ministerial Infill Housing [17.860.020](#)

- Fix the typo that references a subsection of California Government Code section 65913.4

Other Amendments:

Sections 11, 12, 14 & 15:

Amendments to the Industrial Zone Land Use Tables (M-1, M-1(S), M-2, M-2(S))

- Part 1: Require Private Community Gardens to receive a Zoning Administrator Conditional Use Permit (CUP).
- Part 2: Require Market Gardens to receive Zoning Administrator CUP.
 - The purpose of requiring a discretionary CUP for community gardens and market gardens in the industrial zones is to ensure compatibility with edible food production land uses that are adjacent or next to industrial operations.
- Part 3: Amend the Gas Stations land use table to allow for gas stations to fuel more than 10 vehicles at one time IF the site is within 500-feet of a City identified truck route or a Surface Transportation Assistance Act (STAA) truck route. A Planning and Design Commission CUP will still be required.
 - The purpose of this amendment is to allow larger gas stations along truck routes, particular for gas stations seeking diesel dispensers.

Section 17:

Highway Commercial (HC) Zone [17.224.400](#)

- Part 1: Allow commercial services as a permitted by right land use in the Highway Commercial (HC) zone. Commercial services are typical of daily needs such as laundromats, cleaners, postal services, beauty salons/barber shops, and the like.
- Add a Planning and Design Commission CUP process for alcohol sales for off-premise consumption.
 - Alcohol sales are typically part of a gas station and thus allowing a discretionary permit process is consistent with other commercial zones.

Section 20-24:

Temporary Residential Shelters [17.228.600](#)

- Part 1: Consolidate the special use regulations for small and large temporary residential shelters into one section.
 - This amendment will make implementation of temporary residential shelters easier and more understandable to the public.
- Part 2: Remove the locational requirements that restrict siting shelters within 500 feet of a school, park, single-unit or duplex dwelling or a church/faith congregation.

- Part 3: Amend the location requirement stating shelters must be at least 300 feet from each other versus 1,000 feet as currently written.
 - The amendments included in Parts 2 and 3 conform the City Code to state law, which provides that emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone.

Section 28:

Remove Density Threshold in TO Overlay [17.340.060](#)

- Removes the maximum 100 dwelling unit per net acre density cap in the TO Overlay. The General Plan will continue to regulate maximum density. The TO Overlay does have a minimum 15 dwelling unit per net acre density that will remain.

Section 42:

Indemnification

- Requires applicants to defend, indemnify, and hold harmless the city if the city uses outside counsel to defend a claim against the city over a project approval or denial. It also requires all applicants to indemnify the city for any damages awarded secured against the city in a lawsuit over a project approval or denial.
 - This amendment helps the City minimize risk to the City’s budget and recoup the actual cost of development (similar to other development impact fees).

SECTION III – ENVIRONMENTAL CHECKLIST AND DISCUSSION

ANTICIPATED SUBSEQUENT PROJECT

CEQA Guidelines section 15177 states, “After a Master EIR has been prepared and certified, subsequent projects which the lead agency determines as being within the scope of the Master EIR will be subject to only limited environmental review.” For a project to rely on the Master EIR for environmental review, the initial study must “analyze whether the subsequent project was described in the Master EIR and whether the subsequent project may cause any additional significant effect on the environment which was not previously examined in the Master EIR.” (CEQA Guidelines section 15177(b)(2).)

The proposed 2021 Omnibus Ordinance (the Project) is a subsequent project within the scope of the Master EIR. The Master EIR anticipated that the City “may initiate amendments to the Planning and Development Code (Title 17) and other sections of the City Code to achieve consistency with the adopted General Plan.” (MEIR, section 2.7.6.) Further, the MEIR states the City will undertake “Planning and Development Code amendments to ensure consistency with the 2035 General Plan goals, policies and standards.” (MEIR, section 2.7.6.)

The proposed Project furthers the goals, policies, and standards of the 2035 General Plan by promoting infill development and streamlining the development review process with clearer regulations. Specifically, the project supports the following 2035 General Plan goals and policies:

Land Use Element

Goal LU 1.1 Growth and Change. Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and

businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

- **LU 1.1.5 Infill Development.** The City shall promote and provide incentives (e.g., focused infill planning, zoning/rezoning, revised regulations, provision of infrastructure) for infill development, reuse, and growth in existing urbanized areas to enhance community character, optimize City investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure integrity of historic districts, and enhance retail viability.

Goal LU 2.6 City Sustained and Renewed. Promote sustainable development and land use practices in both new development, reuse, and reinvestment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations.

- **Policy: LU 2.6.3 Revitalization Strategies.** The City shall employ a range of strategies to promote revitalization of distressed, under-utilized, and/or transitioning areas, including:
 - Targeted public investments.
 - Development incentives.
 - Public-private partnerships.
 - Revised development regulations and entitlement procedures.
 - Implementation of City-sponsored studies and master plans.

Economic Development Element

Goal ED 3.1 Land, Sites, and Opportunity Areas. Retain, attract, expand, and develop businesses by providing readily available and suitable sites with appropriate zoning and access.

- **ED 3.1.8. Streamline Development Process.** The City shall continue to identify, develop, and implement strategies, and programs, and processes that streamline its development review process.

Housing Element

Goal H-2.2 Development. Assist in creating housing to meet current and future needs.

- **Policy: H-2.3.2 Streamlined Application and Building Process.** The City shall continue to facilitate interdepartmental review of development applications, encourage pre-application meetings with planning and building staff, and streamline the overall planning application and building process for all development types.
- **Policy: H-2.3.5 Clear Development Standards and Approval Procedures.** The City shall maintain and administer clear development standards, and approval procedures for a variety of housing types, including, but not limited to, multifamily housing and emergency shelters.

The proposed Project supports the above goals and policies of the 2035 General Plan and is considered a subsequent action under the Master EIR as “amendments to the...City Code to achieve consistency with the adopted General Plan” (MEIR, § 2.7.6.).

- The proposed amendments to Title 17 help to refine zoning regulations and improve overall implementation, which facilitates predictable development expectations.
- The City regularly adopts omnibus ordinances for the Planning and Development Code, such as this one, to help achieve the City's goal that the City shall continue to develop and implement programs and strategies that streamline development review and therefore supports economic growth and development.
- The amendments support infill development by allowing additional land uses in some zones. Specifically, commercial services will be allowed in the Highway Commercial zone (which is a consistent use) and larger gas stations will be allowed in industrial zones along city designated truck routes or Surface Transportation Assistance Act (STAA) routes (also a consistent use for this zone).
- The amendments update the City's emergency shelter regulations, which ease the development standards for these shelters, consistent with state law, and therefore further the City's goal of increasing emergency shelter capacity.

LAND USE, POPULATION AND HOUSING, AGRICULTURAL RESOURCES AND ENERGY

Introduction

The California Environmental Quality Act (CEQA) requires the Lead Agency to examine the effects of a project on the physical conditions that exist within the area that would be affected by the project. CEQA also requires a discussion of any inconsistency between the proposed project and applicable general plans and regional plans.

An inconsistency between the proposed project and an adopted plan for land use development in a community would not constitute a physical change in the environment. When a project diverges from an adopted plan, however, it may affect planning in the community regarding infrastructure and services, and the new demands generated by the project may result in later physical changes in response to the project.

In the same manner, the fact that a project brings new people or demand for housing to a community does not, by itself, change the physical conditions. An increase in population may, however, generate changes in retail demand or demand for governmental services, and the demand for housing may generate new activity in residential development. Physical environmental impacts that could result from implementing the proposed project are discussed in the appropriate technical sections.

This section of the initial study identifies the applicable land use designations, plans and policies, and permissible densities and intensities of use, and discusses any inconsistencies between these plans and the proposed project. This section also discusses agricultural resources and the effect of the project on these resources.

Discussion

Land Use, Population, and Housing

The proposed Project consists of revisions to portions of the Planning and Development Code to correct incorrect (and delete obsolete) code references, streamline the development permit process, and clarify the meaning of certain provisions. The proposed amendments are minor in

nature and would not affect the analysis set forth in the Master EIR, nor would it affect population levels in the City.

The following amendments below are administrative matters that will not have a significant effect on the physical environment. These amendments correct incorrect and obsolete code references and help to clarify the meaning of certain code provisions, and therefore have no direct or indirect impact on the physical environment.

Administrative Cleanup Amendments:

Section 2:

Definition of “Auto sales, storage, rental” [17.108.020](#)

- Amend the definition to include motorcycles. This amendment is consistent with the *Auto Services* definition.

Section 3:

Definition of “Correctional facility” [17.108.040](#)

- Reword the definition to make it clearer that these facilities are inclusive of any activity that is a requirement of a condition of parole or probation, such as, but not limited to day reporting centers, community correctional center, restitution centers and substance abuse community centers.

Section 4:

Definition of “Lot coverage” [17.108.130](#)

- Amend the definition to clarify uncovered porches or patios less than 30 inches in height are not included towards overall lot coverage. This change makes the definition more consistent with how lot coverage is currently implemented.

Section 5:

Delete definition of “Urban Development Permit” [17.108.220](#)

- Planning staff no longer processes Urban Development Permits. See Section 40 for additional deletions of references to the Urban Development Permit.

Sections 6 - 8

Residential Care Facilities in the R-4, R-4A, and R-5 zones

- This is a cleanup item from the Ad Hoc Ordinance. Currently the City Code shows these facilities are permitted by right and requiring a Planning and Design Commission CUP in the R-4, R-4A, and R-5 zones. The intent of the Ad Hoc Ordinance was to allow these facilities by right in these zones, but the deletion of the CUP row was inadvertently omitted in the ordinance.

Section 9:

EC Zone Land Uses [17.216.420](#)

- Part 1: Delete the word “Assembly” under the Light Industrial Uses because it conflicts with the definition Assembly – cultural, religious, social, which is listed as a Support Retail use in the EC zone.
 - Staff is adding the wording “service and repair” after manufacturing, which is consistent with how manufacturing is defined in City Code and is inclusive of assembly manufacturing operations.
- Part 2: Delete the requirement for a CUP for warehouse uses if outside ½ mile of a LRT station.

Section 10:

EC Zone Employees Per Net Acre [17.216.430](#)

- Fix the typo on the minimum number of employees per net acre in the EC-50 zone. The minimum employees per net acres is currently listed as 90 and should be 20.

Section 13:

Typo in Section [17.220.220](#) for Office Development in M-1(S) zone

- Fix typo that references an incorrect code section. The first paragraph references 17.230.210 and it should be [17.220.210](#).

Section 16:

Temporary Residential Shelters in the M-T zone [17.220.710](#)

- Amend the Temporary Residential Shelters land use table in the M-T zone to allow by right temporary residential shelters that have 24 or fewer beds and to require a Planning and Design Commission CUP for shelters with greater than 24 beds.
 - These changes are consistent with how shelters are permitted by right in the other industrial zones and were inadvertently missed when the M-T zone was created.

Section 18:

Accessory Drive-Through facilities [17.228.110](#)

- Current code limits hours of operations for accessory drive throughs between 7am-10pm if the site is adjacent to residential. The amendment clarifies that a Zoning Administrator CUP process is required if operators would like to modify the 7 am to 10 pm operating restrictions. Accessory drive through facilities apply to bank ATMs or Pharmacies. They do not apply to fast food restaurants.
 - This change clarifies how a deviation on the hours of operation would be considered through a discretionary approval process.

Section 19:

Special Use Regulations for Childcare Centers [17.228.113](#)

- Remove the noise restriction for childcare centers. City code already regulates noise thresholds in Title 8 and within the General Plan that staff relies on for enforcement.

Section 25 and 26:

Callup Provision for Cannabis [17.228.900/920](#)

- Remove the last sentence of the section that defines a de novo hearing. De novo hearings are already described in the Council Rules and Procedures.

Section 27:

Concise language related to extension of planning applications related to nonconforming uses. [17.232.100](#)

- Rewording subsection C to make it easier to comprehend. This section is related to temporary suspension of expiring planning applications that are pending for a change in land use. There is no change to how this section is implemented.

Section 29:

Allow Planning Director to initiate and amend Special Planning Districts [17.400.030](#)

- Only the City Council or Planning and Design Commission can initiate or amend special planning districts (SPD). This amendment will allow the planning director to initiate these proceedings.

- This change will be consistent with the discretion given to the planning director to initiate rezones and general plan amendments.

Section 30:

Open Space requirements for multi-unit dwellings in the Central City Special Planning District (SPD) [17.444.050](#)

- Clarify that private open space (i.e. private balconies) must have a minimum depth (not width) of three feet and common open space must have a minimum width or depth of 20-feet.
 - This change will be consistent with the proposed changes to the citywide open space requirements for multi-unit dwellings noted in Section 32 below.

Section 31:

Public Alleys [17.500.010 Subsection C](#)

- Clarify that all parcels with alley access, cannot have less than 20-feet of street frontage. Currently the code cites only alleys within the central city; however, there are alleys throughout the city that could benefit from this streamlining provision. Alleys created as part of a PUD are not subject to this requirement.

Section 32:

Open Space requirements for multi-unit dwellings [17.600.135](#)

- Part 1: Clarify that private open space (i.e. private balconies) must have a minimum depth of three feet.
 - Currently the code requires a minimum width of five feet. Changing the wording from width to depth will make the requirement clearer and more understandable to the public that the intention is for balconies to pop out a minimum of three feet.
 - Staff proposes lessening the depth requirement to three feet versus five feet because this is the longest distance that can be cantilevered off the face of a building without requiring structural engineering modifications that become costly. Therefore, this amendment will allow for greater flexibility in overall building design.
- Part 2: The amendment will also clarify that common open space shall have a minimum width or depth of 20-feet. Currently the code only states a width of 20-feet.
- Part 3: Remove the maximum 10% shade structure threshold for common open space. This will allow for greater flexibility in design for common patio spaces and rooftop balconies that typically remain open on its sides but can still incorporate architectural shade structures.

Section 33:

Typo for vehicle parking requirements [17.608.060](#)

- Subsection 4 references the incorrect code section. The amendment corrects the change from 17.608.040.E to “.F” for alternative vehicle parking space dimensions.

Section 34:

Clear zones for driveways [17.620.100](#)

- Update language to reflect safety standards imposed by the Department of Public Works. These amendments are provided by the Department of Public Works to revise the language to match the clear zone exhibit. [Click here](#) to see the clear vision exhibit.
 - Limit fence height to 3.5 feet within clear zone, including tubular steel or wrought iron fences.

Section 35:

Typo to footnote citation for detached accessory structures [17.624.050](#)

- The amendment corrects a citation for setback requirements for detached garages. The amendment will reference footnote **5** instead of **1**.

Section 36:

Typo to citation for Mixed Income Housing [17.712.050](#)

- The amendment corrects a typo within the Mixed Income Housing chapter of the City Code. Specifically, the amendment corrects the reference from city code chapter 17.708 to chapter 18.56.

Section 37:

Cleanup tree language for code consistency [17.808.110](#)

- Cleanup subsection 5 by referring to trees as city trees and private-protected trees to be consistent with the naming convention of our tree permit entitlement.

Section 38:

Projects Exempt from Site Plan and Design Review [17.808.160](#)

- *Part 1:* Add to list of structures exempt from Site Plan and Design Review (SPDR):
 - Secondary Dwelling Unit/Junior Accessory Dwelling (JADU) Unit if they meet all development standards.
 - Demolition of:
 - Any residential accessory structure or secondary dwelling unit or JADU. This would clarify that since new construction of these structures are typically handled administratively, the demolition does not trigger a staff level application process.
- *Part 2:* Amend Subsection C to exempt SPDR of Tentative Maps if they are subdividing vacant land and it complies with all the development standards for creating new lots (e.g., lot width, depth, and area).
- *Part 3:* Amend Subsection D related to *Antennas* to correct the citation from city code section 3.76.050 to 12.14, because the section has moved.

Section 39:

Referencing the Mixed Income Housing Strategy (MIHS) chapter to Section [17.808.440](#)

- The amendment provides a direct citation to Chapter 17.712, which talks about the requirements of the Mixed Income Housing Strategy.

Section 40:

Remove entitlement reference to Urban Development Permit [17.808.440](#)

- Subsections A, B, C, E, F, and H are amended to remove all references to an urban development permit because we no longer process these permits.

Section 41:

Remove appeal reference for Railyards Special Planning District in Section [17.812.060](#)

- Remove the appeal reference to the Sacramento Railyards Special Planning District. Appeals will be handled the same citywide.

Section 43:

Typo in Reference to California Government Code Section for Ministerial Infill Housing [17.860.020](#)

- Fix the typo that references a subsection of California Government Code section 65913.4

Below is a list of other amendments that include changes to land use and zoning designations. A summary is provided below each amendment, describing why it would not have an impact on the environment.

Other Amendments:

Sections 11, 12, 14 & 15:

Amendments to the Industrial Zone Land Use Tables (M-1, M-1(S), M-2, M-2(S))

- Part 1: Require Private Community Gardens to receive a Zoning Administrator Conditional Use Permit (CUP).
- Part 2: Require Market Gardens to receive Zoning Administrator CUP.
 - The purpose of requiring a discretionary CUP for community gardens and market gardens in the industrial zones is to ensure compatibility with edible food production land uses that are adjacent or next to industrial operations.
- Part 3: Amend the Gas Stations land use table to allow for gas stations to fuel more than 10 vehicles at one time IF the site is within 500-feet of a City identified truck route or a Surface Transportation Assistance Act (STAA) truck route. A Planning and Design Commission CUP will still be required.
 - The purpose of this amendment is to allow larger gas stations along truck routes, particular for gas stations seeking diesel dispensers.

The proposed amendments to require a CUP for private community gardens and market gardens will not result in any impacts that were not analyzed in the Master EIR. These uses are currently allowed by right in these zones and the proposed amendments, to require a conditional use permit, will ensure that each use is proper for a particular site. If anything, the proposed amendments may result in less development of this type of use.

The proposed amendments to allow large fueling stations on a City-identified truck route or STAA truck route will also not result in impacts that were not analyzed in the Master EIR. This amendment will also see negligible impacts because these properties are within 500-feet of corridors that are designed to accommodate large commerce truck traffic and the additional of fueling stations along these routes will not result in any additional environmental impacts, traffic or otherwise. Further, establishment of this use will continue to require a conditional use permit as set forth in the code, which will allow the City an opportunity to examine all aspects of a particular project and ensure no environmental impacts.

Section 17:

Highway Commercial (HC) Zone [17.224.400](#)

- Part 1: Allow commercial services as a permitted by right land use in the Highway Commercial (HC) zone. Commercial services are typical of daily needs such as laundromats, cleaners, postal services, beauty salons/barber shops, and the like.
- Add a Planning and Design Commission CUP process for alcohol sales for off-premise consumption.
 - Alcohol sales are typically part of a gas station and thus allowing a discretionary permit process is consistent with other commercial zones.

These amendments would allow for two additional land uses in the Highway Commercial zone: commercial services and alcohol sales for off-premises consumption.

Commercial services are compatible and consistent with the highway commercial zone as they are intended to meet a consumer's daily needs. By locating these uses within the highway commercial zone, these uses are easily accessible to the public and are located within areas in which the public already regularly travels. "Commercial services" are not big-box retailer that attract significant traffic and are allowed by right in the less intensive commercial zones, such as limited and general commercial (C-1 and C-2). These uses are also typically integrated into residential neighborhoods because they are more typical of single service uses, such as a barber shop or laundry cleaners and therefore they would have a minimal impact in areas zoned to accommodate highway travelers.

As for the amendments related to alcohol sales, this amendment is consistent with other commercial zones. Alcohol sales are typically subordinate to the primary use, such as a gas station or a retail store, and therefore would have minimal impacts in areas already zoned for highway traffic.

Section 20-24:

Temporary Residential Shelters [17.228.600](#)

- **Part 1:** Consolidate the special use regulations for small and large temporary residential shelters into one section.
 - This amendment will make implementation of temporary residential shelters easier and more understandable to the public.
- **Part 2:** Remove the locational requirements that restrict siting shelters within 500 feet of a school, park, single-unit or duplex dwelling or a church/faith congregation.
- **Part 3:** Amend the location requirement stating shelters must be at least 300 feet from each other versus 1,000 feet as currently written.
 - The amendments included in Parts 2 and 3 conform the City Code to state law, which provides that emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone.

These amendments conform the city code to state law. Amendments to the temporary residential shelter would bring the City's requirements into conformance with state law, which only requires a minimum separation of 300 feet between shelters. This amendment was identified as a programmatic fix in the 2035 Housing Element.

Section 28:

Remove Density Threshold in TO Overlay [17.340.060](#)

- Removes the maximum 100 dwelling unit per net acre density cap in the TO Overlay. The General Plan will continue to regulate maximum density. The TO Overlay does have a minimum 15 dwelling unit per net acre density that will remain.

This amendment will remove the maximum density of 100 dwelling units per net acre for properties in the Transit Overlay (TO), which are generally located along transportation hubs/corridors (Section 28 of Ordinance). These properties would refer to their General Plan designation for maximum density requirements. These properties will likely be allowed to exceed the 100 dwelling units per net acre threshold because the general plan designations are typically more lenient for properties along commercial and transportation corridors; however, the change in density will not be different than what was previously evaluated under the MEIR for the General Plan because those densities listed in the 2035 General Plan were previously evaluated. As a result, the amendment to the TO overlay will not create any new impacts for potentially allowing a higher density at these locations.

*Section 42:
Indemnification*

- Requires applicants to defend, indemnify, and hold harmless the city if the city uses outside counsel to defend a claim against the city over a project approval or denial. It also requires all applicants to indemnify the city for any damages awarded against the city in a lawsuit over a project approval or denial.
 - This amendment helps the City minimize risk to the City's budget and recoup the actual cost of development (similar to other development impact fees).

This amendment will not result in any impact on the physical environment.

Agricultural Resources

The Master EIR discussed the potential impact of development under the 2035 General Plan on agricultural resources. See Master EIR, Chapter 4.1. In addition to evaluating the effect of the general plan on sites within the City, the Master EIR noted that to the extent the 2035 General Plan accommodates future growth within the City Limits, the conversion of farmland outside the City Limits is minimized. (Master EIR, page 4.1-2) The Master EIR concluded that the impact of the 2035 General Plan on agricultural resources within the City was less than significant.

The proposed Project encourages infill development and does not result in a direct impact on agricultural resources. The Project clarifies development regulations for infill development land uses and does not amend the procedures for greenfield development and thus would result in no new significant effects not evaluated in the Master EIR.

Energy

The proposed Project would not result in changes relating to energy requirements for specific projects. The proposed Project would not encourage the wasteful use of energy.

Structures built in the City are subject to Titles 20 and 24 of the California Code of Regulations, which serve to reduce demand for electrical energy by implementing energy-efficient standards for residential and non-residential buildings. The 2035 General Plan includes policies to encourage use of energy-efficient technology by offering rebates and other incentives to commercial and residential developers and recruiting businesses that research and promote energy conservation and efficiency.

Policies U 6.1.6 through U 6.1.8 focus on promoting the use of renewable resources, which would reduce the cumulative impacts associated with use of non-renewable energy sources. In addition, Policies U 6.1.5 and U 6.1.12 call for the City to work closely with utility providers and industries to promote new energy conservation technologies.

The Master EIR evaluated the potential impacts on energy and concluded that the effects would be less than significant. (See Impact 4.11-6) Any new development subsequent to the proposed Project would be constructed to the standards required by current building codes, achieving energy efficiency. The proposed Project would not result in any impacts not identified and evaluated in the Master EIR.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
1. AESTHETICS, LIGHT AND GLARE Except as provided in Public Resources Code Section 21099, would the project: A) Have a substantial adverse effect on a scenic vista?			X
B) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X
C) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X
D) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X

ENVIRONMENTAL SETTING

Aesthetics

The City of Sacramento is a valley floor characterized by flat terrain in a predominantly built-out environment. The average elevation is 25 feet above sea level. Long-range views within the Ordinance Area are generally expansive because of the flat terrain. The western portion of the city lies at an elevation of about 20 feet; the terrain slopes upward to the east. Low rises are occasionally present, probably originating as natural banks of the Sacramento and American Rivers. The American River, Morrison Creek, and other local drainages have downcut through the plain, forming low near-vertical stream banks from place to place. With the exception of these stream banks, ground slope within the city does not exceed 8 percent and is most often between zero and 3 percent.

Views across the city to the east include views of the foothills and mountains. The Sierra Nevada can be seen directly beyond the city skyline as one drives east across the Yolo Causeway on I-80.

Light and Glare

The City of Sacramento includes a wide variety of visual features that include various light and glare levels. The City of Sacramento is primarily built out, and a significant amount of artificial light and glare from urban uses already exists. The downtown area has a higher concentration than the outlying residential areas of artificial light and reflective surfaces that produce glare (City of Sacramento 2008b).

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, aesthetics impacts may be considered significant if the proposed project would result in one or more of the following:

Glare. Glare is considered to be significant if it would be cast in such a way as to cause public hazard or annoyance for a sustained period of time.

Light. Light is considered significant if it would be cast onto oncoming traffic or residential uses.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR described the existing visual conditions in the general plan policy area, and the potential changes to those conditions that could result from development consistent with the 2035 General Plan. See Master EIR, Chapter 4.13, Visual Resources.

The Master EIR identified potential impacts for glare (Impact 4.13-1).

Light cast onto oncoming traffic or residential uses was identified as a potential impact (Impact 4.13-1). The Master EIR identified Policy LU 6.1.12 (Compatibility with Adjoining Uses) and its requirement that lighting must be shielded and directed downward as reducing the potential effect to a less-than-significant level.

ANSWERS TO CHECKLIST QUESTIONS

Questions A–D

The proposed Project would not result in any new impacts to aesthetics, light and glare that were not previously anticipated in the General Plan 2035 Master EIR. All new projects would be required to comply with all applicable standards, including the zoning and General Plan land use standards which evaluate lighting and aesthetics on an individual project level. Proposed amendments to the Planning and Development Code do not change any regulations relating to aesthetics, light, and glare.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Aesthetics, Light and Glare.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
2. <u>AIR QUALITY</u>			
<i>Would the proposal:</i>			
A) Result in construction emissions of NO _x above 85 pounds per day?			X
B) Result in operational emissions of NO _x or ROG above 65 pounds per day?			X
C) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X
C) Result in PM ₁₀ concentrations equal to or greater than five percent of the State ambient air quality standard (i.e., 50 micrograms/cubic meter for 24 hours) in areas where there is evidence of existing or projected violations of this standard?			X
E) Result in CO concentrations that exceed the 1-hour State ambient air quality standard (i.e., 20.0 ppm) or the 8-hour State ambient standard (i.e., 9.0 ppm)?			X
F) Result in exposure of sensitive receptors to substantial pollutant concentrations?			X
G) Result in TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources?			X
H) Impede the City or State efforts to meet AB32 standards for the reduction of greenhouse gas emissions?			X

ENVIRONMENTAL SETTING

Regional and Local Climate

The City of Sacramento is located within the Sacramento Valley Air Basin (SVAB), which is a valley bounded by the North Coast Mountain Ranges to the west and the Northern Sierra Nevada Mountains to the east. The terrain in the valley is flat and approximately 25 feet above sea level.

Hot, dry summers and mild, rainy winters characterize the Mediterranean climate of the Sacramento Valley. Throughout the year, daily temperatures may range by 20 or more degrees

Fahrenheit with summer highs often exceeding 100 degrees and winter lows occasionally below freezing. Average annual rainfall is about 20 inches and snowfall is very rare. Summertime temperatures are normally moderated by the presence of the “Delta breeze” that arrives through the Carquinez Strait in the evening hours.

Stationary and Mobile Sources

Air pollutant emissions within the SVAB are generated by stationary, area-wide, and mobile sources. Stationary sources are usually subject to a permit to operate from the local air district, occur at specific identified locations, and are usually associated with manufacturing and industry. Examples of major stationary sources include refineries, concrete batch plants, and can coating operations. Minor stationary sources include smaller-scale equipment such as diesel fueled emergency backup generators and natural gas boilers.

Area sources are emissions-generating activities that are distributed over an area and do not require permits to operate from any air agency. Examples of area sources include natural gas combustion for residential or commercial space and water heating, landscaping equipment such as lawn mowers, and consumer products such as barbeque lighter fluid and hairspray.

Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and are classified as either on-road or off-road. On-road sources are those that are legally operated on roadways and highways. Off-road sources include aircraft, trains, and construction vehicles. Mobile sources account for the majority of the air pollutant emissions within the SVAB.

Ambient Air Quality Standards

Both the Federal and State governments have established ambient air quality standards for outdoor concentrations of various pollutants in order to protect public health and welfare with a margin of safety.

The air pollutants for which Federal and State standards have been promulgated include ozone, nitrogen dioxide (NO₂), carbon monoxide (CO), suspended particulate matter, sulfur dioxide (SO₂), and lead. Each of these pollutants is briefly described below.

- Ozone is a gas that is formed when reactive organic gases (ROG) and nitrogen oxides (NOX), both byproducts of internal combustion engine exhaust and other processes, undergo photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.
- NO₂ is a brownish, highly reactive gas that is present in all urban environments. The major human-made sources of NO₂ are combustion devices, such as boilers, gas turbines, and mobile and stationary reciprocating internal combustion engines.
- CO is a colorless, odorless gas produced by the incomplete combustion of fossil fuels. CO concentrations tend to be the highest during the winter morning, with little to no wind, when surface-based inversions trap the pollutant at ground levels. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections, but the SVAB has not experienced a violation of ambient air quality standards for CO in 20 years (ARB 2013a).

- Respirable Particulate Matter (PM10) and Fine Particulate Matter (PM2.5) consist of extremely small, suspended particles 10 microns and 2.5 microns or smaller in diameter. Some sources of suspended particulate matter (e.g., pollen and windblown dust), occur naturally. However, in populated areas, most fine suspended particulate matter is caused by road dust, diesel soot, combustion products, abrasion of tires and brakes, and construction activities.
- SO2 is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of the burning of high sulfur-content fuel oils and coal, and from chemical processes occurring at chemical plants and refineries.
- Lead in the atmosphere was primarily associated with combustion of leaded gasoline, which is no longer permitted for on-road motor vehicles. Lead is no longer a pollutant of concern in the SVAB.

Regional Air Quality

Regionally, some portions of the SVAB have fewer air quality problems than others. Only a portion of the SVAB is in nonattainment for Federal ozone standards. Sacramento County attained the Federal PM10 standard in 2013. Regarding State standards, the entire SVAB is in nonattainment for ozone and PM standards.

Even though the SVAB does not attain certain standards, air quality has improved over time. Pollutant levels have decreased dramatically since the 1980s even with substantial region-wide population growth. Mobile sources contribute the majority of ozone precursor emissions in Sacramento County, while areawide sources, such as dust entrained from vehicle travel on roadways and construction activities, compose the majority of PM emissions.

Local Air Quality

The ARB collects ambient air quality data through a network of air monitoring stations throughout the state. There are eight^a monitoring stations in the County of Sacramento, but not all of the stations monitor for all criteria pollutants. There are two monitoring stations in the city of Sacramento one on Bercut Drive and one downtown on T Street. Table 6 identifies the national and State ambient air quality standards for air pollutants for which Sacramento County is in nonattainment and lists the highest ambient pollutant concentrations that have been measured within the city through the period of 2016-2018. As shown, the Sacramento area has a recent history of Federal and State exceedances for the ozone and particulate matter standards. No other ambient air quality standards have been exceeded in Sacramento during the last three years.

Table 6 Summary of Ambient Air Quality Monitoring Data in Ordinance Area				
<i>Pollutant</i>	<i>Air Quality Standards</i>	<i>Year</i>		
		<i>2009</i>	<i>2010</i>	<i>2011</i>
Ozone				
Maximum 1-hour concentration (State)	0.09 ppm	0.102	0.092	0.100

^a <http://www.airquality.org/Air-Quality-Health/Air-Monitoring>

# of days exceeding State 1-hour standard.	n/a	3	0	1
Maximum 8-hour concentration. (State / national)	0.070 / 0.075 ppm	0.089	0.078	0.087
# of days exceeding State 8-hour standard.	n/a	13	2	5
# of days exceeding national 8-hour standard.	n/a	5	1	1
Respirable Particulate Matter (PM10)				
Maximum 24-hour concentration (State / national)	50 / 150 µg/m ³	50.7	53.9	67.0
# of days exceeding State standard	n/a	1	1	1
# of days exceeding national standard	n/a	0	0	0
Fine Particulate Matter (PM2.5)				
Maximum 24-hour concentration measured (State)	35 µg/m ³	50.1	37.0	50.5
# of days exceeding national standard	n/a	1	0	6

Notes: µg/m³ = micrograms per cubic meter of air; ppm = parts by volume per million of air.
Measurements are from Sacramento-Goldenland Court and T Street monitoring stations, whichever is higher.
Source: ARB 2013a.

Toxic Air Contaminant Emissions

Toxic air contaminants (TACs) are airborne substances that, even in small quantities, are capable of causing chronic (i.e., of long duration) and acute (i.e., severe, but of short duration) adverse effects on human health. They include both organic and inorganic chemical substances that may be emitted from a variety of common sources including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. TACs are different than the criteria air pollutants discussed previously in that ambient air quality standards have not been established for them. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations.

According to the California Almanac of Emissions and Air Quality (ARB 2009), the majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most important being diesel PM. Diesel PM differs from other TACs in that it is not a single substance, but rather a complex mixture of hundreds of substances. Although diesel PM is emitted by diesel-fueled internal combustion engines, the composition of the emissions varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emissions control system is being used. Based on receptor modeling techniques, ARB estimated diesel PM health risk to be 360 excess cancer cases per million people in the SVAB in the year 2000. Since 1990, the health risk associated with diesel PM has been reduced by 52%. Overall, levels of most TACs, except para-dichlorobenzene and formaldehyde, have decreased since 1990 (ARB 2009).

Sensitive Receptors

As discussed previously, the Federal and State ambient air quality standards have been set at levels to protect the most sensitive persons from illness or discomfort with a margin of safety. Air pollution regulatory agencies typically define sensitive receptors to include residences, schools, playgrounds, childcare centers, athletic facilities, hospitals, long-term health care facilities,

rehabilitation centers, convalescent centers, and retirement homes. Each of these land use types is present in the city of Sacramento.

Standards of Significance

For purposes of this Initial Study, air quality impacts may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

- construction emissions of NO_x above 85 pounds per day;
- operational emissions of NO_x or ROG above 65 pounds per day;
- violation of any air quality standard or contribute substantially to an existing or projected air quality violation;
- Any increase in PM10 concentrations, unless all feasible Best Available Control Technology (BACT) and Best Management Practices (BMPs) have been applied, then increases above 80 pounds per day or 14.6 tons per year;
- CO concentrations that exceed the 1-hour State ambient air quality standard (i.e., 20.0 ppm) or the 8-hour State ambient standard (i.e., 9.0 ppm); or
- exposure of sensitive receptors to substantial pollutant concentrations.

Ambient air quality standards have not been established for toxic air contaminants (TAC). TAC exposure is deemed to be significant if:

- TAC exposures create a risk of 10 in 1 million for stationary sources, or substantially increase the risk of exposure to TACs from mobile sources.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR addressed the potential effects of the 2035 General Plan on ambient air quality and the potential for exposure of people, especially sensitive receptors such as children or the elderly, to unhealthful pollutant concentrations. See Master EIR, Chapter 4.2.

Policies in the 2035 General Plan in Environmental Resources were identified as mitigating potential effects of development that could occur under the 2035 General Plan. For example, Policy ER 6.1.1 calls for the City to work with the California Air Resources Board and the Sacramento Metropolitan Air Quality Management District (SMAQMD) to meet State and Federal air quality standards; Policy ER 6.1.2 requires the City to review proposed development projects to ensure that the projects incorporate feasible measures that reduce construction and operational emissions; Policies ER 6.1.4 and 6.1.10 call for coordination of City efforts with SMAQMD; and Policy ER 6.1.14 requires the City to give preference to contractors using reduced-emission equipment.

The Master EIR identified exposure to sources of toxic air contaminants (TAC) as a potential effect. Policies in the 2035 General Plan would reduce the effect to a less-than-significant level. The policies include ER 6.1.1, requiring consideration of current guidance provided by the Air Resources Board and SMAQMD and ER 6.1.4, requiring development adjacent to stationary or mobile TAC sources to be designed with consideration of such exposure in design, landscaping and filters.

The Master EIR found that greenhouse gas emissions that would be generated by development consistent with the 2035 General Plan would be a significant and unavoidable cumulative impact.

The discussion of greenhouse gas emissions and climate change in the 2035 General Plan Master EIR are incorporated by reference in this Initial Study. (CEQA Guidelines Section 15150)

The Master EIR identified numerous policies included in the 2035 General Plan that addressed greenhouse gas emissions and climate change. See MEIR, Chapter 4.2, and pages 1-12 et seq. The Master EIR is available for review at <http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>.

Policies identified in the 2035 General Plan include directives relating to sustainable development patterns and practices, and increasing the viability of pedestrian, bicycle and public transit modes. A complete list of policies addressing climate change is included in the Master EIR in Table ES-1, page 6 et seq; the Final MEIR included additional discussion of greenhouse gas emissions and climate change in response to written comments.

ANSWERS TO CHECKLIST QUESTIONS

Questions A–H

The proposed Project would not result in any new air quality impacts that were not previously anticipated in the General Plan 2035 Master EIR. All new development projects would be required to comply with all applicable standards, including the zoning and General Plan land use standards. As part of that development project review, the Sacramento Metropolitan Air Quality Management District (SMAQMD) reviews each project independently and provides applicable comments regarding air quality. Ozone precursor emissions and emissions of particulate matter would be evaluated using SMAQMDs *Guide to Air Quality Assessment in Sacramento County*, Operational Screening Levels on a per project basis. Additionally, all development would be required to comply with the City’s Climate Action Plan and the goals and policies of the General Plan for reducing greenhouse gas emissions. The proposed Project would not result in impacts relating to air quality or greenhouse gas emissions beyond those analyzed and contemplated in the 2035 General Plan MEIR.

MITIGATION MEASURES

No mitigation measures are required.

Findings

The proposed Project would have no additional project-specific environmental effects relating to Air Quality.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>3. <u>BIOLOGICAL RESOURCES</u> Would the proposal:</p> <p>A) Create a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected</p>			x

B)	Result in substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal			X
C)	Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands)?			X

ENVIRONMENTAL SETTING

The city of Sacramento is bordered by farmland to the north, farmland and the Sacramento River to the west, the city of Elk Grove to the south, and developed unincorporated portions of Sacramento County to the east. Historically, the natural habitats within the city of Sacramento included perennial grasslands, riparian woodlands, oak woodlands, and a variety of wetlands—vernal pools, seasonal wetlands, freshwater marshes, ponds, streams, and rivers.

From a biological perspective, the area near the confluence of the Sacramento and American Rivers is a particularly rich and diverse part of the region because of the rich soils and diversity of vegetation it supports. Over the last 150 years, development from agriculture, irrigation, flood control, and urbanization has resulted in the loss or alteration of much of the natural habitat within the boundaries of the city of Sacramento. Nonnative annual grasses have replaced the native perennial grasslands, many of the natural streams have been channelized, much of the riparian and oak woodlands have been cleared, and most of the marshes have been drained and converted to agricultural or urban uses.

Although most of the city of Sacramento is made up of residential, commercial, and other urban development, valuable plant and wildlife habitat still exists. These natural habitats are located primarily outside the City Limits in the northern, southern, and eastern portions of the city, but they also occur along river and stream corridors and on a number of undeveloped parcels within the city. Habitats present within the Policy Area include annual grasslands, riparian woodlands, oak woodlands, riverine (rivers and streams) habitats, ponds, freshwater marshes, seasonal wetlands, and vernal pools.

STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact would be significant if any of the following conditions or potential thereof, would result with implementation of the proposed project:

- Creation of a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;
- Substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal; or
- Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands).

For the purposes of this document, “special-status” has been defined to include those species, which are:

- Listed as endangered or threatened under the Federal Endangered Species Act (or formally proposed for, or candidates for, listing);
- Listed as endangered or threatened under the California Endangered Species Act (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Game Code (Section 1901);
- Designated as fully protected, pursuant to California Fish and Game Code (Section 3511, 4700, or 5050);
- Designated as species of concern by U.S. Fish and Wildlife Service (USFWS), or as species of special concern to California Department of Fish and Game (CDFG);
- Plants or animals that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA).

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 4.3 of the Master EIR evaluated the effects of the 2035 General Plan on biological resources within the General Plan policy area. The Master EIR identified potential impacts in terms of degradation of the quality of the environment or reduction of habitat or population below self-sustaining levels of special-status birds, through the loss of both nesting and foraging habitat.

Policies in the 2035 General Plan were identified as mitigating the effects of development that could occur under the provisions of the 2035 General Plan. Policy ER 2.1.5 calls for the City to preserve the ecological integrity of creek corridors and other riparian resources; Policy ER 2.1.10 requires the City to consider the potential impact on sensitive plants for each project and to require pre-construction surveys when appropriate; and Policy 2.1.11 requires the City to coordinate its actions with those of the California Department Fish and Game, U.S. Fish and Wildlife Service, and other agencies in the protection of resources.

The Master EIR concluded that the cumulative effects of development that could occur under the 2035 General Plan would be significant and unavoidable as they related to effects on special-status plant species, reduction of habitat for special-status invertebrates, loss of habitat for special-status birds, loss of habitat for special-status amphibians and reptiles, loss of habitat for special-status mammals, special-status fish and, in general, loss of riparian habitat, wetlands and sensitive natural communities such as elderberry savannah (4.3-12).

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

Questions A–C

The proposed Project will not result in the creation of hazards, nor will it result in the degradation of the environment. The proposed Project does not permit any land uses in environmentally sensitive areas, nor does it change the regulatory environment for processing project applications. Each subsequent project, post implementation of this ordinance, will continue to be evaluated for potential effects on protected species or habitat for protected species; wetlands; and land identified for conservation or protected by a conservation easement. The proposed Project would not result in impacts relating to biological resources beyond those identified in the Master EIR because it is not allowing new development by-right or modifying the procedures in place for new projects.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Biological Resources.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
4. CULTURAL RESOURCES			
Would the project:			
A) Cause a substantial adverse change in the significance of a historical pursuant to § 15064.5?			X
B) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X
C) Disturb any human remains, including those interred outside of formal cemeteries?			X

ENVIRONMENTAL SETTING

The Delta was one of the first regions in California in which intensive archaeological fieldwork was conducted. The first settlements in the Sacramento Valley likely occurred during the late Pleistocene and early Holocene periods (14,000–8,000 years Before Present). Sacramento’s location within a great valley and at the confluence of two rivers, the Sacramento and American Rivers, shaped its early and modern settlements. It is highly likely that Paleo-Indian populations occupied the area with villages located near watercourses. The archaeological record of such use is sparse, probably because of recurring natural flood events.

A major portion of the city of Sacramento lies in the territory attributed to the Nisenan tribe, a branch of the Maidu group of the Penutial language family. Tribes of this language family dominated the Central Valley, San Francisco Bay area, and western Sierra Nevada foothills when European immigrants first arrived. The southern portion of the Ordinance Area was controlled at the time of contact by the Plains Miwok, one of five separate cultural linguistic groups of the Eastern Miwok.

Previous surveys since 1930 have recorded approximately 80 archaeological sites within the city. The types of archaeological resources discovered include village sites, smaller occupation or special-use sites, and lithic scatters. Native American use of the Ordinance Area focused on higher spots along the rivers, creeks, and sloughs that provided water and sources of food.

Over the years the City has undertaken several surveys of historic buildings in an effort to establish

historic districts. The majority of the historic resources and landmarks in the city are located within the Central City grid. There are 31 City designated historic districts in the city. There are approximately 104 resources listed as California Points of Historical Interest, California Landmarks, and California Register Historical Resources. Fifty-seven properties in the city are listed on the National Register of Historic Places.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, cultural resource impacts may be considered significant if the proposed project would result in one or more of the following:

1. Cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5 or
2. Directly or indirectly destroy a unique paleontological resource.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the potential effects of development under the 2035 General Plan on prehistoric and historic resources. See Chapter 4.4. The Master EIR identified significant and unavoidable effects on historic resources and archaeological resources.

General plan policies identified as reducing such effects call for identification of resources on project sites (Policy HCR 2.1.1), implementation of applicable laws and regulations (Policy HCR 2.1.2 and HCR 2.1.15), early consultation with owners and land developers to minimize effects (Policy HCR 2.1.10 and encouragement of adaptive reuse of historic resources (Policy HCR 2.1.13). Demolition of historic resources is deemed a last resort. (Policy HCR 1.1.14)

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

Questions A - C

The proposed Project would not affect the location or density of development and would not encourage development that could have impacts on cultural resources that were not evaluated in the Master EIR. The Project does not propose any specific projects for future development beyond what was analyzed in the 2035 General Plan Master EIR. Implementing the proposed Project would not affect or modify existing City policies or development regulations addressing cultural resources. The Project does not change the review for development projects located within a historic district listed on the Sacramento register, the National Register of Historic Places, or the California Register of Historical Resources, nor does it change the review for projects located on sites that may contain archaeological resources or human remains. The Project also does not propose any development on culturally sensitive lands.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Cultural Resources.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p><u>5.GEOLOGY AND SOILS</u></p> <p>Would the project allow a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards?</p>			x

ENVIRONMENTAL SETTING

Topography and Geology

The project area – the City of Sacramento – is located in the Great Valley of California. The Great Valley is an alluvial plain approximately 400 miles long and 50 miles wide. The northern and southern portions of the Great Valley are drained by the Sacramento and San Joaquin Rivers, respectively. Topography in the Sacramento area is relatively flat, with elevations as low as sea level gradually increasing to approximately 75 feet above sea level in the northeastern portion.

Seismicity

Although all of California is typically regarded as seismically active, the city does not commonly experience strong groundshaking resulting from earthquakes along known or previously unknown active faults. There are, however, isolated areas within the city that have soils and other conditions which could result in structural damage induced by seismic activity. Seismic hazards that may affect portions of the city during, or in the aftermath of, a major seismic event may include minor groundshaking and liquefaction.

Soils

The Natural Resources Conservation Service (NRCS) has mapped more than 30 individual soil units in the city of Sacramento. The predominant soil units in the city are San Joaquin, Clear Lake, Galt, Cosumnes, and Sailboat soils, which account for over 60 percent of the total land area. The remaining soil units each account for only a few percent or less of the total. The San Joaquin soils are generally present in the eastern and southeastern part of the city. The Clear Lake and Cosumnes soils occur in the northern part of the city. Galt soils are in the southwestern part of the city, in an area generally bound by Interstate 5 and State Route 99. The Sailboat soils occur along the American and Sacramento rivers.

Portions of the city may be susceptible to soil hazards such as erosion, shrink/swell potential

(expansive soils), and subsidence. Erosion refers to the removal of soil from exposed bedrock surfaces by water or wind. Although erosion occurs naturally, it is often accelerated by human activities that disturb soil and vegetation. Erosion potential is generally identified on a case-by-case basis, depending on factors such as climate, soil cover, slope conditions, and inherent soil properties.

Shrink/swell potential refers to soils that expand when wet and shrink when dry. This hazard occurs primarily in soils with high clay content and can cause structural damage to foundations and roads that do not have proper structural engineering. Areas with greater shrink/swell potential are generally less suitable or desirable for development than areas with nonexpansive soils. Many of the soil units present within the city of Sacramento exhibit high shrink/swell potential. As with seismic hazards, site-specific geotechnical studies are necessary to identify where such hazards could occur.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact is considered significant if it allows a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 4.5 of the Master EIR evaluated the potential effects related to seismic hazards, underlying soil characteristics, slope stability, erosion, existing mineral resources and paleontological resources in the General Plan Policy Area. Implementation of identified policies in the 2035 General Plan reduced all effects to a less-than-significant level. Policies EC 1.1.1 and 1.1.2 require regular review of the City's seismic and geologic safety standards, geotechnical investigations for project sites and retrofit of critical facilities such as hospitals and schools.

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

Question A

The proposed Project does not propose any specific projects for future development beyond what was analyzed in the 2035 General Plan MEIR. Implementing the proposed Project would not affect or modify existing City policies, or development regulations addressing geology and soils. Any future development would be subject to the Sacramento City Code provisions related to grading, erosion, and sediment control. The proposed Project does not include any policies that conflict with or supersede the City's existing development and design review standards related to soil conditions.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Geology and Soils.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
6. HAZARDS Would the project: A) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities?			x
B) Expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials?			x
C) Expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities?			x

ENVIRONMENTAL AND REGULATORY SETTING

Federal regulations and regulations adopted by the Sacramento Metropolitan Air Quality Management District (SMAQMD) apply to the identification and treatment of hazardous materials during demolition and construction activities. Failure to comply with these regulations respecting asbestos may result in a Notice of Violation being issued by the AQMD and civil penalties under State and/or Federal law, in addition to possible action by U.S. EPA under Federal law.

Federal law covers a number of different activities involving asbestos, including demolition and renovation of structures (40 CFR § 61.145).

SMAQMD Rule 902 and Commercial Structures

The work practices and administrative requirements of Rule 902 apply to all commercial renovations and demolitions where the amount of Regulated Asbestos-Containing Material (RACM) is greater than:

- 260 lineal feet of RACM on pipes, or
- 160 square feet of RACM on other facility components, or
- 35 cubic feet of RACM that could not be measured otherwise.

The administrative requirements of Rule 902 apply to any demolition of commercial structures, regardless of the amount of RACM.

Asbestos Surveys

To determine the amount of RACM in a structure, Rule 902 requires that a survey be conducted prior to demolition or renovation unless:

- the structure is otherwise exempt from the rule, or

- any material that has a propensity to contain asbestos (so-called "suspect material") is treated as if it is RACM.

Surveys must be done by a licensed asbestos consultant and require laboratory analysis. Asbestos consultants are listed in the phone book under "Asbestos Consultants." Large industrial facilities may use non-licensed employees if those employees are trained by the U.S. EPA. Questions regarding the use of non-licensed employees should be directed to the AQMD.

Removal Practices, Removal Plans/Notification and Disposal

If the survey shows that there are asbestos-containing materials present, the SMAQMD recommends leaving it in place.

If it is necessary to disturb the asbestos as part of a renovation, remodel, repair or demolition, Cal OSHA and the Contractors State License Board require a licensed asbestos abatement contractor be used to remove the asbestos-containing material.

There are specific disposal requirements in Rule 902 for friable asbestos-containing material, including disposal at a licensed landfill. If the material is non-friable asbestos, any landfill willing to accept asbestos-containing material may be used to dispose of the material.

Hazardous Materials Use and Waste Generation

Hazardous materials are routinely used, stored, and transported in the city of Sacramento by businesses (including industrial and commercial/retail businesses), public and private institutions (such as educational facilities and hospitals), and households. The Sacramento County Environmental Management Department (SCEMD) maintains a database of all businesses in the City of Sacramento using hazardous materials in excess of the threshold quantities (55 gallons for a liquid, 200 cubic feet for a compressed gas, and 500 pounds for a solid). The "Master List of Facilities within Sacramento County with Potentially Hazardous Materials" is downloadable from the County's website (<http://www.emd.saccounty.net/Documents/lists/mstr.pdf>) and is readily available to the public (Sacramento County 2013). Businesses in the city that use and store hazardous materials in quantities subject to Federal and State regulations that require community notification are required to prepare and submit a Hazardous Materials Management Plan (or "Business Plan") and/or Risk Management Plans (RMPs), as appropriate, to the SCEMD.

The Environmental Compliance Division of the Sacramento County Environmental Department has published Guidelines for Generators of Hazardous Waste (Sacramento County 2008), which summarizes the various requirements for generating, storing, handling, transporting, and disposing of hazardous wastes. In addition to major hazardous waste generators, it should also be noted that hazardous materials (household hazardous materials) such as cleaning products, paints, solvents, motor oil, and gasoline, are used in small quantities by households and businesses every day. The City of Sacramento operates programs to collect and properly dispose of household hazardous waste.

Safety-Kleen Systems, Inc. operates the Sacramento Accumulation Center in the southeastern portion of the city of Sacramento (6000 88th Street) that handles a variety of hazardous wastes. The facility is permitted by the California Department of Toxic Substances Control (DTSC) to store and transfer hazardous wastes from outside generators, such as automotive repair and maintenance shops, to the Safety-Kleen Reedley Recycling Center for recycling, or to a permitted facility for disposal or treatment (DTSC 2006).

Sites with Known Contamination

The city of Sacramento contains sites that were historically contaminated but have been remediated and sites that are known, or believed to be, contaminated that are currently being characterized or cleaned-up. Contamination has resulted from lack of awareness, accidental occurrences, intentional actions, and historical business practices that pre-date current regulatory standards,

Federal and State agencies responsible for hazardous materials management, along with the County of Sacramento, maintain databases of such sites. Below is a brief description of five of the databases that provide information about hazardous materials sites within the city.

Comprehensive Environmental Response, Compensation and Liability Information System

The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), is a regulatory or statute law developed to protect the water, air, and land resources from the risks created by past chemical disposal practices. Under CERCLA, the US EPA maintains the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). CERCLIS contains information on hazardous waste sites, potential hazardous waste sites, and remedial activities, including sites that are on the National Priorities List (NPL) or being considered for the NPL ("Superfund").

The CERCLIS database lists 13 sites in the Policy Area. Only one of these sites, the Sacramento Army Depot (8350 Fruitridge Road), is on the NPL. Contaminants on this site include metals, polychlorinated biphenyls, petroleum hydrocarbons, and volatile organic compounds. Remediation activities at the Sacramento Army Depot are ongoing, but the threats of human exposure and groundwater contaminant migration are believed under control (US EPA 2009).

California Department of Toxic Substances Control Envirostor Database

The California Department of Toxic Substances Control (DTSC) maintains the Envirostor electronic database, which contains information on properties in California where hazardous substances have been, or have potential to be, released. This database is one of a number of lists that comprise the "Cortese List" (a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). EnviroStor provides a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities.

A review of the EnviroStor database in December 2012 identified approximately 140 sites in the Ordinance Area, 20 of which are currently listed as active and 24 of which are listed as inactive and in need of evaluation. The remaining sites have been referred to another agency, require no further action, or have been fully remediated. The majority of the active sites are located in the Central Business District.

Regional Water Quality Control Board Spills, Leaks, Investigations and Cleanup

The Spills, Leaks, Investigation and Cleanup (SLIC) Program was established by the State Water Resources Control Board so that Regional Water Quality Boards (RWQCBs) could oversee cleanup of illegal discharges, contaminated properties, and other unregulated releases adversely impacting the state's waters but not covered by another program. As of December 2012, there were 36 sites in the city that are currently being investigated, monitored, and/or remediated under the oversight of the RWQCB. The sites are industrial facilities including warehouse distribution centers, food

processing and packaging plants, truck terminals, and commercial and vacant sites. Some of the sites are also included on lists developed by DTSC and Sacramento County.

Leaking Underground Storage Tanks

Extensive Federal and State legislation addresses leaking underground storage tanks (LUSTs), including replacement and cleanup. The State of California requires that older tanks be replaced with new double-walled tanks with flexible connections and monitoring systems. The State Water Resources Control Board has been designated the lead regulatory agency in the development of LUST regulations and policy. The RWQCB, in cooperation with the Office of Emergency Services (OES), maintains an inventory of LUSTs in a statewide database.

There are hundreds of LUST sites located throughout the City that are under active evaluation and/or remediation under the oversight of the RWQCB and SCEMD. Most of the sites are gasoline stations, but some are industrial or commercial facilities with underground fuel tanks that have leaked hydrocarbons. Some of the sites listed by the RWQCB are also included on the RWQCB Spills, Leaks, Investigation and Cleanup Program list, and most are also on Sacramento County's Toxic Sites list (see below).

County of Sacramento Toxic Sites

Sacramento County maintains county-wide master lists of facilities with potentially hazardous materials and sites where unauthorized releases of potentially hazardous materials have occurred. The November 2012 lists include over 9,000 facilities that use hazardous materials and more than 1,500 unauthorized releases.

In general, contaminated commercial uses are primarily auto-related, including gas stations, repair shops, car washes, service stations, and car sales lots. Industrial uses generally consist of building materials, distribution and warehouses, food processing and packing facilities, fabrication, processing, and construction facilities.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact is considered significant if the proposed project would:

- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials or other hazardous materials; or
- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during dewatering activities.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated effects of development on hazardous materials, emergency response and aircraft crash hazards (see Chapter 4.6). Implementation of the General Plan may result in the exposure of people to hazards and hazardous materials during construction activities, and exposure of people to hazards and hazardous materials during the life of the General Plan.

Impacts identified related to construction activities and operations were found to be less than significant. Policies included in the 2035 General Plan, including PHS 3.1.1 (investigation of sites for contamination) and PHS 3.1.2 (preparation of hazardous materials actions plans when appropriate) were effective in reducing the identified impacts.

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

Questions A–C

The proposed Project would not encourage use of hazardous materials or increase the exposure to such materials, nor does it permit hazardous uses. Adoption of the proposed Project would not affect or modify existing City policies or development regulations addressing hazards. Implementing the proposed Project would not cause the release of any hazardous materials into the environment, nor would it create hazardous conditions. Regulations related to hazardous materials and waste are implemented by several government agencies that have established regulations regarding the proper transportation, handling, management, use, storage, and disposal of hazardous materials for specific operations and activities. All development that involves hazardous material would continue to be subject to the appropriate hazardous regulations and would be fully studied and conditioned with appropriate mitigation measures as needed. The proposed Project does not change the existing regulations for handling hazardous materials. The proposed Project would not cause an increase in exposure to hazardous materials beyond that which was evaluated in the Master EIR.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Hazards.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>7. <u>HYDROLOGY AND WATER QUALITY</u> Would the project:</p> <p>A) Substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the project?</p>			x
<p>B) Substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood?</p>			x

ENVIRONMENTAL SETTING

Precipitation

The city of Sacramento experiences most precipitation between November and April. Essentially all of the precipitation that occurs in the city is rain. Based on data gathered at Sacramento FAA Airport between 1941 and 2012, average annual rainfall is approximately 17.54 inches, but can range from wet to dry years. Between 1941 and 2012, recorded annual rainfall ranged from a low of 6.25 inches in 1976 to a high of 33.44 inches in 1983 (Western Regional Climate Center 2012).

Water Quality

The beneficial uses of the Sacramento and American rivers identified by the Central Valley Regional Water Quality Control Board (CVRWQCB) include municipal, agricultural, and recreational water supply. Other beneficial uses include freshwater habitat, spawning grounds, wildlife habitat, navigation on the Sacramento River, and industrial (power generation) uses on the American River. Ambient water quality in the Sacramento and American rivers is influenced by numerous natural and artificial sources, including soil erosion, discharges from industrial and residential wastewater plants, stormwater runoff, agriculture, recreation activities, mining, timber harvesting, and flora and fauna. The reaches of the Sacramento and American rivers that flow through the Sacramento urban area are considered impaired for certain fish consumption and aquatic habitat and are listed on the EPA approved 2006 section 303(d) list of water quality limited segments. The Sacramento River is listed as impaired under the 303(d) list for mercury and unknown toxicity, and the American River is listed for mercury and unknown toxicity. Other major creeks, drainage canals, and sloughs in the city boundaries are also listed for pesticides and copper. The Natomas East Main Drainage Canal is listed for the pesticide diazinon and polychlorinated biphenyls (PCBs).

Urban Runoff

Within the city of Sacramento, constituents found in urban runoff vary as a result of differences in geographic features, land use, vehicle traffic, and percent of impervious surface. Seasonally, there is a natural weather pattern of a long dry period from May to October in the Sacramento area. During this seasonal dry period, pollutants contributed by vehicle exhaust, vehicle and tire

wear, crankcase drippings, spills, and atmospheric fallout accumulate within the urban watershed. Precipitation during the early portion of the wet season (November) washes these pollutants into the stormwater runoff, which can result in elevated pollutant concentrations in the initial wet weather runoff. This initial runoff with peak pollutant levels is referred to as the "first flush." Concentrations of heavy metals present in dry weather runoff (e.g., runoff during the dry season is generated by landscape irrigation, street washing, etc.) are typically lower than concentrations measured in wet weather runoff (runoff generated during the rainy season primarily by precipitation).

In general, stormwater runoff within the city of Sacramento flows into either the City's CSS or into individual drainage sumps located throughout the city. Water collected by the CSS is transported to the Sacramento Regional County Sanitation District's (SRCSD's) Sacramento Regional Wastewater Treatment Plant (SRWWTP), where it is treated prior to discharge into the Sacramento River. During dry weather, approximately 25 million gallons per day (mgd) are transported to the SRCSD's SRWWTP. For smaller storms, the City sends up to 60 mgd of wastewater to the SRWWTP. All piping, drains, basins and pumps connected to the CSS are maintained and operated by the City of Sacramento Utilities Department.

When the flows in the CSS exceed 60 mgd, flows are routed to Pioneer Reservoir, a 28 million gallon storage and primary treatment facility located near the intersection of I-5 and US 50 in the city of Sacramento. Once capacity of Pioneer Reservoir has been reached, an additional volume of stormwater - up to 350 mgd - can receive primary treatment with disinfection and be discharged to the Sacramento River. The City also operates its Combined Wastewater Treatment Plant (CWTP) on 35th Avenue, where an additional 130 mgd of combined wastewater can receive primary treatment with disinfection prior to discharging to the Sacramento River. The CWTP operates under a National Pollutant Discharge Elimination System (NPDES) permits (NPDES No. CA 0079111), which requires permittees to develop, administer, implement, and enforce a comprehensive Stormwater Quality Improvement Plan (SQIP) in order to reduce pollutants in urban runoff to the maximum extent practicable.

Groundwater Resources

The city of Sacramento is underlain by various geologic formations that constitute the water-bearing deposits. These formations include an upper, unconfined aquifer system consisting of the Modesto, Riverbank, Turlock Lake, Victor, Fair Oaks, and Laguna formations, and Arroyo Seco and South Fork Gravels, and a lower, semi-confined aquifer system consisting primarily of the Mehrten Formation. These formations are typically composed of lenses of inter-bedded sand, silt, and clay that are interlaced with coarse-grained stream channel deposits. These deposits form a wedge that generally thickens from east to west to a maximum thickness of about 2,500 feet along the western margin of the subbasins (DWR 2006).

Groundwater occurs in unconfined to semi-confined states throughout the subbasins. Semi-confined conditions occur in localized areas; the degree of confinement typically increases with depth below the ground surface. Groundwater in the upper aquifer formations is typically unconfined. However, due to the mixed nature of the alluvial deposits, semi-confined conditions can be encountered at shallow depths in the upper aquifer.

Groundwater quality in the city of Sacramento is generally within the secondary drinking water standards for municipal use, including levels of iron, manganese, arsenic, chromium, and nitrates. The groundwater in the city is described as a calcium magnesium bicarbonate, with minor fractions of sodium magnesium bicarbonate (DWR 2004). The water quality in the upper aquifer system is regarded as superior to that of the lower aquifer system, principally because the lower aquifer system (specifically the Mehrten formation) contains higher concentrations of iron and

manganese. Water from the upper aquifer generally does not require treatment (other than disinfection) (SGA 2008).

The lower aquifer system also has higher concentrations of total dissolved solids (TDS, a measure of salinity) than the upper aquifer, although it typically meets standards as a potable water supply. The TDS in most wells are within the secondary drinking water standard, but vary quite significantly throughout the city, ranging from 21 to 657 mg/L, with the overall average at 221 mg/L (DWR 2004).

Flooding

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) and delineates areas subject to flood hazard on flood insurance rate maps (FIRMs) for each community participating in the NFIP. The FIRMs show the area subject to inundation by a flood that has a 1 percent or greater chance of being equaled or exceeded in any given year. As discussed above, this type of flood is referred to as the 100-year or base flood. The hydrologic and hydraulic models that are used to predict the boundaries of the 100-year floodplain and the estimated water surface elevations within the floodplain reflect a worst-case scenario of rate and volume of flow.

The Sacramento Area Flood Control Agency (SAFCA) was formed to address the Sacramento area's vulnerability to catastrophic flooding. This vulnerability was exposed during the record flood of 1986, when Folsom Reservoir exceeded its normal flood control storage capacity and several area levees nearly collapsed under the strain of the storm. In response, the City, Sacramento and Sutter Counties, Sutter County, the American River Flood Control District, and Reclamation District 1000 created SAFCA through a joint exercise of powers agreement to provide the Sacramento region with increased flood protection along the American and Sacramento Rivers. Further, the City has implemented a CIP that includes improvement of stormwater drainage facilities within the city to lessen localized flooding.

Floodplain Protection

In general, the area adjacent to a stream, river, or other water channel is called the floodplain. The floodplain is the area that is inundated during a flood event and is often physically discernible as a broad, flat area created by historical floods. Floodplains are illustrated on FIRMs produced by FEMA, which show areas of potential flooding. In its most common representation, the floodplain is most often referred to as the area that is inundated by a 100-year flood event. As mentioned above, a 100-year flood event has a 1 percent chance in any given year of being equaled or exceeded. The 100-year flood is the national, federally determined minimum standard to which communities regulate their floodplains through the NFIP.

In February 1996, the City prepared the Comprehensive Flood Management Plan to better protect citizens and property from major flood events. The Comprehensive Flood Management Plan was conceived as an implementation tool for the City Council to use in planning future modifications to policies and ordinances to enhance the level of flood protection in the City. Also in 1996, Congress approved funding of American River levee improvements. In 1999, Congress approved significant flood control projects, including the enlargement of the outlets in Folsom Dam, and raising the lowest levees on the American River, and Morrison Creek and its tributaries in southern areas of the city.

In December of 2008, the Flood Insurance Rate Maps (FIRMs) for the Natomas Basin were remapped by FEMA. The area, which was previously understood to offer between 100-year and 500-year protection (Shaded X Zone) was reclassified as within the 100-year floodplain (AE Zone)

after the Corps decertified the levee system protecting the basin. The remap required mandatory flood insurance for property owners and meant all new construction or substantial improvements to structures had to meet a 33-foot base flood elevation requirement. In response to the Corps decertification, SAFCA implemented the Natomas Levee Improvement Program (NLIP) to upgrade the levee system protecting the Natomas Basin (City of Sacramento 2010).

The principal objective of NLIP is providing 200-year flood protection to the Natomas Basin. As of December 2012, most of SAFCA's work under the NLIP had been completed or was planned for completion in 2013. Completion of the Corps' portion of the project was tentatively scheduled for 2014. A report documenting compliance with FEMA Zone A99 (areas subject to inundation by the 1-percent-annual-chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system) was submitted to FEMA in November of 2012. Congressional authorization will be required to achieve A99 status (SAFCA 2012).

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts to hydrology and water quality may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

- substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increases in sediments and other contaminants generated by construction and/or development of the Specific Plan or
- substantially increase the exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 4.7 of the Master EIR evaluates the potential effects of the 2035 General Plan as they relate to surface water, groundwater, flooding, stormwater and water quality. Potential effects include water quality degradation due to construction activities (Impacts 4.7-1, 4.7-2), and exposure of people to flood risks (Impact 4.7-3). Policies included in the 2035 General Plan, including a directive for regional cooperation (Policies ER 1.1.2, EC 2.1.1, EC 2.1.2), comprehensive flood management (Policy EC 2.1.23), and construction of adequate drainage facilities with new development (Policy U 4.1.1) were identified that reduced all impacts to a less-than-significant level.

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

Implementing the proposed Project would not affect or modify existing City policies addressing water quality or flooding. The Project does not make changes to building materials or other factors that could increase runoff and negatively affect drainage patterns. Development that may occur as a result of these changes would be required to comply with the requirements for drainage and stormwater runoff improvement as reviewed and approved by the Department of Utilities prior to building permit issuance.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Hydrology and Water Quality.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>8. <u>NOISE</u></p> <p>Would the project:</p> <p>A) Result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases?</p>			x
<p>B) Result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project?</p>			x
<p>C) Result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance?</p>			x
<p>D) Permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction?</p>			x
<p>E) Permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations?</p>			x
<p>F) Permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic?</p>			x

ENVIRONMENTAL SETTING

Land uses within the city of Sacramento include a range of residential, commercial, institutional, industrial, recreational, and open space areas. Although there are many noise sources within the city, the primary noise source is traffic. Significant noise also occurs from airplane traffic, railroads, and various stationary sources, as described below.

Freeways and Highways in the Policy Area

Motor vehicle noise commonly causes sustained noise levels in the vicinity of busy roadways or freeways. Several major freeways traverse the city of Sacramento. These include Interstate 5, Interstate 80, U.S. Highway 50, State Route 99, and State Route 160. The city also has many local roads that experience very high traffic volumes and contribute traffic noise. Most noise receptors, such as residences, built near these high-traffic corridors have some level of noise attenuation such as a sound wall or barrier. These receptors also have built-in interior noise attenuation that is the result of the building construction and insulation.

Noise levels affecting proposed new residences are reviewed on a project-by-project basis during the environmental review process. Residential projects that are proposed near major noise sources within the city are evaluated to determine whether they will be exposed to noise levels that will exceed applicable noise standards.

Aircraft Noise

Sacramento is served by four airports, the Sacramento International Airport, Executive Airport, McClellan Airfield, Mather Airport. The County owns and operates the airports as part of the Sacramento County Airport System. Of these airports, Sacramento International provides almost all commercial passenger flights. McClellan Airfield, formerly McClellan Air Force Base, features a 10,600 foot lighted runway approved for day/night use, includes a full-service fixed-base operator, and is shared by the U.S. Coast Guard. Mather Airport is used primarily for air shipping purposes, but also includes fixed-base operators and CalFIRE aircraft. Executive Airport is a public-use airport that serves mostly smaller, private planes.

Railway Noise

Rail lines cross through the city of Sacramento in a number of locations. Union Pacific trains traverse three routes:

- Generally north/south past California State University at Sacramento. This route averages approximately 17 trains per day;
- Generally north/south through downtown Sacramento. This route averages approximately 20 trains per day;
- Generally east/west through West Sacramento to the Union Pacific depot. This route averages approximately 10-12 freight trains per day.

Aside from freight trains, Amtrak passenger trains also arrive and depart from the Amtrak station located at 3rd and I streets in downtown Sacramento. The Capitol Corridor service operated by Amtrak is an intercity passenger train system serving Placer, Sacramento, and Yolo counties. It operates 32 trains daily carrying about 120,000 riders per month on average between Sacramento and San Jose, and is the fourth busiest Amtrak-operated route in the nation. Amtrak's San Joaquin Route provides intercity rail service between the Bay Area and Sacramento and Bakersfield, with bus connections to Los Angeles, Redding, Yosemite National Park and Las Vegas, Nevada. The Sacramento-to-Bakersfield segment has two daily round trips. Four daily round trips between Oakland/San Francisco and Bakersfield are also accessible by Sacramento and Elk Grove riders through Amtrak connecting buses (SACOG 2012). In addition to the noise generated by the trains themselves, noise is generated where trains intersect roadways by the warning bells used to alert motorists of a train's arrival.

Light Rail

Light rail transit, which is a major component of the City's transit system, also runs through the City of Sacramento along three routes: the Blue Line, the Green Line, and the Gold Line. The Blue Line runs from the Interstate 80/Watt Avenue interchange to the Meadowview area. The Green Line runs from Richards Boulevard through downtown to R Street. The Gold Line runs from Folsom to the Sacramento Valley Station in downtown Sacramento. Light rail service operates daily, beginning on weekdays at 4:00 AM, with service at 15-minute intervals throughout the day and every 30 minutes in the evening. On weekdays, trains operate until 1:00 AM on the Blue Line, until 12:00 AM on the Gold Line between Sacramento Valley Station and Sunrise Station, and until 7:00 PM from Sunrise Station to the terminus at Historic Folsom.

Stationary Sources

A wide variety of stationary noise sources are present in the city of Sacramento. The city contains many different land uses, all of which can produce noise. Residential areas are subject to noise through the use of heating and cooling equipment, and through landscape maintenance activities such as leaf-blowing and gasoline-powered lawnmowers. Commercial uses can also generate noise through the operation of rooftop heating and cooling equipment, truck deliveries, and other operational activities. Daily activity of certain industrial uses can generate noise as well, especially those that use heavy equipment as part of normal operations such as shipping and loading, concrete crushing, and recycling. Outdoor sporting event facilities that can attract large numbers of spectator, such as high school or college football fields, can also produce noise. The amount of noise produced depends on the size of the facility and the turnout for a specific event.

Roadway Noise Levels

Existing 24-hour noise levels have been calculated for various freeways, highways, and road segments throughout the city of Sacramento. Noise levels were modeled for the roadways with the highest traffic volumes within the city.

Traffic noise modeling was consistent with FHWA and Caltrans Traffic Noise Model (FHWA 2006 and Caltrans 2009) and used traffic volume data developed for the transportation analysis (F&P 2013). The modeling is based on the reference noise emission levels for automobiles, medium trucks, and heavy trucks, with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and ground attenuation factors. Truck usage and vehicle speeds on study area roadways were provided by the project-specific traffic report (F&P 2013). The modeling conducted does not account for any natural or human-made shielding (e.g., the presence of vegetation, berms, walls, or buildings) and, consequently, represents worst-case noise levels.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts due to noise may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

- result in exterior noise levels in the project area that are above the upper value of the normally acceptable category for various land uses due to the project's noise level increases;
- result in residential interior noise levels of 45 dBA L_{dn} or greater caused by noise level increases due to the project;

- result in construction noise levels that exceed the standards in the City of Sacramento Noise Ordinance;
- permit existing and/or planned residential and commercial areas to be exposed to vibration-peak-particle velocities greater than 0.5 inches per second due to project construction;
- permit adjacent residential and commercial areas to be exposed to vibration peak particle velocities greater than 0.5 inches per second due to highway traffic and rail operations; or
- permit historic buildings and archaeological sites to be exposed to vibration-peak-particle velocities greater than 0.2 inches per second due to project construction and highway traffic.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the potential for development under the 2035 General Plan to increase noise levels in the community. New noise sources include vehicular traffic, aircraft, railways, light rail and stationary sources. The General Plan policies establish exterior (Policy EC 3.1.1) and interior (EC 3.1.3) noise standards. A variety of policies provide standards for the types of development envisioned in the General Plan. See Policy EC 3.1.8, which requires new mixed-use, commercial and industrial development to mitigate the effects of noise from operations on adjoining sensitive land uses, and Policy 3.1.9, which calls for the City to limit hours of operations for parks and active recreation areas to minimize disturbance to nearby residences. Notwithstanding application of the General Plan policies, noise impacts for exterior noise levels (Impact 4.8-1) and interior noise levels (Impact 4.8-2), and vibration impacts (Impact 4.8-4) were found to be significant and unavoidable.

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT
None.

ANSWERS TO CHECKLIST QUESTIONS
Questions A–F

All properties are subject to the City’s noise regulations prescribed in Chapter 8.68 of the Sacramento City Code and the proposed Project does not include amendments related to the City’s noise standards nor does it exempt any land use from these standards. The proposed Project would remove the noise threshold for childcare centers (section 19 of the ordinance) because it is duplicative of the citywide noise standards prescribed in Chapter 8.68 and will not result in an impact. The proposed Project does not encourage uses or support activities that would generate noise levels beyond what was analyzed in the 2035 General Plan MEIR and therefore would not result in any impacts.

MITIGATION MEASURES
No mitigation measures are required.

Findings

The proposed Project would have no additional project-specific environmental effects relating to Noise.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>9. PUBLIC SERVICES</p> <p>Would the project result in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services beyond what was anticipated in the 2035 General Plan?</p>			x

Environmental Setting

Fire Protection

The Sacramento Fire Department (SFD) provides fire protection services to the entire city which includes approximately 99.2 square miles within the existing City Limits, as well as two contract areas that include 47.1 square miles immediately adjacent to the city boundaries within the unincorporated county (SFD 2011a). Contracted areas within SFD’s jurisdiction include the Pacific Fruitridge and Natomas Fire Protection Districts.

Areas outside of SFD’s service area but within the city are served by the Sacramento Metropolitan Fire District (Metro Fire), which provides regional fire protection and emergency services to unincorporated portions of Sacramento County.

Police Protection

The Sacramento Police Department (SPD) is principally responsible for providing police protection services for areas within the city. The County Sheriff’s Department; the California Highway Patrol (CHP); the University of California, Davis, Medical Center Police Department; and the RT Police Department support SPD to provide police protection within the city.

SPD operates four substations and is staffed by 676 sworn police officers and 240 civilian positions (SPD 2012). SPD is authorized to fund 700 sworn positions, including: one chief, four deputy chiefs, 12 captains, 23 lieutenants, 102 sergeants, and 662 officers., and 255 civilian positions. There are 44 cadets in the Police Academy, 11 recruits awaiting academy training, and 183 civilian volunteers

SPD does not have an adopted officer-to-resident ratio. The Department uses a variety of data that includes GIS based data, call and crime frequency information, and available personnel to rebalance its deployment on an annual basis to meet the changing demands of the city. SPD maintains an unofficial goal of 2.0 to 2.5 sworn police officers per 1,000 residents and 1 civilian support staff per 2 sworn officers. The Department is currently funded for 1.49 officers per 1,000 residents. Based on a 2011 population of 469,447 people and a current (2011) staffing level of 676 full time sworn officers, the ratio is 1.44 officers per 1,000 residents (DOF 2012). Based on 676 full time sworn officers and 240 civilian employees, the ratio of sworn officers to civilian employees is 2.82, which is just below SPD’s goal.

Schools

The Sacramento City Unified School District (SCUSD) is the primary provider of school services within the city. Other districts serving residents include the Twin Rivers Unified School District (TRUSD), Robla School District (RSD), Natomas Unified School District (NUSD), San Juan Unified School District (SJUSD), and the Elk Grove Unified School District (EGUSD). Some of these districts have schools outside the City Limits. It should be noted that on November 6, 2007, north area residents approved Measure B, a proposal to reorganize four north area school districts (North Sacramento, Del Paso Heights, Grant, and Rio Linda) into one unified preschool through adult education district, newly called the Twin Rivers Unified School District (TRUSD).

The SCUSD area covers the Central City, east to the City Limits. SCUSD is bordered on the north by TRUSD. NUSD, SJUSD, and RSD are located further north, extending to the county border. EGUSD covers the southern portion of the city.

Among the city's 297,212 residents aged 25 or over in 2011, 81.5 percent hold a high school diploma or higher and 29.2 percent hold a bachelor's degree or higher (U.S. Census 2011).

More than 150 public schools serve the city of Sacramento. Specifically, SCUSD operates more than 80 schools throughout the city; the District includes traditional elementary, middle, and high schools, as well as alternative education, adult education, and charter school facilities (SCUSD 2012a). TRUSD has 15 elementary schools, four middle schools, and three high schools in the city (TRUSD 2012a; TRUSD 2012b). TRUSD also operates many alternative education, adult education, special education, and charter school facilities. The RSD includes only elementary schools and one preschool, and all six of their schools are located within the City Limits (RSD 2012a; RSD 2012b). NUSD operates two high schools, one middle school, and eight elementary schools serving residents of the Natomas area (NUSD 2010a; NUSD 2010b). NUSD also has a School Readiness and Early Learning Program for preschool services, a science and technology-focused school for elementary and middle school students, a continuation high school, and six charter schools for students from elementary to high school. The SJUSD has one elementary school, one K-8 school, and one high school that serve the city (SJUSD 2012a; SJUSD 2012b; SJUSD 2012c; SJUSD 2012d). EGUSD has five high schools, four middle schools, and seven elementary schools that serve students in the city (EGUSD 2012a; EGUSD 2012b). EGUSD also offers alternative education options through a continuation high school, an independent study high school, and a virtual academy providing education online for elementary and middle school students.

Higher Education

Opportunities for higher education in the city of Sacramento are provided by both public and private colleges and universities including Cosumnes River College, McGeorge School of Law, UC Davis Medical School, Sacramento State University, Sacramento City College, and American River College.

The Los Rios Community College District operates Cosumnes River College (8401 Center Parkway), American River College (4700 College Oak Drive), and the Sacramento City College (3835 Freepoint Boulevard) within the city, which provide transfer, general, and career education at the lower division level. The Los Rios Community College District enrolls more than 90,000 students (LRCCD 2012).

The University of the Pacific operates McGeorge School of Law. The private campus is located in Sacramento, at 3200 Fifth Avenue.

The California State University, Sacramento (Sacramento State) campus, provides undergraduate and graduate education to approximately 28,000 students and graduates about 6,500 students each year (CP 2011). The public university is located at 6000 J Street and encompasses

approximately 300 acres (CSUS 2012). In fall of 2011, Sacramento State became an “impacted” university, where documented student demand exceeds funded capacity (CSUS 2009). Sacramento State uses supplemental admission criteria to evaluate first-time freshmen and new transfer applicants outside of local areas for admission. Applicants outside local areas for admission are required to meet additional criteria and are offered admission by rank order. As diversity in the Sacramento region continues to increase, Sacramento State anticipates that the student body will continue to diversify even while impacted

Libraries

The Sacramento Public Library (SPL) is a joint powers agency between the cities of Sacramento, Citrus Heights, Elk Grove, Galt, Isleton, Rancho Cordova, and the County of Sacramento (SPL 2007b). SPL serves residents of each of these cities and county.

SPL operates a total of 27 branches, including 11 branches in the city and 16 branches outside the city, and a bookmobile (SPL 2012c). Residents of Sacramento County have access to all library branches both inside and outside the city. Figure 5-6 shows the current locations of libraries located in the city of Sacramento .

Emergency Services

The City and County both implement programs to facilitate emergency preparedness. Specifically, the City of Sacramento Multi-Hazard Emergency Plan addresses the City’s planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations for areas within the City’s jurisdictional boundaries. It provides operational concepts related to various emergency situations, identifies components of the local emergency management organization, and describes the City’s overall responsibilities for protecting life and property during an emergency. The plan also identifies possible sources of outside support (through mutual aid and specific statutory authorities) from other jurisdictions, and the private sector.

The Sacramento County Multi-Hazard Mitigation Plan, a multijurisdictional plan that aims to reduce or eliminate long-term risk to people or property from natural disasters and their effects, is also applicable to the city of Sacramento and areas that are outside of the city. Both plans provide an overview of operational concepts, identify components of the County’s and City’s emergency management organization within the Standardized Emergency Management System, and describe the overall responsibilities of Federal, State, and local agencies for protecting life and property and assuring the overall well-being of the population.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the potential effects of the 2035 General Plan on various public services. These include parks (Chapter 4.9) and police, fire protection, schools, libraries and emergency services (Chapter 4.10).

The General Plan provides that adequate staffing levels for police and fire are important for the long-term health, safety and well-being of the community (Goal PHS 1.1, PHS 2.1). The Master EIR concluded that effects would be less than significant.

General Plan policies that call for the City to consider impacts of new development on schools (see, for example, Policy ERC 1.1.2 setting forth locational criteria, and Policy ERC 1.1.5 that encourages joint-use development of facilities) reduced impacts on schools to a less-than-significant level. Impacts on library facilities were also considered less than significant (Impact 4.10-5).

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None.

ANSWER TO CHECKLIST QUESTION

The proposed Project would not affect or modify existing City policies, development regulations, or design standards addressing public services. The City has structured its development impact fees to provide for adequate public infrastructure and services for new development. Impacts of new development would continue to be addressed at a project level through objective design and development standards, building codes, fee payment, and other means deemed acceptable to service providers. The proposed Project would not affect the City’s infrastructure planning in this regard.

The proposed Project would not result in any reasonably foreseeable increase in demand for police, fire, or emergency services. These services are now provided in the City and would continue to be provided as needed. No new effects on public services would occur as a result of adoption of the proposed Project.

The proposed Project is consistent with the goals and policies of the 2035 General Plan and Master EIR. The Master EIR evaluated the cumulative effects of development that could occur under the 2035 General Plan, and the project would result in no additional significant environmental effects.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Public Services.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>10. <u>RECREATION</u> Would the project:</p> <p>A) Cause or accelerate substantial physical deterioration of existing area parks or recreational facilities?</p>			X
<p>B) Create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan?</p>			X

ENVIRONMENTAL SETTING

The Youth, Parks, and Community Enrichment Department (YPCE) maintains more than 4,368 acres of parkland, and manages more than 223 parks, recreation, parkway and open space sites, 88 miles of road bikeways and trails, 21 lakes, ponds or beaches, over 27 aquatic facilities, and provides park and recreation services at City-owned facilities within the city of Sacramento. Several facilities within the city of Sacramento are owned or operated by other jurisdictions, such as the County of Sacramento, the State of California, and Sacramento City Unified School District. The City of Sacramento Parks and Recreation Master Plan (PRMP) guides park development in the city.

The YPCE generally categorizes parks according to five distinct park types: 1) neighborhood, 2) community, 3) regional, and 4) open Space/parkways (PRD 2012). Several facilities within the city are owned or operated by other jurisdictions, such as the County and the State of California. The City of Sacramento Parks and Recreation Master Plan guides park development in the city. The City maintains 1,535.1 acres of Citywide/Regionally Serving parkland. With a 2010 population of 466,488, the City achieves a service level of approximately 3.3 Citywide/Regionally Serving acres per 1,000 residents. As identified in the City's PRMP, the Citywide/Regionally-serving park service goal is to provide 8.0 acres per 1,000 persons (PRD 2013).

Parks are generally categorized into five distinct park types by the YPCE: urban plazas/pocket parks, neighborhood parks, community parks, regional parks, and open space/parkways. Sacramento's parks contain a variety of recreational facilities, with areas available for active organized sports, including soccer fields, baseball diamonds, tennis courts, volleyball courts, and basketball courts. Additionally, benches, picnic tables, and barbecues are available for informal recreation activities. Tot lots exist for children in many of the play areas in the city's parks. Biking and walking trails are also popular recreational amenities. In addition, swimming pools and wading/play pool facilities are available to the public. Additional recreational resources within the city include community centers, bocce ball courts, dog parks, equestrian trails, four 18-hole golf courses, and two nine-hole golf courses. Specialized recreation facilities include the Garden & Art Center, the Southside Jogging Center, the Mangan Rifle and Pistol Range, and the Sacramento Horsemen's Association. Private recreation facilities such as country clubs also provide recreational opportunities in the city of Sacramento.

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts to recreational resources are considered significant if the proposed project would do either of the following:

- cause or accelerate substantial physical deterioration of existing area parks or recreational facilities; or
- create a need for construction or expansion of recreational facilities beyond what was anticipated in the 2035 General Plan.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Chapter 6.9 of the Master EIR considered the effects of the 2035 General Plan on the City's existing parkland, urban forest, recreational facilities and recreational services. The general plan identified a goal of providing an integrated park and recreation system in the City (Goal ERC 2.1). New residential development will be required to dedicate land, pay in-lieu fees or otherwise contribute a fair share to the acquisition and development of parks and recreation facilities. (Policy ERC 2.2.5) Impacts were considered less than significant after application of the applicable policies. (Impacts 4.9-1 and 4.9-2)

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT
None required.

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

Implementing the proposed Project would not affect or modify existing City policies, development regulations, or design standards addressing recreational facilities. The proposed Project would not result in a substantial increased demand for recreational facilities that has not already been addressed in the 2035 General Plan and Master EIR. The proposed Project does not change the City’s recreation and open space requirements.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Recreation.

Issues:	Effect will be studies in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
<p>11. <u>TRANSPORTATION AND CIRCULATION</u> Would the project:</p> <p>A) Roadway segments: degrade peak period Level of Service (LOS) from A,B,C or D (without the project) to E or F (with project) or the LOS (without project) is E or F, and project generated traffic increases the Volume to Capacity Ratio (V/C ratio) by 0.02 or more.</p>			X
<p>B) Intersections: degrade peak period level of service from A, B, C or D (without project) to E or F (with project) or the LOS (without project) is E or F, and project generated traffic increases the peak period average vehicle delay by five seconds or more.?</p>			X
<p>C) Freeway facilities: off-ramps with vehicle queues that extend into the ramp’s deceleration area or onto the freeway; project traffic increases that cause any ramp’s merge/diverge level of service to be worse than the freeway’s level of service; project traffic increases that cause the freeway level of service to deteriorate beyond level of service threshold defined in the Caltrans Route Concept Report for the facility; or the expected ramp queue is greater than the storage capacity?</p>			X

D)	Transit: adversely affect public transit operations or fail to adequately provide for access to public?			X
E)	Bicycle facilities: adversely affect bicycle travel, bicycle paths or fail to adequately provide for access by bicycle?			X
F)	Pedestrian: adversely affect pedestrian travel, pedestrian paths or fail to adequately provide for access by pedestrians?			X

ENVIRONMENTAL SETTING

Roadways and Access

An established transportation network offers local and regional access within and around the city. Major highways include Capital City Freeway (SR 51), I-5, SR 99, and SR 160. Sacramento also contains numerous arterial, collector, and neighborhood streets, some of which include bicycle lanes. Sacramento is relatively well served by regional and intercity transit facilities. The Sacramento Regional Transit District’s (RT’s) light rail system and series of bus routes serve the city and help to accommodate pedestrian traffic, particularly to and from the Central City area.

Parking

Sacramento's Planning and Development Code parking regulations were recently updated to help achieve the City’s General Plan and Central City goals of increased livability and a sustainable and multimodal transportation system while adequately addressing the rapidly evolving challenges of new development and economic growth. In certain areas Downtown and near other destination centers, on-street parking shortages often occur even as vast amounts of nearby off-street parking is underutilized. In residential neighborhoods adjacent to busy commercial corridors, parking demand spillover can create parking shortages even on otherwise quiet streets (Sacramento 2011).

Previous parking requirements inadvertently created barriers to economic development in many instances, increasing the difficulty, expense, and uncertainty for the City, residents, developers, and businesses. Parking requirements for storefront commercial uses exceeded parking demand rates associated with urban retail, were onerous for in-fill development projects, and were overly specific. The parking entitlement process created uncertainty for developers and absorbed an inordinate amount of time and resources. As a result, parking supply greatly exceeded demand in many facilities at peak hour. Meanwhile, on-street parking shortages continued in several commercial hotspots likely due to a combination of free and low-cost on-street parking that discourages the use of more expensive off-street lots and garages, and inadequate wayfinding signage to off-street garages (Sacramento 2012b).

GENERAL PLAN POLICIES

General Plan Policy M 1.2.2 - LOS Standard: The City shall allow for flexible Level of Service (LOS) standards, which will permit increased densities and mix of uses to increase transit ridership, biking, and walking, which decreases auto travel, thereby reducing air pollution, energy consumption, and greenhouse gas emissions.

a. Core Area Level of Service Exemption-LOS F conditions are acceptable during peak hours in the Core Area bounded by C Street, the Sacramento River, 30th Street, and X Street. If a Traffic Study is prepared and identifies a LOS impact that would otherwise be considered significant to a roadway or intersection that is in the Core Area as described

above, the project would not be required in that particular instance to widen roadways in order for the City to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project provides improvements to other parts of the citywide transportation system in order to improve transportation-system-wide roadway capacity, to make intersection improvements, or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to road segments in order to conform to the General Plan. This exemption does not affect the implementation of previously approved roadway and intersection improvements identified for the Railyards or River District Policy Areas.

b. Level of Service Standard for Multi-Modal Districts-The City shall seek to maintain the following standards in the Central Business District, in areas within 1/2 mile walking distance of light rail stations, and in areas designated for urban scale development (Urban Centers, Urban Corridors, and Urban Neighborhoods as designated in the Land Use and Urban Form Diagram). These areas are characterized by frequent transit service, enhanced pedestrian and bicycle systems, a mix of uses, and higher-density development.

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

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

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

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

- 12th/14th Avenue: State Route 99 to 36th Street
- 24th Street: Meadowview Road to Delta Shores Circle
- 65th Street: Folsom Boulevard to 14th Avenue
- Alhambra Boulevard: Folsom Boulevard to P Street
- Arcade Boulevard: Marysville Boulevard to Del Paso Boulevard
- Arden Way: Capital City Freeway to Ethan Way
- Blair Avenue/47th Avenue: S. Land Park Drive to Freeport Boulevard
- Broadway: 15th Street to Franklin Boulevard
- Broadway: 58th to 65th Streets
- El Camino Avenue: Stonecreek Drive to Marysville Boulevard
- El Camino Avenue: Capitol City Freeway to Howe Avenue
- Elder Creek Road: 65th Street to Power Inn Road
- Florin Perkins Road: 14th Avenue to Elder Creek Road
- Florin Road: Greenhaven Drive to 1-5; 24th Street to Franklin Boulevard
- Folsom Boulevard: 34th Street to Watt Avenue
- Freeport Boulevard: Broadway to Seamas Avenue
- Fruitridge Road: Franklin Boulevard to SR 99
- Garden Highway: Truxel Road to Northgate Boulevard
- Howe Avenue: American River Drive to Folsom Boulevard
- J Street: 43rd Street to 56th Street
- Mack Road: Meadowview Road to Stockton Boulevard
- Martin Luther King Boulevard: Broadway to 12th Avenue
- Marysville Boulevard., 1-80 to Arcade Boulevard
- Northgate Boulevard: Del Paso Road to SR 160
- Raley Boulevard: Bell Avenue to 1-80
- Roseville Road: Marconi Avenue to 1-80
- Royal Oaks Drive: SR 160 to Arden Way
- Truxel Road: 1-80 to Gateway Park

STANDARDS OF SIGNIFICANCE

For purposes of this Initial Study, impacts resulting from changes in transportation or circulation may be considered significant if construction and/or implementation of the Proposed Project would result in the following impacts that remain significant after implementation of General Plan policies or mitigation from the General Plan MEIR:

Roadway Segments

- the traffic generated by a project degrades peak period Level of Service (LOS) from A,B,C or D (without the project) to E or F (with project) or
- the LOS (without project) is E or F, and project generated traffic increases the Volume to Capacity Ratio (V/C ratio) by 0.02 or more.

Intersections

- the traffic generated by a project degrades peak period level of service from A, B, C or D (without project) to E or F (with project) or
- the LOS (without project) is E or F, and project generated traffic increases the peak period average vehicle delay by five seconds or more.

Freeway Facilities

Caltrans considers the following to be significant impacts.

- off-ramps with vehicle queues that extend into the ramp's deceleration area or onto the freeway;
- project traffic increases that cause any ramp's merge/diverge level of service to be worse than the freeway's level of service;
- project traffic increases that cause the freeway level of service to deteriorate beyond level of service threshold defined in the Caltrans Route Concept Report for the facility; or
- the expected ramp queue is greater than the storage capacity.

Transit

- adversely affect public transit operations or
- fail to adequately provide for access to public transit.

Bicycle Facilities

- adversely affect bicycle travel, bicycle paths or
- fail to adequately provide for access by bicycle.

Pedestrian Circulation

- adversely affect pedestrian travel, pedestrian paths or
- fail to adequately provide for access by pedestrians.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

Transportation and circulation were discussed in the Master EIR in Chapter 4.12. Various modes of travel were included in the analysis, including vehicular, transit, bicycle, pedestrian and aviation components. The analysis included consideration of roadway capacity and identification of levels of service, and effects of the 2035 General Plan on the public transportation system. Provisions of the 2035 General Plan that provide substantial guidance include Goal Mobility 1.1, calling for a transportation system that is effectively planned, managed, operated and maintained, promotion of multimodal choices (Policy M 1.2.1), identification of level of service standards (Policy M 1.2.2), and development of complete streets (Goal M 4.2).

While the General Plan includes numerous policies that direct the development of the City's transportation system, the Master EIR concluded that the General Plan development would result in significant and unavoidable effects. See Impacts 4.12-3 and 4.12-4 for significant and unavoidable impacts related to road segments of adjacent jurisdictions and freeways.

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT
None.

ANSWERS TO CHECKLIST QUESTIONS

Questions A-F

The proposed Project would not affect the location or density of development and would not affect traffic or transportation programs.

The proposed Project does not propose any specific projects for future development beyond what was analyzed in the 2035 General Plan MEIR. The proposed Project does not change the review procedure for land uses in zones that are designed to accommodate higher traffic volumes. For example, permitting by-right commercial services in the Highway Commercial zone would not result in drastic traffic increases because these zones are specifically placed along highway corridors and arterial roadways that are designed to accommodate higher traffic volumes. The Project's amendment to allow for larger gas stations in industrial zones along truck routes will also see negligible impacts because these properties are within 500-feet of corridors that are designed to accommodate large commerce truck traffic. Further, a gas station will still need to obtain a discretionary conditional use permit in which a project specific traffic analysis will be completed.

Adoption of the project would not affect or modify existing City policies, development regulations, or design standards addressing traffic congestion, levels of service (as used for CEQA purposes under the 2035 General Plan MEIR), vehicle miles traveled (the current metric under CEQA), and roadway infrastructure. There are no new or additional freeway impacts which were not analyzed in the Master EIR. The proposed Project would not change the amount of vehicle trips contained in the Master EIR and resulting traffic impacts that were analyzed and considered in the 2035 General Plan EIR.

Roadway improvements made necessary by the development to maintain operational standards and safety of the roadway are determined when such uses are proposed.

The proposed Project is consistent with the 2035 General Plan policies listed at the beginning of Section III, including Policy LU 1.1.5, which directs the City to promote and provide incentives (e.g. focused infill planning, zoning/rezoning, revised regulations, provision of infrastructure) for infill development).

Automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA. (Public Resources Code 21099(b)(2); CEQA Guidelines 15064.3(a).)

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Transportation and Circulation.

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
12. <u>UTILITIES AND SERVICE SYSTEMS</u>			
Would the project:			
A) Result in the determination that adequate capacity is not available to serve the project's demand in addition to existing commitments?			X
B) Require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts?			X

ENVIRONMENTAL SETTING

Communication Systems

Telecommunication service to the city is provided by AT&T, Sprint, Comcast, Surewest, MetroPCS Wireless, Verizon Communications, Inc., Integra Telecom Holdings, Inc. (ITH), Digital Path, Inc., Frontier Communications Corporation, Level 3 Communications, LLC, and Earthlink Business. To minimize interference with public use of city streets, reduce the attendant loss of parking and business, and avoid shortening the life span of public roads, the City adopted Ordinance No. 97-537, which imposes a nondiscriminatory fee on telecommunications providers using the right-of-way to install facilities.

Water Supply

Domestic water services within the Ordinance Area are provided by the City and other water purveyors. The City provides domestic water service to the area within the City Limits and to several small areas within Sacramento County. The City's water facilities also include water storage reservoirs, pumping facilities, and a system of transmission and distribution mains. The city's water supply comes from the American and Sacramento Rivers and groundwater pumped from the North and South American Sub-basins.

Sewer and Storm Drainage

Wastewater collection is provided by both the City and the County, depending on location. The City provides wastewater collection to about two-thirds of the area within the City Limits. Within the city, there are two distinct areas: areas served by a separate sewer system, and an area served by a combined sewer system, which is described in more detail later in this section.

The Sacramento Regional County Sanitation District (SRCSD) and the Sacramento Area Sewer District (SASD) [formerly County Services District CSD-1] provide both collection and treatment services within their service area for the portions of the city served by the separate sewer system. Wastewater generated in this area is collected by trunk facilities in the Sacramento Area Sewer District and then conveyed via interceptors to the Sacramento Regional Wastewater Treatment Plant (SRWTP). The SRCSD has prepared and is implementing its master plan related to wastewater conveyance – the Interceptor Master Plan 2000 – and the SASD is implementing its master plan – the Sewer System Capacity Plan 2010 Update.

The Sacramento Area Sewer District serves the community plan areas of South Natomas, North Natomas, and portions of Arcade-Arden, portions of East Sacramento (e.g. College/Glen), portions of South Sacramento (e.g. Valley Hi Parkway, Woodbine, Brentwood), and Southeast Sacramento (e.g. Glen Elder, Depot Park, Avondale). The service area is divided into ten trunk sheds, which are based on the collection systems of the individual sewer districts from which CSD-1 was originally formed. For the most part, each trunk shed consists of several hydraulically independent systems, each discharging into the SRCSD interceptor system. According to the District's Sewer System Capacity Plan 2010 Update, there are no existing capacity deficiencies within the Sacramento City Limits.

The community plan areas served by the City's separate sewer system include North Sacramento, and portions of Arden-Arcade, most of South Sacramento (e.g. Pocket, Airport, Meadowview, South Land Park), and most of East Sacramento. The areas served by the City's separate sewer systems are divided into 54 sewer basins, and wastewater from the basins is conveyed to the SRWTP via gravity flow or one of the 40 pumping stations located throughout the city. Twenty-seven of the pumping facilities were constructed between the 1950s and 1970s, with most of them being rebuilt in the past 15 years. The remaining 13 pumping stations were constructed between 1985 and 2004.

The older Central City area is served by a system in which sanitary sewage and storm drainage are collected and conveyed in the same system of pipelines, referred to as the Combined Sewer System (CSS). The area served by the CSS extends from the Sacramento River on the west, to the vicinity of Sutterville Road and 14th Avenue on the south, to about 65th Street on the east, and to North B Street and the American River on the north (see Figure 4-1) and constitutes approximately 7,545 acres or 12 percent of the total area within the current City Limits. There are some local areas within this larger area that have separate sewer and storm drainage systems, but the bulk of the area is served by the combined system. Additionally, there are some peripheral areas that have separate sewer and storm drainage that contribute sewage to the CSS.

Solid Waste

As of September 1994, the City of Sacramento closed its landfill to the acceptance of municipal solid waste. The City is working with Conergy, a solar panel manufacturer and distributor, to create a solar park at the closed landfill site (City of Sacramento 2012b).

The City collects all residential solid waste for customers within the City. Refuse from the south region of the city is transported to the Sacramento Recycling and Transfer Station (SRTS) at 8491 Fruitridge Road and refuse collected in the north region is transported to the Sacramento County North Area Recovery Station (NARS). Refuse is then hauled from both locations to the Sacramento County Kiefer Landfill. Commercial solid waste is collected by private franchised haulers and disposed of at various facilities including the SRTS, the Sacramento County Kiefer Landfill, the Yolo County Landfill, L and D Landfill, Florin Perkins Landfill, Elder Creek Transfer Station, and the Sacramento County North Area Recovery Station. In addition to collecting municipal refuse every week, the City collects garden refuse on a weekly basis, which is delivered to the SRTS and the Elder Creek Transfer Station; collects curbside recycling every other week (as of July 1, 2013), which is brought to the SRTS; and offers a neighborhood cleanup collection and one dump coupon a year to each household.

On June 26, 2012, the City of Sacramento Recycling and Solid Waste Division presented the 2012 Business Plan to the City Council (SWRD 2012). Staff recommended that the Recycling and Solid Waste Division discontinue commercial waste collection and recycling services in order to focus on residential services and to avoid a 37 percent rate increase. The City discontinued commercial waste services on August 3, 2012. The Business Plan recommended reducing curbside recycling

from weekly to biweekly collection, implementing year-round containerized yard waste collection (Measure T passed on November 6, 2012), providing loose-in-the-street (LITS) yard waste collection service during leaf season, increasing staffing and equipment for the illegal dumping cleanup program, and adding a pilot “dump coupon” program allowing residents to deliver up to five cubic yards of waste to the Sacramento Recycling and Transfer Station at no charge. The Business Plan also recommended restoring the Appointment Based Neighborhood Cleanup Program which allows residents to schedule one appointment per year between February and October for the collection of large refuse items. The City anticipates adopting the changes as part of the City’s Municipal Code in mid-2013, with service changes scheduled to go into effect July 1, 2013. The proposed changes will reduce carbon emissions generated by the City’s solid waste fleet by an estimated five percent, reduce fuel consumption by 83,000 gallons, and reduce truck miles traveled on City streets by 87,000 miles annually.

The City of Sacramento also operates a street sweeping service which sweeps more than 150,000 miles of public right-of-way every year, provides information and resources for residents interested in backyard composting, and offers household hazardous waste drop-off at the Sacramento Recycling and Transfer Station at no charge for most materials (City of Sacramento 2012d). The City provides public outreach for recycling through presentations at schools, clubs, church groups, and community groups.

The Sacramento County Kiefer Landfill is the primary location for the disposal of waste by the City of Sacramento. The landfill accepts municipal waste and industrial waste and is permitted to accept up to 10,815 tons per day, averaging 6,300 tons per day (CalRecycle, Solid Waste Facility Permit 34-AA-0001). This is further limited, however, by Section 17, Condition 26 and Table 2 of Kiefer’s Solid Waste Permit, which limits the 2013 peak to 5,928 TPD and average to 3,487 TPD. The landfill received over 658,000 tons in 2012 (Sacramento County). It is the only landfill facility in Sacramento County permitted to accept household waste from the public. Current peak and average daily disposal is much, much lower than the current permitted amounts. As of 2012, 305 acres of the 660 acres contain waste (County of Sacramento 2012d). As a result, the Kiefer Landfill should be able to serve the area until the year 2065. The landfill facility sits on 1,084 acres.

STANDARDS OF SIGNIFICANCE

For the purposes of this Initial Study, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, or school facilities beyond what was anticipated in the 2035 General Plan:

- result in the determination that adequate capacity is not available to serve the project’s demand in addition to existing commitments or
- require or result in either the construction of new utilities or the expansion of existing utilities, the construction of which could cause significant environmental impacts.

SUMMARY OF ANALYSIS UNDER THE 2035 GENERAL PLAN MASTER EIR, INCLUDING CUMULATIVE IMPACTS, GROWTH INDUCING IMPACTS, AND IRREVERSIBLE SIGNIFICANT EFFECTS

The Master EIR evaluated the effects of development under the 2035 General Plan on water supply, sewer and storm drainage, solid waste, electricity, natural gas and telecommunications. See Chapter 4.11.

The Master EIR evaluated the impacts of increased demand for water that would occur with development under the 2035 General Plan. Policies in the general plan would reduce the impact

generally to a less-than-significant level (see Impact 4.11-1) but the need for new water supply facilities results in a significant and unavoidable effect (Impact 4.11-2). The potential need for expansion of wastewater treatment facilities was identified as having a less than significant effect (Impact 4.11-4). Impacts on solid waste facilities were less than significant (Impact 4.11-5). Implementation of energy efficient standards as set forth in Titles 20 and 24 of the California Code of Regulations for residential and non-residential buildings, would reduce effects for energy to a less-than-significant level.

MITIGATION MEASURES FROM 2035 GENERAL PLAN MASTER EIR THAT APPLY TO THE PROJECT

None available.

ANSWERS TO CHECKLIST QUESTIONS

Questions A and B

The proposed Project does not propose any specific projects for future development beyond what was analyzed in the 2035 General Plan MEIR. Implementing the proposed Project would not affect or modify existing City policies, development regulations, or design standards addressing utilities and service systems. Because the proposed project would not affect the location or density of development, adoption would not result in a substantial increased demand for water and sewer needs that has not already been addressed in the 2035 General Plan and MEIR.

The City has structured its development impact fees to provide for adequate services for new development. Impacts of new development would continue to be addressed at a project level through objective design and development standards, building codes, fee payment, and other means deemed acceptable to service providers. Adopting the proposed Project would result in no additional significant impacts relating to utilities and service systems.

MITIGATION MEASURES

No mitigation measures are required.

FINDINGS

The proposed Project would have no additional project-specific environmental effects relating to Utilities and Service Systems.

MANDATORY FINDINGS OF SIGNIFICANCE

Issues:	Effect will be studied in the EIR	Effect can be mitigated to less than significant	No additional significant environmental effect
13. MANDATORY FINDINGS OF SIGNIFICANCE			
A.) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X
B.) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X
C.) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X

Answers to Checklist Questions

Question A - C

As described in the preceding sections, the proposed Project does not propose any specific projects for future development beyond what was analyzed in the 2035 General Plan MEIR. Implementing the proposed project would not affect or modify existing City policies development regulations such as land use designations or zoning, or design standards addressing biological resources, air quality, transportation and traffic, noise, public services, groundwater, utilities, aesthetics, energy, recreation, and cultural resources individually or cumulatively.

The Project will not have any effects on the quality of the environment or reduce habitat for fish or wildlife population because it encourages infill development with streamlined development and does not permit new development in greenfield areas where habitat is more sensitive. The Project will also not cause adverse effects on human populations, directly or indirectly, because it does not introduce new land uses in incompatible zones that have not already been previously evaluated in past or current project and therefore this Project will also not impact future projects.

Any development occurring after the adoption of the proposed project would be subject to all existing City and State standards. Implementing the proposed Project would result in no additional significant cumulative impacts.

SECTION IV - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project.

- | | |
|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> None Identified | <input type="checkbox"/> |

SECTION V - DETERMINATION

On the basis of the initial study:

- X I find that (a) the proposed Project is a subsequent project within the scope of the Master EIR for the City of Sacramento 2035 General Plan and is consistent with the 2035 General Plan land use designations and the permissible densities and intensities of use; and (b) the proposed Project will not have any project-specific additional significant environmental effects not previously examined in the Master EIR, and no new mitigation measures or alternatives will be required. Mitigation measures from the Master EIR will be applied to the proposed Project as appropriate. Notice shall be provided pursuant to CEQA Guidelines Section 15087. (CEQA Guidelines Section 15177(b))

Signature

Scott Johnson

Printed Name

3-19-2021

Date

SECTION VI – EXHIBITS

EXHIBIT A: 2021 PLANNING AND DEVELOPMENT CODE OMNIBUS ORDINANCE (TITLE 17 BUNDLE)

ORDINANCE NO.

Adopted by the Sacramento City Council
Date Adopted

AN ORDINANCE AMENDING AND DELETING VARIOUS PROVISIONS OF TITLE 17 OF THE SACRAMENTO CITY CODE, RELATING TO PLANNING AND DEVELOPMENT

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

SECTION 1.

The city council finds the following:

1. As amended by this ordinance, the Planning and Development Code complements, supports, and facilitates the implementation of the goals, policies, and other provisions of the general plan and the city’s specific plans and transit village plans; and
2. The amendments in this ordinance promote the public health, safety, convenience, and welfare of the city.

SECTION 2.

A. The definition of “auto—sales, storage, rental” in section 17.108.020 of the Sacramento City Code is hereby amended to read as follows:

“Auto—sales, storage, rental” means an establishment primarily engaged in the sale, long term storage, or rental or leasing of automobiles, light trucks, vans, motorcycles, trailers, and recreational vehicles subject to registration with the California Department of Motor Vehicles. Regulation of this use varies, depending on the distance from a light rail station. Sales of heavy trucks and tractors are included within the category of “tractor or heavy truck sales, storage, rental.”

B. Except as amended by subsection A above, all provisions of section 17.108.020 remain unchanged and in full effect.

SECTION 3.

A. The definition of “correction facility” in section 17.108.040 of the Sacramento City Code is hereby amended to read as follows:

“Correctional facility” means any of the following:

1. ~~a~~ A place in which people are physically confined and deprived of a range of personal freedoms as a legal penalty for the commission of a crime, such as a jail, prison, prison camp, correctional institution, and penitentiary.

2. Any place that “Correctional facility” also includes alternative and neighborhood based correctional facilities for a parolees ~~and or~~ probationer is required to visits, as a condition of parole or probation, such as a day reporting center, community correctional and re-entry centers, work furlough program sites, restitution centers, and or substance abuse community correctional centers, except places used solely for drug and alcohol testing.

B. Except as amended by subsection A above, all provisions of section 17.108.040 remain unchanged and in full effect.

SECTION 4.

A. The definition of “lot coverage” in section 17.108.130 of the Sacramento City Code is hereby amended to read as follows:

“Lot coverage” means the amount of lot, stated in terms of a percentage, that is covered by all buildings or structures. Lot coverage includes all buildings, porches, breezeways, patio roofs, and the like, whether open box type or lathe roofs, or fully roofed, but does not include fences, walls, ~~or~~ hedges used as fences, uncovered porches or patios that are less than 30 inches in height, or swimming pools. On a residential structure, an eave overhang measuring two feet or less in width, shall not be included in lot coverage. If the overhang exceeds two feet in width, the entire overhang shall be included in lot coverage.

B. Except as amended by subsection A above, all provisions of section 17.108.130 remain unchanged and in full effect.

SECTION 5.

A. The definition of “urban development permit” in section 17.108.220 of the Sacramento City Code is hereby deleted.

~~“Urban development permit” means a discretionary permit used to determine the consistency of development in the Sacramento Railyards specific plan area with the goals, policies, objectives and other provisions of the Sacramento Railyards specific plan,~~

~~the Sacramento Railyards design guidelines, the Sacramento Railyards specific plan environmental impact report and mitigation monitoring program, any applicable development agreement, this title, and all other applicable plans, ordinances, and development regulations, and to ensure the development is compatible with surrounding development. The urban development permit is governed exclusively by chapter 17.440.~~

B. Except as amended by subsection A above, all provisions of section 17.108.220 remain unchanged and in full effect.

SECTION 6.

A. The “Residential care facility” row is hereby deleted from section 17.208.510.B.1 (R-4 zone; conditional uses; residential uses) of the Sacramento City Code.

Residential care facility	-	PDC
--------------------------------------	---	-----

B. Except as amended by subsection A above, all provisions of section 17.208.510 remain unchanged and in full effect.

SECTION 7.

A. The “Residential care facility” row is hereby deleted from section 17.208.610.B.1 (R-4A zone; conditional uses; residential uses) of the Sacramento City Code.

Residential care facility	-	PDC
--------------------------------------	---	-----

B. Except as amended by subsection A above, all provisions of section 17.208.610 remain unchanged and in full effect.

SECTION 8.

A. The “Residential care facility” row is hereby deleted from section 17.208.710.B.1 (R-5 zone; conditional uses; residential uses) of the Sacramento City Code.

Residential care facility	-	PDC
--------------------------------------	---	-----

B. Except as amended by subsection A above, all provisions of section 17.208.710 remain unchanged and in full effect.

SECTION 9.

A. Section 17.216.420 (EC zone) of the Sacramento City Code is hereby amended as follows:

1. Table 1 is hereby amended to read as follows:

Category	Permitted uses
Primary	<p>Office</p> <p>High-tech manufacturing research and development (not limited to 25% office—may have 100% office uses)</p> <p>Medical facilities:</p> <ul style="list-style-type: none"> Hospital Laboratory Residential care facility Nonresidential care facility Skilled nursing facility Research and development Physician’s clinic Convalescent hospital Drug/alcohol treatment centers Pharmacy Optician lab or clinic Veterinary clinic; veterinary hospital¹ Kennel (subject to approval of a conditional use permit by the zoning administrator) <p>Educational/vocational/training (public or private)</p> <p>Banks; savings and loans</p> <p>Post office</p> <p>Childcare center</p> <p>Light Industrial Uses:</p> <ul style="list-style-type: none"> Warehouse; distribution center is permitted by right when use is located greater than ½ mile from the center of an existing or proposed light rail station platform; for conditional uses, see subsection B.2.c. Manufacturing, <u>service, and repair</u> High-tech manufacturing research and development (limited to 25% office) Assembly
Support Retail	<p>Health club</p> <p>School—dance, music, art, martial arts</p>

	<p>Auto—sales, storage, rental is permitted when use is located greater than ½ mile from the center of an existing or proposed light rail station platform; for conditional uses, see subsection B.2.c.</p> <p>Auto—service, repair is permitted when use is located greater than ½ mile from the center of an existing or proposed light rail station platform; for conditional uses, see subsection B.2.c.</p> <p>Gas stations capable of simultaneously fueling not more than 10 vehicles are permitted by right when located greater than ½ mile from the center of an existing or proposed light rail station platform; for conditional uses, see subsection B.2.c.</p> <p>Restaurant; café; deli</p> <p>Hotel; motel; bed and breakfast inn</p> <p>Consumer retail (maximum 10,000 square feet per store, with an aggregate building size of 30,000 square feet)² (e.g., books, food, videos, etc.)</p> <p>Antenna; telecommunications facility (subject to special use regulations in section 17.228.300 et seq.)</p> <p>Assembly-cultural, religious, social (subject to special use regulations in section 17.228.128)</p>
Residential	<p>Multi-unit dwelling</p> <p>Dormitory (subject to special use regulations in section 17.228.111)</p>

1 Veterinary clinics and hospitals need a conditional use permit if there is outdoor boarding of animals.

2 Includes drug stores and office supply stores up to a maximum of 20,000 square feet per store, except EC-65 and EC-80 sites, which have a maximum of 10,000 square feet. Includes auto-related retail uses (excluding gas sales) up to a maximum of 15,000 square feet.

2. Subsection B.2.c.vi is hereby amended to read as follows:

vi. Warehouse uses. Use is permitted with a conditional use permit approved by the planning and design commission if use is —

~~(A) — Use is~~ located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform, subject to special use regulations in section 17.228.127. ~~or~~

~~(B) Use is located greater than ½ mile from the center of an existing or proposed light rail station platform.~~

B. Except as amended by subsection A above, all provisions of section 17.216.420 remain unchanged and in full effect.

SECTION 10.

A. Subsection A of section 17.216.430 of the Sacramento City Code is hereby amended to read as follows:

A. Employment intensity. Each EC zone has a suffix number to specify the average number of employees allowed per net acre. For example, EC-40 has an average of 40 employees per net acre. The suffixes range from 30 to 80. The most intense EC zones shall be located within close proximity to transit service. The suffix provides the opportunity for a range of employment intensities on the site. The following chart identifies the minimum and average intensity for each EC zone:

Zone	Employees Per Net Acre	
	Minimum	Average
EC-30	10	30
EC-40	20	40
EC-45	20	45
EC-50	20	50
EC-65	50	65
EC-80	65	80

B. Except as amended by subsection A above, all provisions of section 17.216.430 remain unchanged and in full effect.

SECTION 11.

A. Section 17.220.110 (M-1 zone) of the Sacramento City Code is hereby amended as follows:

1. The “Community garden, private” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Community garden, private	Subject to special use regulations in section <u>17.228.810 et seq.</u>
--------------------------------------	--

2. The “Market garden” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Market garden	Subject to special use regulations in section <u>17.228.810 et seq.</u>
--------------------------	--

3. The “Gas station” row in subsection B.2 (Conditional uses; commercial and institutional uses) is hereby amended to read as follows:

<p>Gas station</p>	<p>Gas stations capable of simultaneously fueling not more than 10 vehicles are permitted with a conditional use permit if use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform, subject to special use regulations in section 17.228.127.</p> <p>Gas stations capable of simultaneously fueling more than 10 vehicles are permitted with a conditional use permit if—</p> <ol style="list-style-type: none"> 1. Use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way, or roadway with six or more lanes, <u>or city truck route or Surface Transportation Assistance Act truck route designated by the city council</u>, subject to special use regulations in section 17.228.127; or 2. Use is located greater than ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way, or roadway with six or more lanes, <u>or city truck route or Surface Transportation Assistance Act truck route designated by the city council</u>. <p>Repair work permitted if confined to building</p>	<p>PDC</p>
--------------------	--	------------

4. A row for “Community garden, private” is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

<p><u>Community garden, private</u></p>	<p><u>Subject to special use regulations in section 17.228.810 et seq.</u></p>	<p><u>ZA</u></p>
---	--	------------------

5. A row for “Market garden” is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

Market garden	Subject to special use regulations in section 17.228.810 et seq.	ZA
-------------------------------	--	--------------------

B. Except as amended by subsection A above, all provisions of section 17.220.110 remain unchanged and in full effect.

SECTION 12.

A. Section 17.220.210 (M-1(S) zone) of the Sacramento City Code is amended as follows:

1. The “Community garden, private” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Community garden, private	Subject to special use regulations in section 17.228.810 et seq.
--------------------------------------	---

2. The “Market garden” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Market garden	Subject to special use regulations in section 17.228.810 et seq.
--------------------------	---

3. The “Gas station” row in subsection B.2 (Conditional uses; commercial and institutional uses) is hereby amended to read as follows:

Gas station	Gas stations capable of simultaneously fueling not more than 10 vehicles are permitted with a conditional use permit if use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform, subject to special use regulations in section 17.228.127. Gas stations capable of simultaneously fueling more than 10 vehicles are permitted with a conditional use permit if—	PDC
-------------	---	-----

	<p>1. Use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way, or roadway with six or more lanes, <u>or city truck route or Surface Transportation Assistance Act truck route designated by the city council</u>, subject to special use regulations in section 17.228.127; or</p> <p>2. Use is located greater than ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way, or roadway with six or more lanes, <u>or city truck route or Surface Transportation Assistance Act truck route designated by the city council</u></p> <p>.</p> <p>Repair work permitted if confined to building</p>	
--	--	--

4. A row for “Community garden, private” is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

<u>Community garden, private</u>	<u>Subject to special use regulations in section 17.228.810 et seq.</u>	<u>ZA</u>
----------------------------------	---	-----------

5. A row for “Market garden” is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

<u>Market garden</u>	<u>Subject to special use regulations in section 17.228.810 et seq.</u>	<u>ZA</u>
----------------------	---	-----------

B. Except as amended by subsection A above, all provisions of section 17.220.210 remain unchanged and in full effect.

SECTION 13.

A. Section 17.220.220 of the Sacramento City Code is hereby amended to read as follows:

Notwithstanding the limitation stated in section 17.~~220.210~~~~230.210~~, office use is allowed by right when all ~~of~~ the following requirements are met:

- A. The office use does not exceed 40,000 gross square feet per parcel;
- B. The office use is in a building with an FAR of 0.4 or greater; and
- C. The office use is located within ¼ mile of the center of a light rail station platform.

B. Except as amended by subsection A above, all provisions of section 17.220.220 remain unchanged and in full effect.

SECTION 14.

A. Section 17.220.310 (M-2 zone) of the Sacramento City Code is hereby amended as follows:

1. The “Community garden, private” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Community garden, private	Subject to special use regulations in section <u>17.228.810</u> et seq.
--------------------------------------	--

2. The “Market garden” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Market garden	Subject to special use regulations in section <u>17.228.810</u> et seq.
--------------------------	--

3. The “Gas station” row in subsection B.2 (Conditional uses; commercial and institutional uses) is hereby amended to read as follows:

Gas station	Gas stations capable of simultaneously fueling not more than 10 vehicles are permitted with a conditional use permit if use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform, subject to special use regulations in section 17.228.127.	PDC
-------------	---	-----

	<p>Gas stations capable of simultaneously fueling more than 10 vehicles are permitted with a conditional use permit if—</p> <p>1. Use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way, or roadway with six or more lanes, <u>or city truck route or Surface Transportation Assistance Act truck route designated by the city council</u>, subject to special use regulations in section 17.228.127; or</p> <p>2. Use is located greater than ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way, or roadway with six or more lanes, <u>or city truck route or Surface Transportation Assistance Act truck route designated by the city council</u>.</p> <p>Repair work permitted if confined to building</p>	
--	--	--

4. A row for “Community garden, private” row is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

<u>Community garden, private</u>	<u>Subject to special use regulations in section 17.228.810 et seq.</u>	<u>ZA</u>
----------------------------------	---	-----------

5. A row for “Market garden” is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

<u>Market garden</u>	<u>Subject to special use regulations in section 17.228.810 et seq.</u>	<u>ZA</u>
----------------------	---	-----------

B. Except as amended by subsection A above, all provisions of section 17.220.310 remain unchanged and in full effect.

SECTION 15.

A. Section 17.220.410 (M-2(S) zone) of the Sacramento City Code is amended as follows:

1. The “Community garden, private” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Community garden, private	Subject to special use regulations in section <u>17.228.810</u> et seq.
--------------------------------------	--

2. The “Market garden” row is hereby deleted from subsection A.3 (Permitted uses; industrial and agricultural uses).

Market garden	Subject to special use regulations in section <u>17.228.810</u> et seq.
--------------------------	--

3. The “Gas station” row in subsection B.2 (Conditional uses; commercial and institutional uses) is hereby amended to read as follows:

Gas station	<p>Gas stations capable of simultaneously fueling not more than 10 vehicles are permitted with a conditional use permit if use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform, subject to special use regulations in section 17.228.127.</p> <p>Gas stations capable of simultaneously fueling more than 10 vehicles are permitted with a conditional use permit if—</p> <p>1. Use is located greater than ¼ mile but less than or equal to ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way or roadway with six or more lanes, <u>or city truck route or Surface Transportation Assistance Act truck route designated</u></p>	PDC
-------------	--	-----

	<p>by the city council, subject to special use regulations in section 17.228.127; or</p> <p>2. Use is located greater than ½ mile from the center of an existing or proposed light rail station platform and within 500 feet of a freeway right-of-way, or roadway with six or more lanes, or city truck route or Surface Transportation Assistance Act truck route designated by the city council.</p> <p>Repair work permitted if confined to building</p>	
--	---	--

4. A row for “Community garden, private” row is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

Community garden, private	Subject to special use regulations in section 17.228.810 et seq.	ZA
---	--	--------------------

5. A row for “Market garden” is hereby added to subsection B.3 (Conditional uses; industrial and agricultural uses) to read as follows:

Market garden	Subject to special use regulations in section 17.228.810 et seq.	ZA
-------------------------------	--	--------------------

B. Except as amended by subsection A above, all provisions of section 17.220.410 remain unchanged and in full effect.

SECTION 16.

A. Section 17.220.710 (M-T zone) of the Sacramento City Code is hereby amended as follows:

1. The “Temporary residential shelter” row in subsection A.1 (Permitted uses; residential uses) is hereby amended to read as follows:

Temporary residential shelter (24 or fewer beds)	Subject to special use regulations in section 17.228.600 et seq.
--	--

2. A row for “Temporary residential shelter (more than 24 beds)” is hereby added to subsection B.1 (Conditional uses; residential uses) to read as follows:

<u>Temporary residential shelter (more than 24 beds)</u>	<u>Subject to special use regulations in section 17.228.600 et seq.</u>	<u>PDC</u>
--	---	------------

B. Excepted as amended by subsection A above, all provisions of section 17.220.710 remain unchanged and in full effect.

SECTION 17.

A. Section 17.224.410 (HC zone) of the Sacramento City Code is amended as follows:

1. A row for “Commercial service” is hereby added to subsection A.2 (Permitted uses; commercial and institutional uses) to read as follows:

<u>Commercial service</u>	
---------------------------	--

2. A row for “Alcoholic beverage sales, off-premises consumption” row is hereby added to subsection B.2 (Conditional uses; commercial and institutional uses) to read as follows:

<u>Alcoholic beverage sales, off-premises consumption</u>	<u>Subject to special use regulations in section 17.228.108</u>	<u>PDC</u>
---	---	------------

B. Excepted as amended by subsection A above, all provisions of section 17.224.410 remain unchanged and in full effect.

SECTION 18.

A. Section 17.228.110 of the Sacramento City Code is hereby amended to read as follows:

B. Hours of operation. Operation of the accessory drive-through service facility is restricted to the hours between 7:00 a.m. and 10:00 p.m. if the site is contiguous to residentially zoned or used property, [unless the hours are modified by a conditional use permit approved by the zoning administrator.](#)

B. Except as amended by subsection A above, all provisions of section 17.228.110 remain unchanged and in full effect.

SECTION 19.

A. Subsection C of section 17.228.113 of the Sacramento City Code is hereby deleted.

~~C. — Noise. All indoor or outdoor activity areas anticipated to emit loud noise shall be mitigated to comply with the city's noise ordinance. Outdoor playground areas located in areas where the noise level is greater than the maximum "normally acceptable" level of 70 dB Ldn must be mitigated to comply with this requirement.~~

B. Except as amended by subsection A above, all provisions of section 17.228.113 remain unchanged and in full effect.

SECTION 20.

Section 17.228.610 of the Sacramento City Code is hereby amended to read as follows:

17.228.610 ~~Small Temporary residential shelter—Location requirements~~ Proximity to other temporary residential shelters.

~~A. — Small temporary residential shelter serving single adults only.~~

~~A1. — A small temporary residential shelter serving only single adults only shall be located more than ~~1,000~~300 feet from any other temporary residential shelter, measured from property line to property line.~~

~~2. — Small temporary residential shelter serving single adults only shall be located more than 500 feet from any park, school (K-12), church or faith congregation, or single unit or duplex dwelling zone in chapter 17.204, measured from property line to property line.~~

~~3. — Programs may have multiple buildings on a single parcel.~~

~~B. — All other small temporary residential shelters shall be located more than 1,000 feet from any other temporary residential shelter, measured from property line to property line. Programs may have multiple buildings on a single parcel.~~

~~C. — A small temporary residential shelter shall be located either within 1,000 feet of a designated transit corridor or bus route, or shall provide transportation between the temporary residential shelter and transit lines or services.~~

SECTION 21.

Section 17.228.620 of the Sacramento City Code is hereby amended to read as follows:

17.228.620 ~~Small Temporary residential shelter—Development standards.~~

Following are the development standards applicable to temporary residential shelters:

A. Parking. ~~One~~ off-street parking ~~space~~ shall be provided on-site ~~in the ratio of one space for every four adult beds, plus an additional space designated exclusively~~ for the manager.

B. Hours of operation. Regular hours for client intake and discharge shall be posted.

C. On-site personnel. On-site personnel shall be present during hours of operation when clients are present. The manager's area shall be located near the entry to the facility.

D. Lighting. Exterior lighting shall be provided on pedestrian pathways and parking lot areas on the property. Lighting shall reflect away from residential areas and public streets.

E. Telephones. A telephone for use by clients shall be provided.

F. Personal property. Secure areas for clients' personal property shall be provided.

G. Waiting area. If client intake occurs on-site, an enclosed or screened waiting area shall be provided on the property to prevent queuing in the public right-of-way. For purposes of this condition, small temporary residential shelters shall have a waiting area consisting of not less than 100 square feet in the same location.

H. Common space. Interior or exterior common or recreational space for clients to congregate shall be provided on the property at a ratio of not less than 15 square feet per occupant and a minimum overall area of 100 square feet. The waiting area does not count as common space.

SECTION 22.

Section 17.228.630 of the Sacramento City Code is hereby deleted.

~~17.228.630 Large temporary residential shelter.~~

~~A. — A temporary residential shelter having more than 24 beds is a "large temporary residential shelter" and is allowed with a planning director's conditional use permit if located outside of the River District special planning district and all of the location requirements and development standards in sections 17.228.640 and 17.228.650 are satisfied.~~

~~B. — A planning and design commission conditional use permit is required to establish a large temporary residential shelter in the River District special planning~~

~~district or if the large temporary residential shelter does not meet all of the location requirements and development standards in sections 17.228.640 and 17.228.650.~~

SECTION 23.

Section 17.228.640 of the Sacramento City Code is hereby deleted.

17.228.640 Large temporary residential shelter—Location requirements.

~~A. Large temporary residential shelter serving single adults only.~~

~~1. A large temporary residential shelter serving single adults only shall be located more than 1,000 feet from any other temporary residential shelter, measured from property line to property line.~~

~~2. A large temporary residential shelter serving single adults only shall be located and no closer than 500 feet from a park, school (K-12), church or faith congregation, or single-unit dwelling zone, measured from property line to property line.~~

~~3. Programs may have multiple buildings on the same parcel.~~

~~B. All other large temporary residential shelters shall be situated more than 1,000 feet from any other temporary residential shelter, measured from property line to property line. Programs may have multiple buildings on a single parcel.~~

SECTION 24.

Section 17.228.650 of the Sacramento City Code is hereby deleted.

17.228.650 Large temporary residential shelter—Development standards.

~~A. Parking. Off-street parking shall be provided on-site in the ratio of one space for every five adult beds, plus an additional space designated exclusively for the manager.~~

~~B. Hours of operation. Regular hours for client intake and discharge shall be posted.~~

~~C. On-site personnel. On-site personnel shall be present during hours of operation when clients are present. The manager's area shall be located near the entry to the facility.~~

~~D. Lighting. Exterior lighting shall be provided on pedestrian pathways and parking lot areas on the property. Lighting shall reflect away from residential areas and public streets.~~

~~E. Telephones. A telephone for use by clients shall be provided.~~

~~F. Personal property. Secure areas for clients' personal property shall be provided.~~

~~G. Waiting area. If client intake occurs on-site, an enclosed or screened waiting area shall be provided on the property to prevent queuing in the public right-of-way. For purposes of this condition, 200 square feet constitutes adequate waiting space.~~

~~unless the director determines that additional waiting space is required to meet the needs of the anticipated client load, in which case the higher figure shall apply.~~

~~H. Common space. Interior or exterior common or recreational space for residents to congregate shall be provided on the property at a ratio of not less than 15 square feet per occupant. The waiting area does not count as commo~~

SECTION 25.

A. Subsection I of section 17.228.900 of the Sacramento City Code is hereby amended to read as follows:

I. Procedures for call-up review. The mayor or the councilmember in whose district the project is located may call up for city council review any decision described in subsection H by filing a written request with the planning director within 15 business days of the zoning administrator's or planning and design commission's decision. Once the request is filed, the council shall notice and set the matter for the hearing before it. Notice of the hearing shall be given in the manner provided in section 17.812.010.A.2.a. The hearing before the city council shall be de novo, ~~meaning that the city council shall hear the matter in the same manner that the planning and design commission heard the matter.~~

B. Except as amended by subsection A above, all provisions of section 17.228.900 remain unchanged and in full effect.

SECTION 26.

A. Subsection G of section 17.228.920 of the Sacramento City Code is hereby amended to read as follows:

G. Procedures for call-up review. The mayor or the councilmember in whose district the project is located may call up for city council review any decision described in subsection F by filing a written request with the planning director within 15 business days of the zoning administrator's or planning and design commission's decision. Once the request is filed, the council shall notice and set the matter for the hearing before it. Notice of the hearing shall be given in the manner provided in section 17.812.010.A.2.a. The hearing before the city council shall be de novo, ~~meaning that the city council shall hear the matter in the same manner that the planning and design commission heard the matter.~~

B. Except as amended by subsection A above, all provisions of section 17.228.920 remain unchanged and in full effect.

SECTION 27.

A. Subsection C.1 of section 17.232.100 of the Sacramento City Code is hereby amended to read as follows:

1. When calculating the expiration dates set forth in subsections A and B above, the period of discontinuance shall be tolled from the date an application is timely filed to change from a nonconforming use for which an application to change from one nonconforming use to another nonconforming use is timely filed under section 17.232.090 is considered to have been discontinued from the date that the prior nonconforming use ceases until the date that an application to change from one nonconforming use to another nonconforming use is filed. The time of discontinuance of the nonconforming use resumes, and is considered to have been continuous, on the until the date a decision on the application is final.

B. Except as amended by subsection A above, all provisions of section 17.232.100 remain unchanged and in full effect.

SECTION 28.

A. Subsection A of section 17.340.060 of the Sacramento City Code is hereby amended to read as follows:

A. Residential density. Residential projects shall have a minimum of 15 dwelling units per net acre ~~and shall not exceed 100 dwelling units per net acre.~~

B. Except as amended by subsection A above, all provisions of section 17.340.060 remain unchanged and in full effect.

SECTION 29.

Section 17.400.030 of the Sacramento City Code is hereby amended to read as follows:

17.400.030 Application and amendment of SPD zoning designation and SPD chapter.

A. An SPD designation is adopted, amended, or removed in the same manner as city-initiated rezonings set forth in chapter 17.916. ~~Only the planning and design commission or city council may initiate the proceedings.~~

B. An SPD chapter is adopted, amended, or removed in the same manner as text amendments to this title set forth in chapter 17.916. ~~Only the planning and design commission or city council may initiate the proceedings.~~

SECTION 30.

A. Subsection B of Section 17.444.050 of the Sacramento City Code is hereby amended to read as follows:

B. The following open space districts are established within the Central City SPD and shown on Exhibit C in section 17.444.150: Central Business Open Space District, Urban Open Space District, Traditional Open Space District, and Suburban Open Space District. Within these open space districts, open space shall be provided as follows:

1. Central Business Open Space District. No private or common open space is required.

2. Urban Open Space District. A combination of private and common open space shall be provided for new multi-unit dwellings at a ratio of 25 square feet of open space per dwelling unit beyond the minimum required front-yard, side-yard, and rear-yard setbacks. Private open space must have a minimum ~~width~~depth of ~~35~~ feet. Common open space must have a minimum width or depth of 20 feet.

3. Traditional Open Space District. A combination of private and common open space shall be provided for new multi-unit dwellings at a ratio of 50 square feet of open space per dwelling unit beyond the minimum required front-yard, side-yard, and rear-yard setbacks. Private open space must have a minimum ~~width~~depth of ~~35~~ feet. Common open space must have a minimum width or depth of 20 feet.

4. Suburban Open Space District. A combination of private and common open space shall be provided for new multi-unit dwellings at a ratio of 100 square feet of open space per dwelling unit beyond the minimum required front-yard, side-yard, and rear-yard setbacks. Private open space must have a minimum ~~width~~depth of ~~35~~ feet. Common open space must have a minimum width or depth of 20 feet.

B. Except as amended by subsection A above, all provisions of section 17.444.050 remain unchanged and in full effect.

SECTION 31.

A. Subsection C of section 17.500.010 of the Sacramento City Code is hereby amended to read as follows:

C. All subdivisions shall result in lots that can be used or built upon. No subdivision shall create lots that are impractical for improvement or use due to steepness of terrain, location of watercourses, size, shape, inadequate frontage, access, building area, or other physical condition. Except for lots within a planned unit development, all residentially zoned lots shall have not less than 20 feet of public street frontage, approved private street frontage, or alley ~~frontage.s in the Central City.~~

B. Except as amended by subsection A above, all provisions of section 17.500.010 remain unchanged and in full effect.

SECTION 32.

A. Section 17.600.135 of the Sacramento City Code is hereby amended as follows:

1. Subsection B is hereby amended to read as follows:

B. Private open space shall have a minimum ~~width-depth~~ of ~~three~~five feet. Common open space shall have a minimum width or depth of 20 feet.

2. Subsection C.2 is hereby amended to read as follows:

2. Located outdoors and open to the sky, though accessory structures or other architectural features such, ~~except that up to 10% of the open space may be covered by structures such~~ as eaves, balconies, pergolas, gazebos, arcades, ~~or~~ and other shade structures may be used for shading; and

B. Except as amended by subsection A above, all provisions of section 17.600.135 remain unchanged and in full effect.

SECTION 33.

A. Subsection A.4 of section 17.608.060 of the Sacramento City Code is hereby amended to read as follows:

4. Alternative vehicle parking space dimensions and maneuvering widths. Alternatives to the minimum parking space dimensions in section 17.608.040. ~~FE~~ may be approved if the alternative space dimensions do not cause vehicle stacking in the adjacent public right-of-way.

B. Except as amended by subsection A above, all provisions of section 17.608.060 remain unchanged and in full effect.

SECTION 34.

A. Subsection C of section 17.620.100 of the Sacramento City Code is hereby amended to read as follows:

C. Clear zones; driveways within setbacks. Notwithstanding sections 17.620.110.A.1 and A.2, a wall or fence, including those constructed with tubular steel or wrought iron, may not exceed 43.5 feet in height within the triangular areas next to the intersection of the driveway and the front-yard or the street side-yard curb ~~line~~. A This triangular area is defined by the following three lines: (1) the edge of the driveway

that meets the right-of-way; (2) either the back of the sidewalk or the right-of-way line closest to the driveway, whichever is furthest from the front or street centerline side curb line; and (3) a line connecting the following two points: (i) the point on the back of sidewalk or the right-of-way curb line, whichever is furthest from the street centerline, that is 10 feet from the edge of the driveway, and (ii) the point along the edge of the driveway 10 feet from the back of the sidewalk or the right-of-way line, whichever is furthest from the street centerline curb line. If no standard curb exists, the property line is used instead of the curb line reference. The back of the sidewalk is the edge of the sidewalk furthest from the street centerline.

B. Except as amended by subsection A above, all provisions of section 17.620.100 remain unchanged and in full effect.

SECTION 35.

Section 17.624.050 of the Sacramento City Code is hereby amended to read as follows:

17.624.050 Detached accessory structures.

The chart below identifies the footnote in this section that sets forth the regulations for each type of detached accessory structure. Identify the proposed type of accessory structure in the first column and read across the chart to find the regulations for that type of accessory structure. For example, the minimum setback requirements for a detached garage are set forth in footnote 5-1 in this section. "N/A" means not applicable.

Type of Detached Accessory Structure	Minimum Setbacks	Maximum Lot Coverage	Max. Lot Coverage of Required Rear Yard	Minimum Distance from Main Building	Maximum Height	Driveway	Other Standards
Garage	1	2	3	4	5	6	7
Carport	1	2	3	4	5	6	7
Covered patio or covered unenclosed structure	1	2	3	8	5	N/A	N/A
Uncovered deck	9	10	3	11	12	N/A	13
Covered deck	1	2	3	8	5	N/A	13
Enclosed structure	1	2	3	4	5	6	7, 14

Footnotes:

1. Minimum setbacks for detached accessory structure.
 - a. A detached accessory structure is not permitted in the required front or street side setback.
 - b. When located nearer than 60 feet to the front property line, a detached accessory structure is subject to the same minimum front-yard and side-yard setbacks required for the main building.
 - c. When located more than 60 feet from the front property line, the detached accessory structure may be located in the rear-yard or interior side-yard setback area, provided that the detached accessory structure shall not project into the required setback from the landside toe of a levee.
2. Maximum lot coverage. Except as provided in footnote 3 below, a detached accessory structure is subject to the maximum lot coverage standards of the zone in which the structure is located.
3. Maximum lot coverage of required rear-yard.
 - a. Except as provided in subparagraph b below, no more than 33% of the surface area of the required rear-yard setback may be covered by detached accessory structures.
 - b. In the R-1 and R-2 zones, not more than 33% or 350 square feet, whichever is greater, of the surface area of the required rear-yard setback may be covered by detached accessory structures.
 - c. Uncovered or unenclosed swimming pools, spas, and hot tubs, including equipment placed at ground level, or on a concrete pad at ground level; detached uncovered patios; and detached uncovered decks less than 30 inches in height, measured from ground to top of deck, are not counted in the lot coverage computation.
 - d. Setback from levee. Notwithstanding the provisions of subparagraphs a through c, a detached accessory structure shall not project into the required setback from the landside toe of a levee.
4. Minimum distance from main building. The minimum distance between a detached accessory structure and the main building is 4 feet.
5. Maximum height of a detached accessory structure.

a. The maximum overall height of a detached accessory structure is 18 feet to the highest point on the roof. Dormers are permitted as a decorative feature or to admit daylight to the structure, if they meet the following criteria:

i. No part of the dormer shall be located on the same plane as the wall below; and

ii. The combined width of all dormers on a single roof plane shall not exceed one-fourth of the width of the roof plane where the dormers are located.

b. The maximum wall height of a detached accessory structure is 10 feet. The wall height is the vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the plate line, where the roof meets the wall.

c. Any variation or waiver of the criteria in this footnote 5 may be approved through director-level site plan and design review under chapter 17.808.

6. Driveways and maneuvering requirements for single-unit and duplex dwellings. Driveways for single-unit and duplex dwellings shall conform to the requirements of chapter 17.508. The driveway is permitted to have a landscape strip down the center. The landscape strip is not permitted in the vehicle parking pad.

7. Minimum dimensions of detached garages and carports.

a. Single-unit or duplex dwellings. Unless a parking pad that meets the requirements of section 17.624.060 is provided, the minimum interior dimensions of a detached garage or attached carport are 10 feet wide and 20 feet deep. The width may be reduced to 8 feet if the existing interior side-yard setback between the existing residence and the property line is 8 feet.

b. Multi-unit dwellings. The minimum interior dimensions of a detached garage are eight feet wide by 18 feet deep. The minimum dimensions of a detached carport are 10 feet wide and 20 feet deep. The width may be reduced to 8 feet if the existing interior side-yard setback between the existing residence and the property line is 8 feet.

8. Minimum distance from the main building for detached covered patios, covered decks, and other covered, unenclosed structures. No minimum distance is required between detached covered patios, covered decks, and other covered, unenclosed structures and the main building.

9. Minimum setbacks for detached uncovered decks.

a. No minimum setbacks are required for detached uncovered decks less than 30 inches in height, measured from the ground to the top of the deck.

b. The following minimum setbacks are required for detached uncovered decks of 30 or more inches in height, measured from the ground to the top of the deck:

i. The deck is not permitted in the required front-yard setback;

ii. When located nearer than 60 feet to the front property line, the deck is subject to the same minimum front-yard and side-yard setbacks required for the main building; and

iii. When located more than 60 feet from the front property line, the deck shall maintain a minimum five-foot interior side-yard, street side-yard, and rear-yard setback.

10. Maximum lot coverage for detached uncovered decks.

a. A detached uncovered deck less than 30 inches in height, measured from the ground to the top of the deck, is not subject to the maximum lot coverage standard.

b. A detached uncovered deck of 30 or more inches in height, measured from the ground to the top of the deck, is subject to the maximum lot coverage standard of the zone in which the deck is located.

11. Minimum distance from main building for uncovered decks.

a. No minimum distance is required between an uncovered deck under 30 inches in height, measured from the ground to the top of the deck, and the main building.

b. The distance between an uncovered deck of 30 or more inches in height, measured from the ground to the top of the deck, and the main building shall be either 6 inches or less or 4 feet or more.

12. The maximum height for an uncovered deck is five feet.

13. Other standards for detached covered and uncovered decks.

a. Railings, benches, planters, and the like, with a maximum of 3 feet in height, may be constructed and attached to the deck and are not counted as part of the deck height.

b. Trellises, walls, and similar structures attached to the deck are counted as part of the deck height.

14. Examples of detached enclosed accessory structures include: storage sheds, workshops, recreation rooms, and noncommercial greenhouses.

SECTION 36.

A. Subsection A of section 17.712.070 of the Sacramento City Code is hereby amended to read as follows:

A. All fees collected pursuant to section 17.712.050 shall be placed in the citywide low income housing fund and shall be administered and used for the purposes described in [article IV of chapter 17.70818.56](#).

B. Except as amended by subsection A above, all provisions of section 17.712.070 remain unchanged and in full effect.

SECTION 37.

A. Subsection A.5 of section 17.808.110 of the Sacramento City Code is hereby amended to read as follows:

5. Measures for the protection of environmentally sensitive features such as rivers, creeks, wetlands, protected plant and animal habitats, ~~street-city~~ trees, and ~~heritage-private protected~~ trees; and

B. Except as amended by subsection A above, all provisions of section 17.808.110 remain unchanged and in full effect.

SECTION 38.

A. Section 17.808.160 of the Sacramento City Code is hereby amended as follows:

1. Subsection A is hereby amended to read as follows:

A. For development projects that are not located in a historic district and do not involve a landmark:

1. An alteration to an existing building or structure that does not substantially alter the exterior appearance of the building or structure, as determined by the director;

2. An alteration to an existing site that does not significantly alter the functioning of the site with respect to traffic circulation, parking, infrastructure, and environmentally sensitive features, as determined by the director;

3. Secondary dwelling units that meet all development standards without deviation (~~Secondary dwelling units that do not meet development standards are subject to director-level review~~);

4. Sidewalk cafes;

5. Convenience recycling facilities; ~~and~~

6. Registered house plans (subject to site plan review, but not design review); ~~and~~

7. Demolition of the following structures if less than 50 years old:

a. Secondary dwelling unit or junior accessory dwelling unit;

b. Residential accessory structure;

2. Subsection C is hereby amended to read as follows:

C. Tentative maps and parcel maps that subdivide vacant land ~~that are not associated with other approvals or permits and~~ and meet all development standards without deviations.

3. Subsection D is hereby amended to read as follows:

D. Antennas that are reviewed or exempt from review under ~~section 3.76.050~~ chapter 12.14.

B. Except as amended by subsection A above, all provisions of section 17.808.160 remain unchanged and in full effect.

SECTION 39.

A. Section 17.808.260 of the Sacramento City Code is hereby amended to read as follows:

A. Purpose. A mixed income housing strategy, ~~as is a requirement contained in this by Chapter 17.712, of this title and~~ is intended to ensure that large residential projects provide housing for a variety of incomes and family types that is consistent with housing element policy.

B. Except as amended by subsection A above, all provisions of section 17.808.260 remain unchanged and in full effect.

SECTION 40.

Section 17.808.440 of the Sacramento City Code is hereby amended to read as follows:

17.808.400 Discretionary permits—Establishment of use—Term.

A. Request for modification—Classification as major or minor.

1. A request to modify the terms and conditions of a conditional use permit ~~or, variance, or urban development permit~~ may be made by filing an application for modification at any time during the term of the permit. A request for modification is discretionary and is not the automatic right of an applicant. A proposed modification is classified as either major or minor by the zoning administrator ~~for a conditional use permit or variance, and by the planning director for an urban development permit,~~ without notice or hearing. The decision on the classification of the modification is final and is not subject to reconsideration or appeal.

2. A major modification is one that will result in a material change in the nature of a project. The following are deemed major modifications for purposes of this section. This list is not inclusive, and the fact that a particular change is not included does not limit discretion or authority of the decision-maker to determine that a particular proposed change or set of changes to the permit constitutes a major modification. The following changes constitute major modifications for purposes of this provision:

a. Any major change in the pattern or volume of traffic flow either on or off any property covered by the permit;

b. Any change in the nature of the use;

c. Any increase in the density of dwelling units per acre; and

d. Any material changes in the orientation or location of structures on the parcel.

3. A minor modification is any modification that is not classified as a major modification.

B. Approval authority—Major modification. A request for a major modification to the terms and conditions of a conditional use permit or variance is subject to review at the director level by the zoning administrator. ~~A request for a major~~

~~modification to an urban development permit is subject to review at the director level by the planning director.~~

C. Decision and findings—Major modification. The decision-maker may approve the request for modification based on the findings required for approval of the conditional use permit or, variance, ~~or urban development permit~~ as stated in this chapter. The decision-maker may impose conditions on the modification as the decision-maker determines to be necessary or appropriate to make the required findings.

D. Appeal. A decision on a request for a major modification is appealable to the planning and design commission as provided in section 17.812.060.

E. Approval authority—Minor modification. A minor modification to the terms and conditions of a conditional use permit or variance is subject to review at the staff level under the general direction of the zoning administrator. ~~A minor modification to the terms and conditions of an urban development permit is subject to review at the staff level under the general direction of the planning director.~~

F. Decision and findings—Minor modification. The decision-maker may approve the request for modification based on the findings required for approval of the conditional use permit or, variance, ~~or urban development permit~~ as stated in this chapter. The decision-maker may impose conditions on the modification as the decision-maker determines to be necessary or appropriate to make the required findings.

G. Reconsideration. A decision on a request for a minor modification is subject to reconsideration under section 17.812.020, and is not appealable.

H. Discretion to elevate review of request. The zoning administrator or planning director, in their sole discretion, may elect to elevate the review and decision of a request to modify the terms and conditions of a conditional use permit or, variance, ~~or urban development permit~~ under their general direction or authority from the staff level to the director level, or from the director level to the commission level. The decision of the director under this section is final and is not subject to reconsideration or appeal.

SECTION 41.

A. Subsection B of Section 17.812.060 of the Sacramento City Code is hereby amended to read as follows:

B. Appeal of director-level decisions. Any person dissatisfied with any director-level decision that is subject to appeal under this title may appeal the decision within 10 days after the decision is final. ~~Except as provided in chapter 17.440 for the Sacramento Railyards special planning district, t~~he appeal is heard at the commission

level. The appeal must be filed with the planning director using the form provided by the city.

B. Except as amended by subsection A above, all provisions of section 17.812.060 remain unchanged and in full effect.

SECTION 42.

Section 17.800.010 of the Sacramento City Code is hereby amended to read as follows:

17.800.010 Submittal of applications.

A. The owner of real property, or the authorized agent of the owner, may submit an application for a permit or legislative change request under this title relating to development on the property. The application shall be in writing and shall be filed with the planning director upon forms provided by the city.

B. The application shall be accompanied by an application fee as provided in section 17.800.020, and by the plans, specifications, and other information required by the planning director.

C. [The applicant and its successors in interest shall agree, in a form acceptable to the city attorney, to defend, indemnify, and hold harmless the city, its council members, boards, commissions, officers, employees, and agents from and against all costs that may arise in connection with the city's processing, issuance, or denial of a permit under this title, if the city, in its sole discretion, utilizes outside counsel to defend the claim. The applicant and its successors in interest shall further agree, in a form acceptable to the city attorney, to indemnify the city, its council members, boards, commissions, officers, employees, and agents from and against all damages, including attorney's fees, that may arise in connection with the city's processing, issuance, or denial of a permit under this title, regardless of whether the city utilizes its staff attorneys or outside counsel.](#)

[ED.](#) The applicant shall attest by signature on the application that the information stated in the application is true to the best of the applicant's knowledge and belief.

SECTION 43.

A. Subsection E of section 17.860.020 of the Sacramento City Code is hereby amended to read as follows:

E. Establishment and expiration of the permit. Section 17.808.470 governs the establishment and expiration of an administrative permit granted under this section,

except when that section conflicts with subdivision (ef) of California Government Code section 65913.4, in which case the provisions of the California Government Code prevail.

B. Except as added by subsection A above, all provisions in section 17.860.020 remain unchanged and in full effect.